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Nursing Home Neglect Lawsuit Filed Against Westchester Health and Rehabilitation Center

CHICAGO, November 3, 2008 –Steven M. Levin of the Chicago personal injury law firm Levin & Perconti filed a nursing home negligence lawsuit today in the Circuit Court of Cook County against Westchester Health and Rehabilitation Center in Westchester, IL. Mr. Levin filed the complaint on behalf of Robin Leach of Westchester for the neglect her mother, Edith Price, suffered while a resident at the nursing home. Due to this negligence, Edith passed away on August 13, 2007 at the age of 83.

Prior to her admission to Westchester Health and Rehabilitation Center, Edith lived at home with Robin, who acted as her full-time caregiver. Edith suffered from Alzheimer’s and also chronic obstructive pulmonary disease, yet her health was well-managed and she was able to regularly attend adult day care services. On July 12, 2007, Edith suffered a fall at home due to lightheadedness and weakness and was taken to Elmhurst Memorial Hospital where they diagnosed her with a bronchial infection.

Edith’s doctors placed her on IV antibiotics and suggested she continue IV treatment at a rehabilitation facility until she was back to full strength. Edith was moved into Westchester Health and Rehabilitation Center on July 15th and her doctor ordered the staff to continue to administer respiratory therapy and IV antibiotics. In the days that followed, Edith’s condition began to deteriorate. “From her second day there, I noticed that she really started to go backwards. Each day, she was getting much worse than she was before she went into the hospital,” said Robin.

Each day Robin visited, she noticed her mom was exhausted, severely dehydrated and her breathing was shallow and labored. Robin continually inquired with the Westchester staff and her mother’s physician as Edith’s condition grew worse. “It appeared that her doctor was giving appropriate orders but despite his efforts, the staff at Westchester chronically failed to follow his instructions to care for

her,” said Robin Leach. On July 24th, she was having difficulty breathing and her oxygen levels were so low that she was sent to the hospital. Edith was admitted to LaGrange Memorial Hospital where she was diagnosed with respiratory failure and dehydration. Her condition continued to decline and Edith died on August 13th.

The case against Westchester alleges that her death was a result of the nursing home’s failure to provide a proper plan of care to treat Edith’s condition. The nursing home staff did not follow Edith’s doctor’s orders for a respiratory therapy consult along with IV fluids to treat her dehydration. The Illinois Department of Public Health recently completed their investigation of Ms. Price’s case and fined Westchester \$25,000.

“Despite concern voiced by both Edith’s daughter and physician, the staff at Westchester failed to follow proper orders to care for her. By ignoring physician’s orders and depriving her of proper therapy and hydration, they ultimately let her condition worsen to the point where she could no longer recover,” said the family’s attorney, Steven M. Levin.

Westchester Health and Rehabilitation Center is owned and operated by Sava Senior Care, an Atlanta-based company that owns approximately 185 nursing homes in 19 states. Sava owns and operates four homes in Illinois - Westchester Health and Rehabilitation Center in Westchester, Odin HealthCare Center in Odin, Nature Trail Health Care Center in Mount Vernon and Montebello HealthCare Center in Hamilton.

Levin & Perconti is a nationally renowned law firm concentrating in all types of personal injury, medical malpractice, and wrongful death litigation. The lawyers at Levin & Perconti are committed to protecting and vindicating the rights of people who are injured by the negligence of others. Please contact the firm at (312) 332-2872 or visit www.levinperconti.com for more information.

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