

**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, MAY 3, 2010, AT 9:30 AM**

Present: John Naimo, Steven NyBlom 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. Marvin and Pamela Richardson v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. MC 018 998
(Consolidated with MC 018 987 and MC 019 017)

This lawsuit arises from an automobile accident involving an employee of the Department of Public Works.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$400,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Public Works' budget.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- b. Richard Farmer v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. MC 018 987
(Consolidated with MC 018 998 and MC 019 017)

This lawsuit arises from an automobile accident involving an employee of the Department of Public Works.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$150,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Public Works' budget.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- c. Donald and Geraldine Mace v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. MC 019 017
(Consolidated with MC 018 987 and MC 018 998)

This lawsuit arises from an automobile accident involving an employee of the Department of Public Works.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$130,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Department of Public Works' budget.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- d. Lettisse R. Bell v. County of Los Angeles
Los Angeles Superior Court Case No. BC 407 847

This lawsuit concerns allegations that the Probation Department failed to engage in an adequate interactive process and did not provide reasonable accommodation for an employee's disability; settlement is recommended in the amount of \$200,000.

Action Taken:

The Claims Board continued this matter.

Absent: None

Vote: Unanimously carried

- e. Angela Contreras v. County of Los Angeles
Los Angeles Superior Court Case No. BC 391 870

This lawsuit concerns allegations of sexual harassment and retaliation by the Office of Public Safety.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$25,000.

Absent: None

Vote: Unanimously carried

- f. Michelle Schroeder v. County of Los Angeles
Los Angeles Superior Court Case No. BC 376 276

This medical negligence lawsuit arises from treatment received by a patient while hospitalized at LAC+USC Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,400,000 plus assumption of the Medi-Cal lien for \$1,147.14 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. Approval of the minutes of the April 19, 2010, regular meeting of the Claims Board.

Action Taken:

The minutes for the meeting of April 19, 2010, regular meeting of the Claims Board were approved.

Absent: None

Vote: Unanimously carried

[See Supporting Document](#)

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	Richard Farmer v. County of Los Angeles, et al. (Consolidated with Marvin and Pamela Richardson v. County of Los Angeles, et al. & Donald and Gerladine Mace v. County of Los Angeles, et al.)
CASE NUMBER	MC018987 (consolidated with MC018998 & MC019017)
COURT	Los Angeles Superior Court
DATE FILED	3/3/2008, 3/07/2008, 3/28/2008
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ \$150,000 (Farmer) \$400,000 (Richardsons) \$130,000 (Maces)
ATTORNEY FOR PLAINTIFF	Robert O. Huber, Esq. (Farmer) Kurt Stiefler, Esq. (Richardson & Mace)
COUNTY COUNSEL ATTORNEY	Brian T, Chu Principal Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a near head on automobile collision on March 11, 2006 involving a public works employee driving a County-owned truck on westbound Sierra Highway and a pick up truck driven by Marvin Richardson. Pamela Richardson, Richard Farmer, Donald Mace and

Geraldine Mace were passengers in Mr. Richardson's pick up truck traveling in the opposite direction. The County driver lost control over the County truck during cold and icy road conditions.

Mr. Richardson pulled over to the right shoulder of the road, however, the County truck crossed over to the other side and collided with Mr. Richardson's pick up truck. As a result, the Richardson, the Maces and Mr. Farmer received physical injuries. The Richardsons, the Maces, and Mr. Farmer contend that the County driver was negligent in the operation of the County's truck and that the County is vicariously liable for their injuries.

Due to the inherent risks and uncertainties involved in a trial, the potential liability and potential exposure to an adverse verdict, the County proceeded with settlement negotiations and was eventually able to develop this recommended settlement with the plaintiffs.

PAID ATTORNEY FEES, TO DATE	\$	61,993
PAID COSTS, TO DATE	\$	8,119



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:	March 11, 2006
Briefly provide a description of the incident/event:	On March 11, 2006, an employee of our Road Maintenance Division was on storm patrol in Maintenance District 553. Our employee was traveling southbound on Sierra Highway, approaching Shannondale Road, when it began to snow. At that time, the roadway developed icy conditions, which caused our employee to lose control of the County vehicle. The County vehicle then crossed over the centerline, into the opposing lane of traffic where it subsequently struck and damaged the claimant's vehicle. Mr. Richardson and his five passengers sustained various injuries as a result of the collision.

