

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING
OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD IN ROOM 648 OF THE KENNETH HAHN HALL OF ADMINISTRATION,
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

ON

MONDAY, DECEMBER 1, 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. Shanay Bridges v. County of Los Angeles
Los Angeles Superior Court Case No. TC 019 748

This medical malpractice lawsuit arises from treatment received by a patient while hospitalized at Harbor/UCLA Medical Center.

Action Taken:

This Claims Board continued this matter.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- b. Sandra Siedenburg v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 377 895

This lawsuit concerns allegations that an employee of the Department of Public Social Services was subjected to retaliation for her whistle-blower activities.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$148,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Public Social Services' budget.

Absent: None

Vote: Unanimously carried

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. Approval of the Minutes for the October 6, 2008 and November 3, 2008, meetings of the Claims Board and the November 19, 2008, Special meeting of the Claims Board.

Action Taken:

The Minutes for the October 6, 2008 and November 3, 2008, meetings of the Claims Board and the November 19, 2008, Special meeting of the Claims Board were approved.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

6. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

No such matters were discussed.

7. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|----------------------------|--|
| CASE NAME | Shanay Bridges v. County of Los Angeles, et al. |
| CASE NUMBER | TC 019748 |
| COURT | Los Angeles Superior Court, South Central District |
| DATE FILED | December 30, 2005 |
| COUNTY DEPARTMENT | Department of Health Services |
| PROPOSED SETTLEMENT AMOUNT | \$1,500,000, plus the assumption of the Medi-Cal lien in the amount of \$112,999 |
| ATTORNEY FOR PLAINTIFF | Steven Heimberg, Esq. |
| COUNTY COUNSEL ATTORNEY | Narbeh Bagdasarian |
| NATURE OF CASE | <p>This is a medical malpractice case brought by Shanay Bridges, for the injuries that she suffered when undergoing a back surgery at Harbor/ UCLA Medical Center ("HUMC").</p> <p>On March 15, 2005, Shanay Bridges, a 20-year-old female, was involved in a motor vehicle accident wherein she suffered compression fracture of her T5 and T6 vertebrae. Ms. Bridges was taken to HUMC. At the time of her</p> |

admission to HUMC, Ms. Bridges demonstrated no sign or symptoms of neurological deficit.

To decompress her spinal cord, HUMC staff performed a back surgery on April 5, 2005. After the surgery, the patient was left with paralysis and partial loss of sensation below her T4 vertebrae.

Ms. Bridges contends that, prior to the surgery, no one explained the risk of paralysis to her, and as such, she was not fully informed about the risks and complications of the procedure. The plaintiff also contends that, both before and during the back surgery on April 5, 2005, HUMC staff failed to provide her with the necessary care.

Although the County asserts that proper care was provided to Ms. Bridges, 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 \$1,500,000, plus the assumption of the Medi-Cal lien in the amount of \$112,999.

| | |
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| PAID ATTORNEY FEES, TO DATE | \$217,843.52 |
| PAID COSTS, TO DATE | \$96,625.67 |



Summary Corrective Action Plan

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|--|---|
| Date of incident/event: | April 2, 2002 |
| Briefly provide a description of the incident/event: | <p>On March 12, 2005, Shanay Bridges, a 20 year old female, was involved in a motor vehicle accident whereby she suffered compression fracture of her T5 and T6 vertebrae. Ms. Bridges was taken to HUMC. At the time of her admission to HUMC, Ms. Bridges demonstrated no sign or symptom of neurological deficit.</p> <p>To decompress her spinal cord, the HUMC staff performed a back surgery on April 5, 2005. After the surgery, the patient was left with paralysis and partial loss of sensation below her T4 vertebrae.</p> <p>Ms. Bridges contends that prior to the surgery, no one explained the risk of paralysis to her, and as such, she was not fully informed about the risks and complications of the procedure.</p> |

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

- Inadequate informed consent.

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

- In the attorney-client privileged round table meeting it was determined that consent was an issue. Consent forms were revised and standardized at HUMC and were reviewed system-wide (all DHS hospitals) to address this issue.
- Appropriate personnel corrective actions done
- Directive from DHS Interim Chief Medical Officer that attending physicians are responsible for reviewing consent prior to procedure. This was done system-wide (all DHS hospitals).

