



County of Los Angeles

May 21, 2024

Dawyn R. Harrison
County Counsel

Board of Supervisors

Hilda L. Solis
Supervisor, First District

Holly Mitchell
Supervisor, Second District

Lindsey P. Horvath
Supervisor, Third District

Janice Hahn
Supervisor, Fourth District

Kathryn Barger
Supervisor, Fifth District

TO: JEFF LEVINSON
Interim Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ADRIENNE M. BYERS
Litigation Cost Manager

RE: **Item for the Board of Supervisors' Agenda
County Claims Board Recommendation
Non-Litigated Claim of Mamie Ware**

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 Summary Corrective Action Plan to be made available to the public.

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

AMB:lzs

Attachments



Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Non-Litigated Claim of Mamie Ware, in the amount of \$700,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This medical malpractice claim contends that Los Angeles General Medical Center was negligent, resulting in the death of a patient.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claim of Mamie Ware
CASE NUMBER	None
COURT	None
DATE FILED	None
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 700,000
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Principal Deputy County Counsel
NATURE OF CASE	<p>On October 6, 2020, Richard Dabbs, Jr., a 51-year-old male, had a skin graft procedure at Los Angeles General Medical Center ("LA General"). Mr. Dabbs experienced respiratory distress after the procedure, and as a result, suffered brain injury.</p> <p>Mr. Dabbs filed a medical malpractice action against the County of Los Angeles contending LA General staff were negligent in his care and treatment. His mother, Mamie Ware, also filed a claim related to the treatment. Due to the risks and uncertainties of litigation, a full and final settlement of this matter is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for 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:	October 6, 2020
Briefly provide a description of the incident/event:	<p>On September 29, 2020, R.D. a 51-year-old male, presented to the St. Mary Medical Center (a non-County facility) with severe burns to his face, arms, chest, and legs. He was then transferred to Los Angeles General Medical Center (LAGEN) to undergo a skin graft procedure to treat his burn injuries. The procedure was performed on October 6, 2020. R.D. experienced respiratory distress after the procedure, and as a result, suffered brain injury.</p> <p>R.D. filed a medical malpractice action against the County of Los Angeles contending that the LAGEN staff were negligent in his care and treatment. As the case was being litigated, on February 13, 2023, R.D. died because of the complications of his severe condition. Since there was no plaintiff, the case was dismissed on May 3, 2023.</p> <p>The County's Communication and Optimal Resolution ("CANDOR") program evaluated the case and determined that the principles of fairness required the County to compensate R.D.'s surviving family. After several meetings, the County offered M.W., R.D.'s surviving mother, \$700,000, under the CANDOR program.</p>

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


Brain injury resulting from respiratory arrest during transport from the operating room.

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


- The Department of Health Services is implementing a process to perform additional electronic monitoring of patients being transferred from the operating room to the post-anesthesia care unit.

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.

Name: (Risk Management Coordinator) Arun Patel MD, JD	
Signature: 	Date: 1/24/24

Name: (Department Head) Christina Ghaly MD	
Signature: 	Date: 1/24/2024

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) Daniela Prowizor	
Signature: 	Date: 1/24/2024