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Lawsuit Filed Against Arlington Rehabilitation & Living Center

CHICAGO, April 6, 2009 – Chicago nursing home attorneys Steven Levin and Margaret Battersby of Levin & Perconti filed a nursing home negligence lawsuit on Friday against the Arlington Rehabilitation & Living Center in Long Grove on behalf of a former resident* at the facility. The complaint was filed in the Circuit Court of Cook County. The resident, now 81, and his wife brought this complaint against Arlington after he suffered multiple fractured ribs while living at the facility. The facility failed to diagnose his injuries, leading to pneumonia and a decline in his overall condition.

The resident was admitted to Arlington on November 22, 2007 for rehabilitation purposes after having several toes amputated. When he was admitted, the facility assessed him as being at risk for falls and therefore, required supervision and assistance getting in and out of bed and going to and from the bathroom to prevent falls and accidents. According to the resident's wife, she expected her husband to be released to their home once he was comfortable walking on his own.

On December 23, 2007, the resident needed to use the bathroom and pushed his call light several times for assistance. The facility's staff failed to respond to his call light and eventually the resident made the decision to try to move himself into his wheelchair, rather than urinating in his bed. Upon doing so, he fell and fractured several ribs. He complained to the facility of severe pain in his ribs, yet the staff failed to examine this area or address his complaints. The following day, December 24, they took an x-ray of his shoulder, not his rib area where he continued to complain of pain. The x-ray of his shoulder was negative for any fractures.

The resident's condition worsened and his pain continued. He began to have difficulty breathing and was eventually transferred to a local hospital on December 25. There, he was diagnosed as having several broken ribs. His broken ribs had punctured a hole in his lung, which then filled with blood, causing the shortness in breath. Arlington's failure to respond to his call light or his complaints of rib pain after his fall caused him to suffer respiratory distress, pneumonia, severe pain, and a deterioration of his overall condition.

Since the incident, the resident has not been able to return home. After his hospital stay, the resident was transferred to a nursing home where his wife now visits him every day. "The fall at Arlington really changed him," said his wife. "Before the fall occurred, we expected him to be out of the rehabilitation center and back at home within a few weeks. After his fall and bout with pneumonia, he never bounced

back. He has been bed-ridden for over a year and we do not know if he will ever get well enough to go home again.”

Following his fall, the resident filed a complaint with the Illinois Department of Public Health. The agency cited Arlington for improper nursing care in the incident of his fall.

“The nursing home was negligent on several levels,” said Steve Levin. “First, they failed to respond to the resident’s call light despite knowing that he was at risk for falls and required help transferring to his wheelchair. Second, they failed to address his complaints of pain and performed an x-ray on the wrong area of his body. If the facility would have treated the resident’s fractured ribs in a timely manner, they may have prevented further injuries and pneumonia which led to a severe decline in his overall health.”

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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** The resident and his family wish to remain anonymous.*