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

During our review of the incident, it was found that our employee was driving at speeds not reasonable and prudent for the prevailing weather conditions. The Traffic Collision Report prepared by the California Highway Patrol indicated that our employee was traveling at a rate of about 40 miles per hour, which was determined to be excessive for the weather conditions.

Additionally, Public Works has concluded there is merit to evaluating our existing Automotive Accident Review process for opportunities to improve our standards of driver safety and reduce further vehicle accidents and associated losses.

County of Los Angeles
Summary Corrective Action Plan

--

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

The accident was reviewed by Public Works' Automotive Safety Committee on May 10, 2006. The members of the Committee found the incident to be preventable. As a result, a five-day suspension was issued to the Public Works employee by our Advocacy Section, and our employee is required to attend driver training for inclement weather conditions annually.

Additionally, Public Works will evaluate our existing Automotive Accident Review process to strengthen existing procedures and specifically assess whether employees should be removed from driving status. The estimated implementation date is October 30, 2010.

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 for assistance)

- Potentially has Countywide implications.
- Potentially has an implication 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.

Name: (Risk Management Coordinator) for Steven G. Steinhoff	
Signature: <i>Steve M. Hennessee</i>	Date: 4-28-10

Name: (Director) Gail Farber	
Signature: <i>Gail Farber</i>	Date: 4-28-10

Chief Executive Office Risk Management

Name: Robert Chavez	
Signature: <i>Robert Chavez</i>	Date: 4-28-10

psr
CC:psr
P4:RICHARDSON SCAP5 (NEW FORM)

**DEPARTMENT OF PUBLIC WORKS
CORRECTIVE ACTION PLAN**

DEPARTMENT OF PUBLIC WORKS

CORRECTIVE ACTION PLAN

LAWSUIT OF: Richardson, et al., v County of Los Angeles

INCIDENT DATE: March 11, 2006

INCIDENT LOCATION: Sierra Highway, near Shannondale Road, unincorporated Agua Dulce area

RISK ISSUE:

A public entity is responsible for the negligent acts of its employees when the acts are done in the course and scope of employment.

INVESTIGATIVE REVIEW:

On March 11, 2006, Marvin Richardson was driving his 2004 GMC Sierra extended cab pickup truck northbound on Sierra Highway. His wife, Pamela Richardson, was a passenger, along with two other couples, Donald and Geraldine Mace and Richard and Diana Farmer. At that time, a Road Maintenance District 553 Supervisor was patrolling the area during a storm, in a 2001 Chevy Silverado 1500 Crew Cab pickup truck. As a result of icy and snowy road conditions, the County vehicle lost traction and slid into the opposing lane of traffic. Seeing the County vehicle approaching from the opposite direction, Mr. Richardson pulled over to the side of the road and onto the dirt shoulder. However, our employee was unable to control the County vehicle and subsequently collided with the claimant's vehicle.

This matter was reviewed by Public Works' Automotive Safety Committee, where it was determined that the County employee was at fault for the incident.

POLICY ISSUES:

Public Works has several safety directives governing the safe operation of vehicles and equipment; vehicles are to be operated safely for the conditions and within the law.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Richard Farmer v. County of Los Angeles, et al. (Consolidated with Marvin and Pamela Richardson v. County of Los Angeles, et al. & Donald and Gerladine Mace v. County of Los Angeles, et al.)
CASE NUMBER	MC018987 (consolidated with MC018998 & MC019017)
COURT	Los Angeles Superior Court
DATE FILED	3/3/2008, 3/07/2008, 3/28/2008
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ \$150,000 (Farmer) \$400,000 (Richardsons) \$130,000 (Maces)
ATTORNEY FOR PLAINTIFF	Robert O. Huber, Esq. (Farmer) Kurt Stiefler, Esq. (Richardson & Mace)
COUNTY COUNSEL ATTORNEY	Brian T, Chu Principal Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a near head on automobile collision on March 11, 2006 involving a public works employee driving a County-owned truck on westbound Sierra Highway and a pick up truck driven by Marvin Richardson. Pamela Richardson, Richard Farmer, Donald Mace and

Geraldine Mace were passengers in Mr. Richardson's pick up truck traveling in the opposite direction. The County driver lost control over the County truck during cold and icy road conditions.

