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Press Release | For Immediate Release (2008):

STROM & ASSOCIATES WIN \$1,000,000 AWARD IN FIGHT THAT PROVES BED SORES ARE AVOIDABLE

Every once in a while you meet a hero – someone with the courage to fight for what they believe in. Bo Wazydrag is such a hero. She had the courage to advocate on behalf of her severely injured husband, Jerzy, so that he would receive the quality of care that he deserved.

Jerzy Wazydrag was a hard working and devoted husband and father. He and Bo were busy raising their three children, 13 year old Maggie, 10 year old Jacob and 4 year old John, when their life was tragically and permanently altered. During a work related accident, Jerzy fell 16 feet from a construction vehicle causing severe trauma to his brain. His injuries resulted in quadriplegia. Jerzy no longer had sensation or movement in his arms or legs and could no longer speak.

When it was time for Jerzy to be released from the hospital, doctors discussed Jerzy's 24 hour a day care needs and the health risks that Jerzy would face, including pressure sores, which develop from staying in the same position for an extended period of time.

Despite Bo's desire to have Jerzy at home, Bo agreed with the doctors' recommendation that Jerzy be released to a skilled nursing facility for rehabilitation. Bo would use this time to acquire the knowledge and modify their home with the medical and practical equipment they would need to care for Jerzy.

Bo visited several skilled nursing facilities to ensure that her husband would receive the best quality care. Bo chose Alden North Shore, which appeared to be cleaner and more cheerful than the other facilities she had visited. The administrator assured Bo that Alden had trained staff experienced in caring for Jerzy's health care needs.

"I chose Alden because they promised that they would provide the best care for my husband. Each day, I arrived at Alden early in the morning and stayed until late evening. As time went on, I found myself constantly reminding the staff to reposition Jerzy. Most of the time, I would do it myself or ask a member of my family to help me," Bo said.

She added, "More often than not I would arrive in the morning to find Jerzy in the same position as when I left him the night before. Before long, Jerzy had bed sores on his tailbone, hips and heels. When I complained, Alden's excuse was that bed sores were unavoidable for a man in my husband's condition. I removed Jerzy from Alden's care."

Neal Strom, Steven Levin, and Mike Bonamarte represented Bo in the lawsuit against Alden North Shore.

Mr. Strom commented, "Bo is the real hero in this story. She refused to accept Alden's excuses for Jerzy's neglect. She moved Jerzy to RML Specialty Hospital in Hinsdale. It took one year for doctors to heal the severe pressure ulcers (bed sores) on his tailbone, right and left hips, and right and left heels caused by Alden's failure to reposition Jerzy but, ultimately, they were able to restore the health of his skin."

Steve Levin added, "Alden North Shore claimed that pressure ulcers were an unavoidable side effect for quadriplegic patients. We were able to refute their claim by introducing evidence that since leaving the facility, Jerzy's wife and home health care nurses continue to keep his skin clear and free of sores."

Mr. Strom and Mr. Levin said, "Bo Wazydrag has proven without a doubt that patients with complex medical conditions, like quadriplegia, need not live with painful and life threatening bed sores. Nursing home residents have a right to expect the quality of care that Bo provided for her husband. No one should have to live or die in pain that could have been treated."

Michael Bonamarte commented, "This is a classic example of a nursing home facility that was understaffed and inadequately trained and supervised. When Jerzy was admitted to the nursing home, they promised that they could meet his care needs. The nursing home broke their promise to Jerzy and his family and, as a result, Jerzy needlessly suffered."

An order was entered on June 14, 2007 by Judge Maddux, the presiding judge of the Circuit Court of Cook County, approving a \$1 million settlement on behalf of Jerzy Wazydrag against Alden North Shore Nursing Home.

"The lawyers have been very professional and very good to work with. He was there for me right from the start to guide me through the process. He answered all my questions the whole way through so that I was prepared for what I had to do," said Bo.

Levin concluded, "We live in a country that values the rights of individuals and yet the elderly and those with serious health issues have come to fear losing their dignity or burdening their family more than they fear dying. This case is another sad reminder that we must protect the rights of the sick, or dying with the same consideration as we show for the young or healthy."

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