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Lawsuit filed on behalf of 81-year-old Peoria man neglected at ManorCare at Peoria-facility cited by Illinois Department of Public Health

Chicago, IL – Steven M. Levin of the Chicago-based law firm Levin & Perconti filed a lawsuit today, September 26, 2007, in the Circuit Court of Cook County, Illinois on behalf of Ruth Tamblyn (Peoria), the wife of 81-year old James Tamblyn, who died as a result of the neglectful treatment that he received while a resident of ManorCare at Peoria (Peoria, IL) from January 8, 2007 until approximately January 20, 2007. Mary L. Dorris, RN and Gale Arleen Erwin, RN have been named Respondents in Discovery as they may have information useful to this case.

The facility has also been cited by the Illinois Department of Public Health (IDPH) for improper nursing care and failure to notify the family physician that a resident's condition had deteriorated.

James Tamblyn fell in his home in early January, 2007. Although there were no fractures, he was admitted to the hospital for five days to manage the pain he was experiencing. When it was time for James to be discharged, doctors recommended that he be released to a nursing home for a short-term stay to address pain management and physical therapy so that he could regain his strength. James' family chose ManorCare because administrators assured them that they could help him regain his strength so that he could return home.

Only twelve days after he was admitted to ManorCare, James' family arrived for their regular visit. Unfortunately they found him unresponsive and struggling for breath. They immediately called their family doctor who arrived at the nursing home a short time later to find

James near death. The doctor immediately had an ambulance transport James to Proctor Hospital in Peoria where he was diagnosed with pneumonia; dehydration (which caused an excessive level of sodium in his body); sepsis; acute kidney failure and injury to his large intestine due to a lack of blood supply. James never recovered. He died on April 22, 2007 due to complications as a result of these injuries.

The complaint alleges that ManorCare at Peoria failed to provide James with sufficient fluid intake to maintain proper hydration and health; failed to appropriately assess his risk for dehydration; failed to develop a comprehensive plan of care to address James' risk for development of dehydration; and failed to implement a comprehensive plan of care to address his risk for the development of malnutrition and dehydration. The complaint also alleges that ManorCare failed to manage James' pain and notify his doctor that his condition had deteriorated. This is evidenced by charts that indicate James was only getting approximately 40% of his prescribed dosage of pain medication.

Attorney Steven Levin explained the nature of James' neglect: "In an unfortunate case of improper nursing care, ManorCare failed to inform James' doctor or his family that he was not eating or drinking and that his overall physical and mental condition had been rapidly deteriorating. Had the doctor been notified, a plan of intervention could have been established and implemented to prevent James from suffering needlessly. Whenever there is a significant change in a resident's condition, it is the duty of the facility to notify the doctor and the family about these changes in a timely manner so the resident's needs can be met with the appropriate standard of care."

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