



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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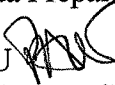
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December 3, 2014

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TO: PATRICK OGAWA  
Chief Deputy Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU   
Senior Assistant County Counsel  
Executive Office

RE: **Item for the Board of Supervisors' Agenda**  
**County Claims Board Recommendation**  
**Vicente Perez, et al. v. County of Los Angeles**  
**Los Angeles Superior Court Case No. TC 027 184**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached is the Case Summary and Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:cs

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Vicente Perez, et al. v. County of Los Angeles, Los Angeles Superior Court Case No. TC 027 184, in the amount of \$1,650,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This lawsuit concerns allegations of medical malpractice by LAC+USC Medical Center that contributed to the death of the plaintiffs' spouse and mother.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Vicente Perez, et al. v. Los Angeles County-USC Medical Center
CASE NUMBER	TC 027184
COURT	Los Angeles Superior Court – South Central District
DATE FILED	January 10, 2013
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$1,650,000
ATTORNEY FOR PLAINTIFF	Thomas J. Johnston Johnston & Hutchinson, LLP
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Senior Deputy County Counsel
NATURE OF CASE	<p>In 2011, Sara Perez was diagnosed with a benign brain tumor. She followed-up at LAC+USC Medical Center where the staff planned to perform a surgery to remove the cancer from Ms. Perez's brain.</p> <p>Due to limited availability, the surgery was postponed. On May 1, 2012, Ms. Perez died as a result of complications of her cancer.</p> <p>Ms. Perez's surviving family brought an action against the County of Los Angeles alleging that the delay in performing the surgery contributed to Ms. Perez's death.</p>
PAID ATTORNEY FEES, TO DATE	\$22,494
PAID COSTS, TO DATE	\$9,977

Case Name: Perez, Vicente, et al. #3997



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	May 1, 2012
Briefly provide a description of the incident/event:	<p>In 2011, Sara Perez was diagnosed with a benign brain tumor. She followed-up at LAC+USC Medical Center where the staff planned to perform a surgery to remove the cancer from Ms. Perez's brain.</p> <p>Due to limited availability, the surgery was postponed. On May 1, 2012, Ms. Perez died as a result of complications of her cancer.</p> <p>Ms. Perez's surviving family brought an action against the County of Los Angeles alleging that the delay in performing the surgery contributed to Ms. Perez's death.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

Death from benign brain cancer resulting from a delay in surgery.

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- All appropriate personnel corrective actions have been implemented.
- The Neurosurgery Department at LAC+USC developed a process to track patients whose pre-op clearance has expired.
- A new clinic was opened at LAC+USC to treat patient with nervous system tumors.
- New bilingual staff was hired at LAC+USC to assist patients in coordinating and scheduling appointments.
- A group specializing in peri-operative patient services was tasked with improving the management of elective surgical procedures.

3. Are the corrective actions addressing department-wide system issues?

- Yes – The corrective actions address department-wide system issues.
- No – The corrective actions are only applicable to the affected parties.

County of Los Angeles  
Summary Corrective Action Plan

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Name: (Risk Management Coordinator) ARUN PATEL	
Signature: <i>Ar</i>	Date: 8/29/14

Name: (Department Head) Mitchell Katz	
Signature: <i>Mitchell Katz</i>	Date: 10/7/14

<b>Chief Executive Office Risk Management Inspector General USE ONLY</b>	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	

Name: (Risk Management Inspector General) Destiny Castro	
Signature: <i>Destiny Castro</i>	Date: 8/29/2014