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) <i>K. M. K. K. K.</i> | Date: 11/18/08 |
| Signature: (Interim Chief Medical Officer) <i>R. S. P. L. A. U. N.</i> | Date: 11/18/08 |
| Signature: (Interim Director) <i>W. F. M. U. M.</i> | Date: 11-18-08 |

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

October 6, 2008

This regular meeting of the County of Los Angeles Claims Board was called to order at 8:03 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Present at the meeting were Claims Board Members: Maria M. Oms, Rocky Armfield and John F. Krattli; Office of the County Counsel: Albert Ramseyer, Julie Silva, Manuel A. Valenzuela, Rich Mason, Narbeh Bagdasarian, Andrea Ross, and Stephanie Farrell; Treasurer-Tax Collector's Office: Elizabeth Ginsberg; District Attorney's Office: John K. Spillane; Department of Health Services: Laura Sarff, Kim McKenzie, and William Loos, M.D.; Department of Mental Health: Linda P. Boyd and Mary Ann O'Donnell; Office of Affirmative Action Compliance: David Kim.

No members of the public addressed the Claims Board.

At 8:07 a.m., the Chairperson adjourned the meeting into closed session. At 10:23 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

- a. TracFone Wireless, Inc. v. County of Los Angeles
Los Angeles Superior Court Case No. BC 357 628

This lawsuit seeks a refund of utility user taxes related to telephone cards sold by TracFone.

The Claims Board approved settlement of this matter in the amount of \$75,000.

The vote of the Claims Board was unanimous with all members being present.

- b. Michael Kraut v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 364 168

This lawsuit concerns allegations that an employee of the District Attorney's Office was subjected to discrimination, harassment, and retaliation.

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$325,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the District Attorney's budget.

The vote of the Claims Board was unanimous with all members being present.

- c. Cherylle Cuozzo, et al. v. County of Los Angeles
Los Angeles Superior Court Case No. PC 032 929

This medical negligence lawsuit arises from treatment received by a patient while hospitalized at Olive View Medical Center.

The Claims Board continued this matter.

The vote of the Claims Board was unanimous with all members being present.

- d. Narek D., et al. v. County of Los Angeles
Los Angeles Superior Court Case No. BC 372 486

This lawsuit concerns injuries allegedly suffered as a result of plaintiff being placed on a 72-hour involuntary hold in a psychiatric hospital.

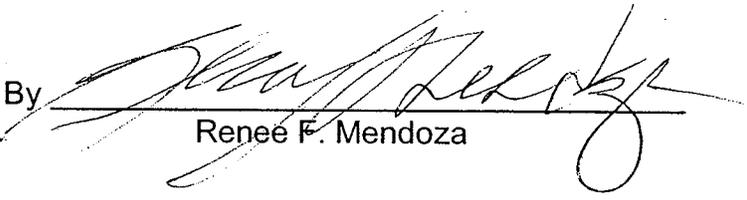
The Claims Board approved settlement of this matter in the amount of \$50,000.

The vote of the Claims Board was unanimous with all members being present.

Minutes for the August 18, 2008, meeting of the Claims Board and the August 29, 2008 and September 22, 2008, Special meetings of the Claims Board were approved.

There being no further business, the meeting was adjourned at 10:45 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By 
Renee F. Mendoza

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

November 3, 2008

This regular meeting of the County of Los Angeles Claims Board was called to order at 8:05 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Present at the meeting were Claims Board Members: Maria M. Oms, Rocky Armfield and John F. Krattli; Office of the County Counsel: Jocelyn Weiss, Manuel Valenzuela, Narbeh Bagdasarian, Brian Chu, and Casey Youn; Sheriff's Department: Shaun Mathers; Department of Health Services: Gail V. Anderson, M.D., and Darrell W. Harrington, M.D.; Department of Public Works: Keith Lehto and Michael Hays; Department of Beaches and Harbors: Walter Popoff; Office of Affirmative Action Compliance: Hayward Harris, Jr.; Outside Counsel: John Holloway.

No members of the public addressed the Claims Board.

At 8:14 a.m., the Chairperson adjourned the meeting into closed session. At 11:18 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

- a. Keith Dove v. County of Los Angeles
Los Angeles Superior Court Case No. BC 377 316

This lawsuit concerns allegations that an employee of the Sheriff's Department was subjected to disability discrimination and failure to provide reasonable accommodation.

The Claims Board approved settlement of this matter in the amount of \$68,500.

The vote of the Claims Board was unanimous with all members being present.

- b. Shanay Bridges v. County of Los Angeles
Los Angeles Superior Court Case No. TC 019 748

This medical malpractice lawsuit arises from treatment received by a patient while hospitalized at Harbor/UCLA Medical Center.

The Claims Board continued this matter to the next meeting.

