



# Rocky Mountain News

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**THURSDAY**

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## Nursing home settlement

Former west Denver rehab center to pay \$30 million in abuse case.



# Some on staff found willing to testify

**O'HARA** from 4A

out her or her sister's consent. Her estate will receive \$3.75 million.

■ Jack Vigil, who had muscle contractions so bad that a doctor described him as a "human pretzel," O'Hara let months go by before moving on a doctor's recommendation for surgery to release his knee. His bed sores became so large they required surgery, and eventually resulted in fatal blood poisoning. His estate receives \$3 million.

■ James Wooten, who arrived with severe multiple sclerosis, and, while at O'Hara, developed urinary infections left untreated for months, and severe bedsores. He ran a near-constant fever, lost 25 pounds and many of his teeth. Once, he was left without his feeding tube for days. His estate receives \$3 million.

■ Catherine Timko, whose estate settled for \$3.75 million, had been in a coma for years after a car crash. She died of blood poisoning from untreated infections.

■ David Rose's pulse stopped

because his ventilator wasn't hooked up, and neither was the alarm. He was found in time to be revived, but later died elsewhere. His estate settled for \$1.5 million.

The same management group that ran O'Hara continues to run five other nursing homes in the metro area. Solomon Health Management operates Allison Care Center, Cambridge Care Center, Lakeridge Care Center in Lakewood and Brentwood Health Center and Rocky Mountain Health Center in Denver.

The settlement leaves the entire burden of payment on O'Hara Regional Center for Rehabilitation and an insurance company that is fighting its responsibility for the case. Numerous other defendants were dropped, including Solomon Health Services, the parent company, and owners Ari Krausz and David Seebag.

The settlement bars attorneys and parties in the case from commenting. O'Hara's attorney, Nathan Davidovich, didn't return calls Wednesday. Plaintiffs' attorney

Holland also declined comment.

Arbitration judge Robbie Barr ordered O'Hara to pay \$28.25 million in damages plus interest that brings the total to about \$30 million. His Jan. 4 order was confirmed by Denver District Court Judge Gloria Rivera on Monday.

O'Hara patients suffered dehydration, severe anemia and complications from receiving doses of medication that were either too high or too low, their records showed. Many patients suffered frequent respiratory and urinary tract infections because of poor maintenance of catheters and breathing tubes.

Patients were warehoused without therapy and left lying in their own waste for hours. Some went months without being bathed, records showed.

In court pleadings, Mullen blamed many of the problems on chronic, severe understaffing: "Deaths and serious physical injuries and almost unspeakable degradation of this disabled class has clearly occurred as a result."