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The Imperial Grove Pavilion (Chicago) Cited by IDPH for improper nursing care and injury of 83-year-old Emilio Opio

October 1, 2007-CHICAGO, IL—A lawsuit was filed by John J. Perconti and Patricia L. Gifford of the Chicago law firm, Levin & Perconti on behalf of Mary Lou St. Aubin (Chicago) for the death of her father, Emilio Opio against Claridge Imperial, LTD., d/b/a The Imperial Grove Pavilion (Chicago). While a resident of Imperial Grove, Emilio suffered a fall which caused injuries to his brain. Emilio Opio died of complications of these injuries.

Emilio Opio was admitted to The Imperial Grove Pavilion on August 9, 2005 for long term care and rehabilitation. The staff assured Emilio's family that they could meet all of his care needs. Emilio needed assistance with eating, transitioning from his bed to a wheel chair and with all the activities of daily living.

Attorney John Perconti explained, "During the admission process, Emilio was evaluated as having a high risk for falling due to his physical limitations. To keep Emilio safe from harm and prevent him from falling, his care plan called for close supervision and the use of a pommel cushion which is a device used to prevent people from sliding off the chair onto floor. The plan also called for alarms to be placed on his bed and wheel chair. Unfortunately, on May 21, 2006, Emilio Opio was placed in his wheelchair in the dining room without proper supervision by staff and without any of the precautionary measures called for in his plan of care."

“Perconti continued, “Consequently, Emilio fell from his chair and suffered a head trauma. He was taken to Illinois Masonic Medical Center where he was diagnosed with an epidural hematoma and where he underwent surgery for evacuation of the hematoma.”

Emilio Opio was hospitalized for two weeks and his family was so distraught over Emilio’s neglect and abuse that they contacted the Illinois Department of Public Health (IDPH) who cited the facility for improper nursing care and resident injury. Unfortunately, Emilio continued to deteriorate and was never able to recover from his injuries. He died on February 21, 2007.

Attorney John Perconti remarked, “Unfortunately falls at nursing homes that result in serious injuries or death are not uncommon in Illinois. This is one of many instances where even though the nursing home was aware of the resident’s fall risk, the home did not protect him because they lacked sufficient staff both in numbers and training.”

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