Mr. Richardson pulled over to the right shoulder of the road, however, the County truck crossed over to the other side and collided with Mr. Richardson's pick up truck. As a result, the Richardson, the Maces and Mr. Farmer received physical injuries. The Richardsons, the Maces, and Mr. Farmer contend that the County driver was negligent in the operation of the County's truck and that the County is vicariously liable for their injuries.

Due to the inherent risks and uncertainties involved in a trial, the potential liability and potential exposure to an adverse verdict, the County proceeded with settlement negotiations and was eventually able to develop this recommended settlement with the plaintiffs.

PAID ATTORNEY FEES, TO DATE	\$	61,993
-----------------------------	----	--------

PAID COSTS, TO DATE	\$	8,119
---------------------	----	-------



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:	March 11, 2006
Briefly provide a description of the incident/event:	On March 11, 2006, an employee of our Road Maintenance Division was on storm patrol in Maintenance District 553. Our employee was traveling southbound on Sierra Highway, approaching Shannondale Road, when it began to snow. At that time, the roadway developed icy conditions, which caused our employee to lose control of the County vehicle. The County vehicle then crossed over the centerline, into the opposing lane of traffic where it subsequently struck and damaged the claimant's vehicle. Mr. Richardson and his five passengers sustained various injuries as a result of the collision.

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

During our review of the incident, it was found that our employee was driving at speeds not reasonable and prudent for the prevailing weather conditions. The Traffic Collision Report prepared by the California Highway Patrol indicated that our employee was traveling at a rate of about 40 miles per hour, which was determined to be excessive for the weather conditions.

Additionally, Public Works has concluded there is merit to evaluating our existing Automotive Accident Review process for opportunities to improve our standards of driver safety and reduce further vehicle accidents and associated losses.

County of Los Angeles
Summary Corrective Action Plan

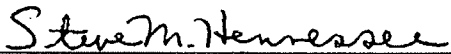
--


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

<p>The accident was reviewed by Public Works' Automotive Safety Committee on May 10, 2006. The members of the Committee found the incident to be preventable. As a result, a five-day suspension was issued to the Public Works employee by our Advocacy Section, and our employee is required to attend driver training for inclement weather conditions annually.</p> <p>Additionally, Public Works will evaluate our existing Automotive Accident Review process to strengthen existing procedures and specifically assess whether employees should be removed from driving status. The estimated implementation date is October 30, 2010.</p>

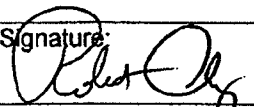
3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management for assistance)


- Potentially has Countywide implications.
- Potentially has an implication 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.

for Name: (Risk Management Coordinator) Steven G. Steinhoff	
Signature: 	Date: 4-28-10.

Name: (Director) Gail Farber	
Signature: 	Date: 4-28-10

Chief Executive Office Risk Management

Name: Robert Chavez	
Signature: 	Date: 4-28-10

 CC:psr
P4:\RICHARDSON SCAP5 (NEW FORM)

**DEPARTMENT OF PUBLIC WORKS
CORRECTIVE ACTION PLAN**

DEPARTMENT OF PUBLIC WORKS

CORRECTIVE ACTION PLAN

LAWSUIT OF: Richardson, et al., v County of Los Angeles

INCIDENT DATE: March 11, 2006

INCIDENT LOCATION: Sierra Highway, near Shannondale Road, unincorporated Agua Dulce area

RISK ISSUE:

A public entity is responsible for the negligent acts of its employees when the acts are done in the course and scope of employment.

INVESTIGATIVE REVIEW:

On March 11, 2006, Marvin Richardson was driving his 2004 GMC Sierra extended cab pickup truck northbound on Sierra Highway. His wife, Pamela Richardson, was a passenger, along with two other couples, Donald and Geraldine Mace and Richard and Diana Farmer. At that time, a Road Maintenance District 553 Supervisor was patrolling the area during a storm, in a 2001 Chevy Silverado 1500 Crew Cab pickup truck. As a result of icy and snowy road conditions, the County vehicle lost traction and slid into the opposing lane of traffic. Seeing the County vehicle approaching from the opposite direction, Mr. Richardson pulled over to the side of the road and onto the dirt shoulder. However, our employee was unable to control the County vehicle and subsequently collided with the claimant's vehicle.