The vote of the Claims Board was unanimous with all members being present.

- c. Claim of Phyllis Coe

This claim seeks compensation for property damage caused by a sewer backup in the City of Palos Verdes Estates.

The Claims Board approved settlement of this matter in the amount of \$40,999.33.

The vote of the Claims Board was unanimous with all members being present.

- d. Claim of Tamara Rudolph

This claim seeks compensation for property damage caused by a sewer backup in Altadena.

The Claims Board approved settlement of this matter in the amount of \$100,000.

The vote of the Claims Board was unanimous with all members being present.

- e. Claim of Yong Whang

This claim seeks compensation for property damage caused by a sewer backup in the City of Palos Verdes Estates.

The Claims Board approved settlement of this matter in the amount of \$57,660.57.

The vote of the Claims Board was unanimous with all members being present.

- f. Julie Brensike v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. SC 094 600

This dangerous condition lawsuit arises from injuries sustained from a fall at a County-owned boat launch in Marina del Rey.

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$290,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Beaches and Harbors' budget.

The vote of the Claims Board was unanimous with all members being present.

- g. In the matter of Victoria Golf Course Site
HSA-CO 05/06-114

This matter concerns the remediation of environmental contamination at the former BKK Main Street Landfill.

The Claims Board recommended to the Board of Supervisors settlement with the City of Bell by accepting payment of \$100,000; and partial settlement with Shell Oil Company by accepting payment of \$600,000.

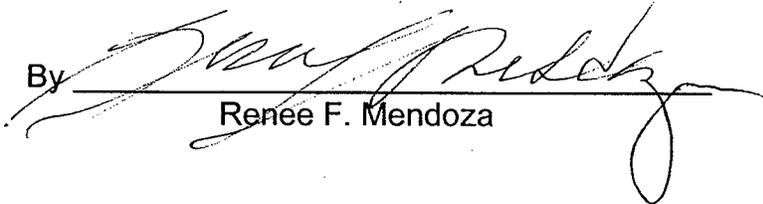
The vote of the Claims Board was unanimous with all members being present.

Minutes for the October 20, 2008, meeting of the Claims Board were approved.

There being no further business, the meeting was adjourned at 11:30 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Renee F. Mendoza

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF THE SPECIAL MEETING

November 19, 2008

This regular meeting of the County of Los Angeles Claims Board was called to order at 8:05 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Present at the meeting were Claims Board Members: Maria M. Oms, Rocky Armfield and John F. Krattli; Office of the County Counsel: Stephen Morris; Manuel A. Valenzuela, and Narbeh Bagdasarian; County Public Library: Velma Blue; Department of Health Services: William Loos, M.D., and Kim McKenzie; Office of Affirmative Action: Hayward Harris, Jr.

No members of the public addressed the Claims Board.

At 8:12 a.m., the Chairperson adjourned the meeting into closed session. At 9:19 a.m., the public meeting was reconvened.

The Claims Board took the following actions:

- a. Ruby Beatty v. County of Los Angeles
DFEH Claim No. E200708-C-1199-00-apc and
OAAC Internal Monitored Complaint No. 08-0180

This matter alleges that the County Public Library failed to engage in the required interactive process or to provide reasonable accommodations for an employee with disabilities.

The Claims Board approved settlement in the amount of \$42,000.

The vote of the Claims Board was unanimous with all members being present.

- b. County of Los Angeles v. Sandra Shewry and State Department of Health Services
Los Angeles Superior Court Case No. BS 113 301

This lawsuit concerns payments under the State Medi-Cal Program.

The Claims Board approved settlement whereby the County will receive approximately \$63,238.

The vote of the Claims Board was unanimous with all members being present.

- c. Cherylle Cuozzo, et al. v. County of Los Angeles
Los Angeles Superior Court Case No. PC 032 929

This medical negligence lawsuit arises from treatment received by a patient while hospitalized at Olive View Medical Center.

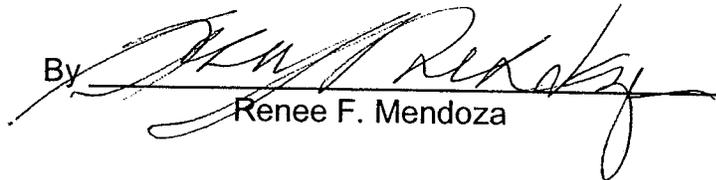
The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$335,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Health Services.

The vote of the Claims Board was unanimous with all members being present.

There being no further business, the meeting was adjourned at 9:32 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Renee F. Mendoza