

STATEMENT OF PROCEEDINGS
FOR THE SPECIAL REGULAR MEETING
OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD IN ROOM 651 OF THE KENNETH HAHN HALL OF ADMINISTRATION,
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012
ON
TUESDAY, AUGUST 12, 2008, AT 8:00 AM

Present: Maria M. Oms, Rocky Armfield and John Krattli

The following items were presented to the Claims Board for consideration and the Claims Board took actions as indicated in bold.

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.

No members of the public addressed the Claims Board.

3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code Section 54956.9).

- a. Francisco Ijarro aka Francisco Guijarro, et al. v. County of Los Angeles
Los Angeles Superior Court Case No. BC 377 079

This wrongful death lawsuit arises from injuries sustained by a patient who was being transferred from LAC+USC Medical Center to White Memorial Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$170,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services' budget.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

4. Report of actions taken in Closed Session.

The Claims Board reconvened in open session and reported the actions taken in closed session as indicated under Agenda Item No. 3 above.

5. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

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| CASE NAME | Francisco Ijarro aka Francisco Guijarro, et al., v. County of Los Angeles |
| CASE NUMBER | BC 377079 |
| COURT | Los Angeles Superior Court Central District |
| DATE FILED | September 5, 2007 |
| COUNTY DEPARTMENT | Department of Health Services |
| PROPOSED SETTLEMENT AMOUNT | \$170,000.00 |
| ATTORNEY FOR PLAINTIFF | John Henrichs, Esq. Henrichs Law Firm, P.C. |
| COUNTY COUNSEL ATTORNEY | Narbeh Bagdasarian |
| NATURE OF CASE | <p>This is a wrongful death case brought by Francisco Guijarro and the Estate of Jesus Guijarro for the death of Jesus Guijarro.</p> <p>On July 26, 2006, Jesus Guijarro, who had long history of significant mental and medical conditions, was being transported from LAC+USC Medical Center to White Memorial Hospital.</p> |

After arriving at the destination, when the County personnel were assisting Mr. Guijarro to leave the transportation vehicle, Mr. Guijarro escaped. While being re-detained by County personnel, Mr. Guijarro's condition deteriorated and he suffered an arrest. Resuscitative measures were unsuccessful, and the patient was pronounced dead at White Memorial Hospital.

Francisco Guijarro, Jesus Guijarro's father, and the Estate of Jesus Guijarro, filed a lawsuit against the County of Los Angeles and the personnel involved in Jesus Guijarro's transportation.

The County asserts that proper care was provided to Mr. Guijarro, and that his death was not caused or contributed by the actions of the County personnel. Considering the risks involved in a jury trial, however, the Department of Health Services agreed to propose a settlement of this case in the amount of \$170,000.00.

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| PAID ATTORNEY FEES, TO DATE | \$72,155 |
| PAID COSTS, TO DATE | \$4,497 |

Summary Corrective Action Plan



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| Date of incident/event: | July 26, 2006 |
| Briefly provide a description of the incident/event: | On July 26, 2006, Jesus Guijarro was transferred from LAC+USC Medical Center to White Memorial Medical Center by DHS Ambulance Services on a 5150 hold. Upon arrival to White Memorial Medical Center, Mr. Guijarro was assisted out of the ambulance, and he immediately ran away from the Emergency Medical Technicians (EMTs). The EMTs followed Mr. Guijarro in the ambulance until he entered a market. Mr. Guijarro exited the market and collapsed. The EMTs began CPR, placed Mr. Guijarro on a gurney and transported him back to White Memorial Medical Center where he subsequently died. |

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

- Failure to manage the patient's transportation.

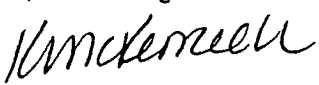


2. Briefly describe recommended corrective actions:

(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- A restraint educational program was developed and all Ambulance Service personnel have received training.
- All restraints utilized by the Ambulance Services have been changed to the same type and stored in labeled and similar areas of the ambulances.
- An Ambulance Services policy specific to elopement procedures was implemented. All Ambulance Services personnel have been briefed on the policy.
- LAC+USC added a policy to address safety during transport and elopement prevention.
- LAC+USC educated the Psychiatric Emergency Room Staff regarding hand off communication for transfers.
- LAC+USC revised the Network EMTALA Compliance Policy.

3. State if the corrective actions are applicable to only your department or other County departments: (If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- Potentially has County-wide implications.
- Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have County-wide or other department implications.

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| Signature: (Risk Management Coordinator)  | Date: 7/17/08 |
| Signature: (Interim Chief Medical Officer)  | Date: 7/17/08 |
| Signature: (Interim Director)  | Date: 7-17-08 |

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