This matter was reviewed by Public Works' Automotive Safety Committee, where it was determined that the County employee was at fault for the incident.

POLICY ISSUES:

Public Works has several safety directives governing the safe operation of vehicles and equipment; vehicles are to be operated safely for the conditions and within the law.


**DEPARTMENT OF PUBLIC WORKS
CORRECTIVE ACTION PLAN**

CORRECTIVE ACTION:

Based on the facts of the accident, the employee's driving record and the value of property damage and injuries resulting from the accident, a five-day suspension was issued to the Public Works employee by our Advocacy Section, and our employee is required to attend driver training for inclement weather conditions annually.


Additionally, Public Works will evaluate our existing Automotive Accident Review process to strengthen existing procedures and specifically assess whether employees should be removed from driving status. The estimated implementation date is October 30, 2010.

Reviewed & Recommended.



Dean Lehman Date
Assistant Deputy Director 1/28/10

Approved



Patrick V. DeChellis Date
Deputy Director

 PF:psr
P4:RICHARDSON CAP REVISED5

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Richard Farmer v. County of Los Angeles, et al. (Consolidated with Marvin and Pamela Richardson v. County of Los Angeles, et al. & Donald and Gerladine Mace v. County of Los Angeles, et al.)
CASE NUMBER	MC018987 (consolidated with MC018998 & MC019017)
COURT	Los Angeles Superior Court
DATE FILED	3/3/2008, 3/07/2008, 3/28/2008
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 150,000 (Farmer) \$400,000 (Richardsons) \$130,000 (Maces)
ATTORNEY FOR PLAINTIFF	Robert O. Huber, Esq. (Farmer) Kurt Stiefler, Esq. (Richardson & Mace)
COUNTY COUNSEL ATTORNEY	Brian T, Chu Principal Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a near head on automobile collision on March 11, 2006 involving a public works employee driving a County-owned truck on westbound Sierra Highway and a pick up truck driven by Marvin Richardson. Pamela Richardson, Richard Farmer, Donald Mace and

Geraldine Mace were passengers in Mr. Richardson's pick up truck traveling in the opposite direction. The County driver lost control over the County truck during cold and icy road conditions.

Mr. Richardson pulled over to the right shoulder of the road, however, the County truck crossed over to the other side and collided with Mr. Richardson's pick up truck. As a result, the Richardson, the Maces and Mr. Farmer received physical injuries. The Richardsons, the Maces, and Mr. Farmer contend that the County driver was negligent in the operation of the County's truck and that the County is vicariously liable for their injuries.

Due to the inherent risks and uncertainties involved in a trial, the potential liability and potential exposure to an adverse verdict, the County proceeded with settlement negotiations and was eventually able to develop this recommended settlement with the plaintiffs.

PAID ATTORNEY FEES, TO DATE	\$	61,993
-----------------------------	----	--------

PAID COSTS, TO DATE	\$	8,119
---------------------	----	-------



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:	March 11, 2006
Briefly provide a description of the incident/event:	On March 11, 2006, an employee of our Road Maintenance Division was on storm patrol in Maintenance District 553. Our employee was traveling southbound on Sierra Highway, approaching Shannondale Road, when it began to snow. At that time, the roadway developed icy conditions, which caused our employee to lose control of the County vehicle. The County vehicle then crossed over the centerline, into the opposing lane of traffic where it subsequently struck and damaged the claimant's vehicle. Mr. Richardson and his five passengers sustained various injuries as a result of the collision.

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

During our review of the incident, it was found that our employee was driving at speeds not reasonable and prudent for the prevailing weather conditions. The Traffic Collision Report prepared by the California Highway Patrol indicated that our employee was traveling at a rate of about 40 miles per hour, which was determined to be excessive for the weather conditions.

Additionally, Public Works has concluded there is merit to evaluating our existing Automotive Accident Review process for opportunities to improve our standards of driver safety and reduce further vehicle accidents and associated losses.

