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Man's Leg Amputated Due to Joliet Nursing Home Negligence: Lawsuit

The state has already fined Hillcrest Nursing and Rehabilitation Center for the incident, and now the victim is suing for damages.

By [Karen Sorensen](#) | [Email the author](#) | March 5, 2013

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A [Joliet](#) nursing home, already fighting to keep its state license, has been sued by a patient who says staff negligence led to the amputation of part of his left leg.

John Eric Rush, 49, and his sister-in-law Andrea Kroesen, who has power of attorney on his behalf, filed suit Feb. 28 in Cook County Circuit Court against [Hillcrest Nursing and Rehabilitation Center](#) and its owner/management company, which is based in Evanston.

The suit charges that Rush, who is paralyzed on the right side and cannot speak due to a series of strokes, moved to Hillcrest in July 2010. While there, he developed multiple bed sores and became dehydrated, the suit said.

He also developed a pressure sore on his left heel that became infected and resulted in him needing to have part of his leg removed, according to the lawsuit. Rush has since moved out of the facility.

"Hillcrest staff was responsible for monitoring John's skin condition and frequently repositioning him to prevent bed sores from forming," Steven Levin, Rush's attorney, wrote in a news release about the lawsuit.

"Once he developed pressure sores, they had a duty to prevent them from getting worse. Unfortunately, staff allowed John's sores to become infected, and he had to undergo an above the knee amputation of his left leg."

Hillcrest officials did not return phone calls seeking a response to the allegations.

Kroesen, who lives in North Aurora, said she and her family were "outraged" by the lack of care Rush received while at the nursing home.

"When John arrived at the facility, he was able to walk with a walker and supervision. When I removed him from their care, he had to have a leg amputation and was deathly ill. I wasn't sure if he would survive," Kroesen said in the release.

"John was paralyzed to the right side of his body. When he had to have an amputation, it was his left leg - his only means of any mobility and independence. Now he cannot get out of bed by himself and it is very difficult to transport him. Not being able to transport him keeps him essentially trapped in a facility instead of being able to participate in everyday activities like seeing family, going to dinner or a movie."

The family is seeking a minimum of \$50,000 in damages, the suit said.

After Rush's family filed a complaint with the state about the incident, the [Illinois Department of Public Health](#) cited the nursing home for Type A and

Type B violations and fined it \$31,600.

During the investigation, the agency also found 23 incidents of verbal, sexual, physical or mental abuse between residents at Hillcrest during a five-month period in 2011, Levin said in the news release.

The nursing [home has lost its Medicare and Medicaid funding](#), and is pushing to close the facility by revoking its state license, a state spokesman said last June. Among the problems documented by the state are two suspicious resident deaths within a six-month period, allegations of sexual and physical assaults, and failure to monitor prescription drugs.

The next hearing in the state's case against Hillcrest is May 15.

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 2:03 am on Wednesday, March 6, 2013
 Wow this is just one case tht was reported but what about ALL the cases tht go un noticed I think every nursing home should have a state rep in every one of them to over see all the patients so maybe this kind of shyt wont happen

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 I had my mother in a nursing home a few years ago after surgery & you would not believe what goes on in these places. Part of the problem is the people doing all the work are poorly paid. The other problem is the owners of these nursing homes are out of state & only care about the \$.

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 or they are understaffed

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