

For Immediate Release

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Chicago, IL - Steven M. Levin and John M. Rushing of the Chicago law firm, Levin &

Perconti, recently settled a lawsuit in the Circuit Court of Cook County against Renaissance at 87th Street Nursing Home ("Renaissance") on behalf of Helen Robinson (Chicago), the daughter of Ovetta Evans. Ovetta Evans suffered a debilitating fall while she was a resident at the Renaissance.

At eighty-six years of age, Ovetta Evans was admitted to Renaissance for supervision and assistance with the tasks of daily living. When Ms. Evans was admitted, she was assessed to be at risk for falls. To ensure her safety, she required assistance with all transfers including from her bed to her wheelchair.

The Evans family chose the Renaissance because they believed that their mother would be provided with quality care and protected from hazards and avoidable pain and suffering. The Evans' family was so devoted to Ovetta that they visited her almost every day.

The family's attorney, Steven M. Levin, explained how the Renaissance betrayed the family's trust: "Ovetta had a known history of falls. In fact, she had fallen eight times prior to this incident. She was also experiencing confusion and hallucinations in the days before her final fall, but the Renaissance failed to take steps to address these problems and protect her."

Mr. Levin continued: "Evidence in this case showed that Ovetta Evans had been

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assessed as only needing the use of one bed rail, so that she could safely move from her bed to her wheelchair. On the day of the accident, however, Ovetta was left in her room with both of her bed rails raised in an upward position, and as anyone who has spent time in a hospital bed knows, you can't lower bed rails from inside the bed. In other words, Ovetta was trapped in her bed-- a direct violation of the standard of care because these medical devices act as restraints in such a situation and should only be used with a doctor's order. Sadly, when Ovetta tried to get out of bed, she fell, landing face down on the floor."

John M. Rushing explained the extent of Ovetta's injuries: "Ovetta suffered traumatic injuries to her face including breaking several bones around her left eye. The facial fractures caused Ovetta tremendous pain. She had to undergo surgery and as a result of her trauma, she eventually developed debilitating seizures. Ultimately, the injuries she suffered at Renaissance resulted in a deterioration of her overall physical health and contributed to her death."

Mr. Rushing concluded: "It is important to remember that cases like these are foreseeable and avoidable. The Renaissance knew that Ovetta was at a risk for falls but failed to take the most basic precautions to protect her. Had the Renaissance better supervised Ovetta and used the most basic medical technology--a bed alarm-- its staff would have known that Ovetta was attempting to get out of bed. For that matter, had the Renaissance taken the time to place safety mats around her bed, Ovetta would not have suffered the severe impact which resulted in her broken facial bones."

The Honorable Judge Lynn Egan presided over the settlement negotiations. The case settled for \$240,000.

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