County of Los Angeles
Summary Corrective Action Plan

--

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

<p>The accident was reviewed by Public Works' Automotive Safety Committee on May 10, 2006. The members of the Committee found the incident to be preventable. As a result, a five-day suspension was issued to the Public Works employee by our Advocacy Section, and our employee is required to attend driver training for inclement weather conditions annually.</p> <p>Additionally, Public Works will evaluate our existing Automotive Accident Review process to strengthen existing procedures and specifically assess whether employees should be removed from driving status. The estimated implementation date is October 30, 2010.</p>

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 for assistance)

- Potentially has Countywide implications.
- Potentially has an implication 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.

Name: (Risk Management Coordinator) for Steven G. Steinhoff	
Signature: <i>Steve M. Hennessee</i>	Date: 4-28-10

Name: (Director) Gail Farber	
Signature: <i>Gail Farber</i>	Date: 4-28-10

Chief Executive Office Risk Management

Name: Robert Chavez	
Signature: <i>Robert Chavez</i>	Date: 4-28-10

WJH CC:psr
P4:RICHARDSON SCAP5 (NEW FORM)

**DEPARTMENT OF PUBLIC WORKS
CORRECTIVE ACTION PLAN**

DEPARTMENT OF PUBLIC WORKS

CORRECTIVE ACTION PLAN

LAWSUIT OF: Richardson, et al., v County of Los Angeles

INCIDENT DATE: March 11, 2006

INCIDENT LOCATION: Sierra Highway, near Shannondale Road, unincorporated Agua Dulce area

RISK ISSUE:

A public entity is responsible for the negligent acts of its employees when the acts are done in the course and scope of employment.

INVESTIGATIVE REVIEW:

On March 11, 2006, Marvin Richardson was driving his 2004 GMC Sierra extended cab pickup truck northbound on Sierra Highway. His wife, Pamela Richardson, was a passenger, along with two other couples, Donald and Geraldine Mace and Richard and Diana Farmer. At that time, a Road Maintenance District 553 Supervisor was patrolling the area during a storm, in a 2001 Chevy Silverado 1500 Crew Cab pickup truck. As a result of icy and snowy road conditions, the County vehicle lost traction and slid into the opposing lane of traffic. Seeing the County vehicle approaching from the opposite direction, Mr. Richardson pulled over to the side of the road and onto the dirt shoulder. However, our employee was unable to control the County vehicle and subsequently collided with the claimant's vehicle.

This matter was reviewed by Public Works' Automotive Safety Committee, where it was determined that the County employee was at fault for the incident.

POLICY ISSUES:

Public Works has several safety directives governing the safe operation of vehicles and equipment; vehicles are to be operated safely for the conditions and within the law.


**DEPARTMENT OF PUBLIC WORKS
CORRECTIVE ACTION PLAN**

CORRECTIVE ACTION:

Based on the facts of the accident, the employee's driving record and the value of property damage and injuries resulting from the accident, a five-day suspension was issued to the Public Works employee by our Advocacy Section, and our employee is required to attend driver training for inclement weather conditions annually.


Additionally, Public Works will evaluate our existing Automotive Accident Review process to strengthen existing procedures and specifically assess whether employees should be removed from driving status. The estimated implementation date is October 30, 2010.

Reviewed & Recommended.



Dean Lehman Date
Assistant Deputy Director *1/28/10*

Approved



Patrick V. DeChellis Date
Deputy Director

 PF:psr
P4:RICHARDSON CAP REVISED5

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Michelle Schroeder v. County of Los Angeles
CASE NUMBER	BC 376276
COURT	Los Angeles Superior Court - Central District
DATE FILED	August 21, 2007
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$1,400,000 plus the assumption of the Medi-Cal lien in the amount of \$1,147.14
ATTORNEY FOR PLAINTIFF	Steven H. Schultz, Esq.
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian
NATURE OF CASE	<p>On June 23, 2006, Michelle Schroeder was referred to LAC+USC Medical Center for evaluation and treatment of her lower back pain.</p> <p>On September 17, 2006, she presented to the emergency department at LAC+USC Medical Center complaining of worsening back pain. The staff evaluated the patient and discharged her.</p> <p>On September 22, 2006, Ms. Schroeder returned to LAC+USC Medical Center. Diagnostic evaluation identified a herniated disc. The patient underwent a surgery but had already suffered injury to the nerves in her back.</p>

Ms. Schroeder brought a lawsuit against the County of Los Angeles contending that the LAC+USC Medical Center staff delayed the diagnosis and treatment of her condition thereby causing her permanent damage.

