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Hinsdale ManorCare faces wrongful death lawsuit

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A Brookfield family filed a wrongful death lawsuit Sept. 2 against ManorCare of Hinsdale, citing neglect and improper care.

Dolores "Dee" Howorth, a former Western Springs and Woodridge resident, died at age 74 on April 15, 2009 from acute renal failure caused by dehydration. She also lost 16 pounds in 12 days, which, according to the complaint documents, staff failed to notice or remedy.

"The family's main objective in this case is to make sure this doesn't happen to another family," Steven Levin, one of the Howorth family's attorneys, told The Doings. "They are speaking for a vulnerable population. This happened to an active family."

HCR ManorCare, based in Toledo, Ohio, released a statement from its attorneys saying ManorCare headquarters has not yet received the lawsuit and does not comment on pending litigation to protect patient confidentiality and resident rights.

Dee Howorth was admitted to the Arcadia Dementia Unit at ManorCare on March 20, 2009, according to a news release from law firm Levin & Perconti in Chicago. ManorCare staff provided Dee Howorth with the sedative Ativan within her first 48 hours and the anti-psychotic Seroquel four days later. Staff assured the Howorth family their mother would not be overly sedated. Staff placed Dee Howorth in a wheelchair with a lap restraint.

On one visit, the family noticed Dee Howorth was excessively drowsy and confused from overmedication and once found her slumped over in her wheelchair. Hank Howorth, her son, questioned the use of the medication but claimed staff assured him his mother's condition was only temporary.

Dee Howorth's condition declined in the next three weeks. On another visit, the family noticed her skin was "extremely dry, her mouth was chalky and she had trouble swallowing without aspirating, all of which point to severe dehydration," according to the news release. By April 15, Dee Howorth's condition worsened and staff transferred her to a local hospital. She died a few hours later.

The Howorth family filed a complaint with the Illinois Department of Public Health on May 27. The department conducted an investigation and cited ManorCare of Hinsdale on four violations June 23 for neglect, improper nursing care, improper restraint and improper physician care. The report states based on interviews with staff, the Public Health Department found staff failed to identify medical symptoms that led to putting the restraint on Dee Howorth's wheelchair and that staff did not try other least restrictive alternatives.

Initially staff ordered the restraint for patient safety awareness and because she was blind.

"Dee's family strongly disputes the claim that she was blind," Levin said. "Rather, she was under the effects of chemical restraints and her glasses were taken away from her for four days during her stay. This is supported by the fact that she could walk independently on the day of her admission into the nursing home."

The report also states staff failed to assess comprehensively Dee Howorth's significant weight change and prevent further weight loss. Staff notes typically include the percentage of food patients eat during meals but the report states there was neither any documentation on how much food Dee Howorth ate nor any intervention plan for her extreme weight loss.

The lawsuit claims staff chemically restrained Dee Howorth with the anti-psychotic medicine and that it was unnecessary treatment for her dementia.

Levin said the Hank Howorth and his wife, Chrissie, a former nurse, believed ManorCare was the best facility for Dee Howorth. He said in reality, many long-term care facilities simply do not have the necessary staff to help

patients with dementia. “

The nursing home industry is in a sad state,” Levin said. “They put revenues over residents. Profits over people.”

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