



County of Los Angeles

January 21, 2025

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: EDWARD YEN
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 Saul Quezada**

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 Saul Quezada in the amount of \$411,649, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This medical malpractice claim concerns allegations that MLK-Outpatient Center negligently performed surgery on Claimant resulting in injuries.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claim of Saul Quezada
CASE NUMBER	None
COURT	None
DATE FILED	None
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 350,000 plus assumption of the Medi-Cal lien in the amount of \$61,649
ATTORNEY FOR PLAINTIFF	None
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Principal Deputy County Counsel
NATURE OF CASE	Mr. Quezada claims that the County negligently performed a a complicated hernia repair procedure on April 14, 2023 and that he required additional surgery due to the County's negligence. Due to the risks and uncertainties of litigation, a full and final settlement of this matter is warranted.
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:	April 14, 2023
Briefly provide a description of the incident/event:	On April 14, 2023, A 58 year old male patient underwent a complicated hernia repair procedure at Martin Luther King, Junior - Outpatient Center. After being discharged, the patient experienced abdominal pain. The following day, the patient went to an outside facility where it was discovered that he had suffered a bowel perforation as a result of the hernia repair procedure. The patient had to undergo two surgical procedures to repair the perforation.

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

<ul style="list-style-type: none"> • The surgeon relied on imaging reports from a non-DHS hospital. Actual images of these studies were not available to the surgeon for review. The surgeon could have taken steps to obtain the images or should have obtained additional imaging before scheduling the surgery. • During the surgery, the surgeon became aware that the surgery was technically more complex than anticipated. The surgeon should have considered transferring the patient to a hospital for observation after completion of the surgery. • The surgeon did not document pertinent past medical history and past surgical history in the H&P note on 6/1/22. Specifically, the surgeon did not document the date of the preceding appendectomy performed at the MLK Community Hospital. <p>Additional findings addressed in the CAP: The ASC nursing protocol requires nurses to call the patient for a follow-up check within 72 hours or the next business day after a weekend or holiday following surgery or a procedure. When the patient does not answer the call, the protocol required nurses to send a written follow up reminder via mail.</p>
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2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

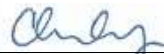
<ul style="list-style-type: none"> • Using the Just Culture evaluation process, all appropriate personnel actions were taken including formal counseling. Additional remediation includes monitoring the surgeon including random audits of the providers notes to ensure that the surgeon reviews outside images and medical records when indicated. • The ASC Nursing Protocol for post operative follow-up was updated. If the nurse is unable to reach the patient on their phone, an additional attempt is to be made to the patient's emergency contact.
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3. Are the corrective actions addressing department-wide system issues?


County of Los Angeles
Summary Corrective Action Plan

- 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: 10/31/24

Name: (Department Head) Christina Ghaly, MD	
Signature: 	Date: 11/14/2024

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) Betty Karmirlian, Acting Risk Management Inspector General	
Signature: 	Date: 11/19/2024