The County proposes to settle this case in the amount of \$1,400,000 plus the assumption of the Medi-Cal lien in the amount of \$1,147.14.

PAID ATTORNEY FEES, TO DATE	\$85,368.50
-----------------------------	-------------

PAID COSTS, TO DATE	\$58,490.30
---------------------	-------------

Case Name: SCHROEDER



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:	
Briefly provide a description of the incident/event:	On June 23, 2006, Michelle Schroeder was referred to LAC+USC Medical Center for evaluation and treatment of her low back pain. On September 17, 2006, she presented to the emergency department at LAC+USC Medical Center complaining of worsening back pain. The staff evaluated Ms. Schroeder and discharged her. On September 22, 2006, Ms. Schroeder returned to LAC+USC Medical Center. Diagnostic evaluation identified a herniated disc. Ms. Schroeder underwent a surgery but had already suffered injury to the nerves in her back.

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

Due to the length of time to the scheduled clinic appointment there was pressure on the spinal nerves causing damage.

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

- Appropriate personnel corrective actions were done.
- The criteria for obtaining a clinic appointment in Orthopedic-Spine were revised to give priority to patients needing surgical intervention.
- Education was provided for residents in the emergency department on low back pain and spine.
- Initiated submission of Orthopedic Spine clinic referrals via an automated Referral Processing System
- Training provided for informed consent and documentation for Department of Neurosurgery
- A system-wide survey was conducted which confirmed that there is a process for patients that need Ortho-Spine clinic appointments sooner than "next available" to facilitate a timely visit.
- A system-wide survey was conducted which confirmed that licensees in the emergency departments have been trained to conduct full neurological exams and document their findings.
- A system-wide survey was conducted to review all consent policies for the acute care hospitals. It was confirmed that each hospital has a policy for consent which outlines the process for informed consent and emergency consent.

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

Name: (Risk Management Coordinator) <i>Kimberly McKenzie</i>	
Signature: <i>Kimberly</i>	Date: <i>4/26/10</i>

Name: (Department Head) <i>John F. Schunhoff</i>	
Signature: <i>John F. Schunhoff</i>	Date: <i>4-26-10</i>

Chief Executive Office Risk Management Branch

Name: <i>Robert Chavez</i>	
Signature: <i>Robert Chavez</i>	Date: <i>04-16-10</i>

i:\Risk Mgt. Inspector General\CAP-SCAP-RECAP/Summary Corrective Action Plan Form 2-01-10 (Final).docx

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

April 19, 2010

1. Call to Order.

This regular meeting of the County of Los Angeles Claims Board was called to order at 9:32 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: John Naimo, Steven NyBlom, and John F. Krattli.

Other persons in attendance at the meeting were: Office of the County Counsel: Vicki Kozikoujekian, Jerry Custis, and Albert Kelly; Department of Health Services: Kim McKenzie, Evelyn Szeto, Bonnie Bilitch, and Chi Fong; Department of Public Health: Jim Day and Tom Britt; Office of Public Safety/Sheriff's Department: Ara Hatamian; Office of Affirmative Action: Hayward Harris, Jr.; Outside Counsel: Peter Bollinger.

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).

At 9:35 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(c).

4. Report of actions taken in Closed Session.

At 10:47 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

- a. Deborah Oren v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 396 567

This lawsuit arises from injuries sustained in a vehicle accident involving an employee of the Department of Health Services.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$60,000.

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

- b. Irina Quincy, et al., v. Carolyn Hamada, et al.
Los Angeles Superior Court Case No. YC 059 132

This lawsuit arises from injuries sustained in a vehicle accident involving an employee of the Department of Public Health.

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.

- c. Angela Contreras v. County of Los Angeles
Los Angeles Superior Court Case No. BC 391 870

This lawsuit concerns allegations of sexual harassment and retaliation by the Office of Public Safety; settlement is recommended in the amount of \$25,000.

The Claims Board did not approve the proposed settlement.

The vote of the Claims Board was:

Ayes: 1 (John Krattli)

Noes: 2 (John Naimo and Steven NyBlom)

5. Approval of the minutes for the April 5, 2010, regular meeting of the Claims Board.

The minutes of the April 5, 2010, regular meeting of the Claims Board were approved.

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

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.

The meeting was adjourned at 11:04 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Renee F. Mendoza