



VERDICTS & SETTLEMENTS

Woman settles wrongful death suit against nursing home

Claimed nursing home did not seek emergent care



TIM DOLLAR



JILL KANATZAR

\$325,000 settlement

A woman has settled her wrongful death suit against the nursing home where her mother died.

Rachel Clayter's mother, Rachel Robinson, became a patient at Saxton Woods Care Center in February 1999. The center's staff assessed Robinson as a risk for dehydration and infection. They then instituted a care plan outlining the nursing interventions to address these risks.

In September 2001, Robinson's intake of nutrition and fluids significantly declined. Despite the change in her condition, the staff failed to implement the approaches outlined in the care plan including monitoring and assessing her for dehydration and infection. The center's staff further failed to notify Robinson's treating physician of the change in her condition.

Clayter believed the delay in admitting her mother to the hospital and the lack of emergent care caused her mother to become septic and led to her death on September 26.

The defense argued that the nursing home staff sought emergent care at the first signs of infection.

The parties reached a settlement on April 19.

Type of Action: Wrongful Death

Type of Injuries: Dehydration, infection, sepsis and death

Court/Case Number/ Date:
Buchanan County Circuit Court/
04CV75509/April 19, 2005

Caption: Clayter v. Saxton Woods
Care Center

Judge, Jury or ADR: Mediation

Name of Judge: Weldon Judah

Verdict or Settlement: settlement

Special Damages: \$17,000

Allocation of Fault: None

Last Offer: N/A

Last Demand: N/A

Attorney for Plaintiff: Jill A.
Kanatzar and Tim Dollar, Kansas
City

Insurer: Western Heritage

Plaintiff's Experts: n/a

Defendant's Experts: n/a