



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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ANDREA SHERIDAN ORDIN  
County Counsel

February 23, 2011

TO: SACHI A. HAMAI  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: JOHN F. KRATTLI   
Senior Assistant County Counsel

RE: **Oscar Garcia and Teresa Costello v. County of Los Angeles**  
**Los Angeles Superior Court Case No. BC 409 336**

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

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

JFK:rfm

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Oscar Garcia and Teresa Costello v. County of Los Angeles, Los Angeles Superior Court Case No. BC 409 336, in the amount of \$149,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This wrongful death lawsuit arises from treatment received by a minor patient at LAC+USC Medical Center.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Oscar Garcia and Teresa Costello v. County of Los Angeles, et al.
CASE NUMBER	BC 409336
COURT	Los Angeles Superior Court - Central District
DATE FILED	March 10, 2009
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$149,000
ATTORNEY FOR PLAINTIFF	Gregory James Owen, Esq. Susan A. Owen, Esq. Owen, Patterson & Owen
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian
NATURE OF CASE	On January 30, 2008, Angelica Garcia, a 10-year-old female, was admitted to LAC+USC Medical Center ("LAC+USC") with history of fever. During the admission, she was diagnosed with Juvenile Idiopathic Arthritis ("JIA"), a rare condition that affects children. She was placed on medications and discharged on February 4, 2008, with instruction to return to an LAC+USC clinic for follow-up visits.

On March 10, 2008, Angelica was admitted to Children's Hospital of Los Angeles ("CHLA") where she received care and treatment for her condition. In spite of all treatments, Angelica's condition deteriorated. On March 16, 2008, Angelica died from complications of JIA.

Angelica's surviving parents filed an action against the County of Los Angeles and CHLA contending that the providers at the two facilities failed to adequately treat their daughter.

The County of Los Angeles proposes a settlement in the amount of \$149,000.

PAID ATTORNEY FEES, TO DATE

\$44,585.19

PAID COSTS, TO DATE

\$4,706.55

Case Name: Gacia, Angelica



## 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:	1/30/08
Briefly provide a description of the incident/event:	<p>On January 30, 2008, Angelica Garcia, a 10-year-old female, was admitted to LAC+USC Medical Center with history of fever. During the admission, she was diagnosed with Juvenile Idiopathic Arthritis ("JIA"), a rare condition that affects children. She was placed on medications and discharged on February 4, 2008, with instruction to return to an LAC+USC clinic for follow-up visits.</p> <p>On March 10, 2008, Angelica was admitted at Children's Hospital of Los Angeles where she received care and treatment for her condition. Despite all treatments, Angelica's condition deteriorated. On March 16, 2008, Angelica died from complications of her condition.</p> <p>Angelica's surviving parents filed an action against the County of Los Angeles and CHLA contending that the providers at the two facilities failed to adequately treat their daughter.</p>

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

Delay in initiating steroid therapy and the administration of live vaccine may have contributed to the outcome in this case.

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

- Education was provided to physicians on the use of steroid therapy for Juvenile Idiopathic Arthritis.
- Education was provided to physicians as to the known and theoretical contraindications and precautions to immunization.
- Pediatric Attendings were reminded of the need for faculty involvement in transitions of care to outside facilities.
- QIPS verified that all DHS facilities with pediatric rheumatology and pediatric primary care clinics comply with the American Academy of Pediatrics policy statement on contraindications and precautions for administration of immunizations.

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>K. McKenzie</i>	Date: <i>11/12/10</i>

Name: (Department Head) <i>John F. Schunhoff</i>	
Signature: <i>John F. Schunhoff</i>	Date: <i>12-13-10</i>

**Chief Executive Office Risk Management Branch**

Name: <i>Robert Chaez</i>	
Signature: <i>Robert Chaez</i>	Date: <i>11-17-10</i>

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