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
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.

Due to limited availability, the surgery was postponed. On May 1, 2012, Ms. Perez died as a result of complications of her cancer.

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.

PAID ATTORNEY FEES, TO DATE
$22,494

PAID COSTS, TO DATE
$9,977
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:
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.

Due to limited availability, the surgery was postponed. On May 1, 2012, Ms. Perez died as a result of complications of her cancer.

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.

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

Name: (Risk Management Coordinator)
ARUN PATEL
Signature: [Signature]
Date: 8/29/14

Name: (Department Head)
M. Lawill Katz
Signature: [Signature]
Date: 10/7/14

Chief Executive Office Risk Management Inspector General USE ONLY
Are the corrective actions applicable to all the departments within the County?
☐ Yes, the corrective actions potentially have County-Wide applicability
☒ No, the corrective actions are applicable only to this department

Name: (Risk Management Inspector General)
Destiny Castro
Signature: [Signature]
Date: 8/29/2014