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EAST PEORIA, IL- Steven M. Levin of the Chicago law firm, Levin & Perconti and John P. Nicoara of the Peoria law firm Nicoara & Steagall filed a lawsuit this afternoon against East Peoria Gardens Healthcare Center, L.L.C. (East Peoria) on behalf of the family of Betty Saal, a resident who died on April 7, 2007 as a result of a head trauma sustained while under their care.

In the lawsuit, Saal's niece, Terry Smith (East Peoria), was appointed as Special Representative of Saal's estate. In her complaint, Smith states that her aunt's clothing and teeth were stolen at East Peoria Gardens. Smith also contends while under the nursing home's care, her aunt fell which caused a serious head injury and a general decline in her health that led to her death.

The complaint alleges that during Saal's residency at East Peoria Gardens, the Defendant placed the residents, including Saal, in a dangerous environment by admitting and keeping residents with violent histories and convictions of criminal acts including burglary, assault, battery and public intoxication. During Saal's residency, a 6'3" male resident threw chairs throughout the dining room area and made death threats to staff members as well as police officers and paramedics responding to the incident. The complaint further alleges that the Defendant created an environment that was so dangerous that the staff members and elderly residents feared for their safety. Staff members could not appropriately care for the residents, including Saal, because they could not control the behavior of the younger, mentally ill residents who were allowed to wander the hallways at night shouting and pounding their heads and fists against the walls.

On or about April 6, 2007, five people with outstanding warrants were arrested at East Peoria Gardens including one of their nurses and two residents who were considered “armed and dangerous.” During 2007 alone, East Peoria police responded to approximately fifty [50] incidents at the facility.

Chicago Attorney, Steve Levin commented: “Residential facilities such as East Peoria Gardens that are licensed under the Nursing Home Care Act are required to conduct background checks on all potential residents. The list of residents with criminal records goes directly to the Illinois Department of Public Health, which contracts with psychiatrists and security specialists to create a criminal risk analysis that is forwarded to the local police department.

Levin added, “The East Peoria Gardens facility has a history of repeated citations from the Illinois Department of Public Health for violations of the Illinois Administrative Code concerning resident care.”

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