

**Missouri Lawyers Weekly Submission**  
**Plaintiff vs. Nursing Home**

Type of Action: Nursing Home Negligence

Injuries Alleged: Death

Court: Cass County Circuit Court

Tried Before: (settled)

Name of Judge: Jacqueline Cook

Special Damages: N/A

Verdict or Settlement: Settlement

Amount: \$225,000.00

Allocation of Fault: N/A

Date of Verdict or Settlement: March 23, 2011

Plaintiff's Experts: Not Yet Identified at time of Settlement

Defendant's Experts: Not Yet Identified at time of Settlement

Insurance Carrier: Confidential

Attorneys for Plaintiff: Ashley Baird, Dollar, Burns & Becker, L.C., Kansas City, MO.

Attorneys for Defendant: Confidential

Person Submitting: Ashley Baird

**Facts:**

A woman has settled her wrongful death suit against the nursing home where her mother died. Plaintiff's mother was admitted as a patient at defendant nursing home in February of 2008. Soon after being admitted, Plaintiff's mother complained that she was having trouble breathing. After undergoing chest x-rays, Plaintiff's mother was prescribed Lasix to help with her breathing and the nursing home was advised to monitor her respiratory status.

On March 8, 2008, family members noticed that Plaintiff's mother was again having trouble breathing, which was repeatedly reported to nursing home staff. After multiple failed attempts to get the nursing home's staff to address Plaintiff's

mother's respiratory issues, the family called 911. Plaintiff's mother was then taken to the hospital where she passed away within 45 minutes.

Plaintiff alleged that the facility's staff was unresponsive in addressing her mother's respiratory status. Plaintiff's also alleged the facility failed to follow doctor's orders to administer proper medications and failed to obtain emergency medical care in a timely manner.

The parties reach a settlement on March 23, 2011.