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Levin & Perconti Reaches Largest Nursing Home Neglect Settlement in Lake County History

CHICAGO, November 6, 2008 – Susan Novosad of the Chicago-based law firm Levin & Perconti recently settled the largest nursing home negligence case in Lake County history against Winchester House (Libertyville, IL) on behalf of the family of Helen Menneke. Helen died at the age of 83 as a result of injuries sustained during residency at Winchester House, a nursing home owned and operated by Lake County.

Helen was admitted to Winchester House in January 2004. Helen suffered from progressive dementia and her husband, made the difficult decision to put her into Winchester's care when she began wandering during the night. Her husband felt Helen's safety was at risk in their home and Winchester House could provide the care he no longer could.

Prior to admission to Winchester House, Helen's gait had become unsteady and she was at risk for falls. Despite her difficulties walking, Helen received no initial fall assessment upon entering Winchester House. After several weeks, she was assessed and Winchester utilized a generic care plan to prevent future falls. Little intervention was taken, however, and Helen fell six times from March to October 2004. After a fall in September of 2004 which caused Helen to suffer a brain injury, nurses implemented the use of bed and wheelchair alarms, but this system was not in place or functioning properly when Helen again fell in December 2004.

After sustaining the fall, Helen was diagnosed with a hip fracture and displaced elbow fracture, both of which required surgery. Upon returning to Winchester, her condition rapidly deteriorated and Helen died several days later. Her physician later testified that the falls and injuries Helen sustained while under Winchester's care caused her general condition to decline

and ultimately contributed to her death. In the wake of Helens' injuries, Winchester instituted new policies to check wheelchair and bed alarms more frequently to assure proper functioning.

Attorney Susan Novosad notes, "We hope that Helen's case will help to raise awareness surrounding nursing home neglect and other homes will take notice. Winchester House had several opportunities to change Helen's care plan to address her fall risk, but failed to implement any positive changes. It was not until after Helen's brain injury that Winchester took steps to improve their policies, a gesture that came too late for Helen and her family."

An investigation by the Illinois Department of Public Health cited the nursing home for improper nursing care. It also revealed that the facility failed to update and revise care plans to address new approaches for the risk of falls for Helen Menneke and two other residents.

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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