

Clarion-Ledger

March 12, 2004

Section: Local

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Nursing home must pay \$10M award

Jimmie E. Gates

Staff

Jury says neglect, abuse led to leg amputation

By Jimmie E. Gates

jgates@clarionledger.com

A Hinds County Circuit Court jury Thursday awarded \$10 million to the family of an elderly woman whose leg was amputated. It decided a Clinton nursing home was negligent in the woman's care.

The two-week trial ended with a \$2 million compensatory judgment and \$8 million in punitive damages against Atlanta-based Mariner Post-Acute Network Inc., the then-owners of the Clinton Health & Rehabilitation Center.

Mamie Crook was a patient from June 15, 1999, to Sept. 26, 2000. She died at the age of 72.

Crook had her left leg amputated at the knee after developing sores because the nursing home staff didn't provide proper care, such as turning her in bed, the family's attorneys said. Crook, who died in 2000, would lie in her own waste, her attorneys said.

"They put profits over people," Ken Connor of Tampa, Fla., one of the family's attorneys, said during closing arguments in the punitive damage phase of the trial.

Connor said most of the abuse occurred when the nursing home was short-staffed. He said records of Crook's care were falsified.

But Mariner's attorney Andrew Clausen of Mobile said, "We strongly believe this lawsuit should never have been filed, and we adamantly disagree with the decisions reached thus far."

His client will appeal, Clausen said.

Clausen and local attorney Sharon Bridges, who assisted in the case, had argued that the elderly woman's leg was amputated not because of lack of care, but because she had numerous serious health problems, including Alzheimer's disease, diabetes, anemia, hypertension and two strokes.

Constance Slaughter Harvey of Forest, another attorney for the Crook family, said jurors listened intently and sent a message that people in nursing homes shouldn't be abused. "The system works," Harvey said.

The jury voted 9-3 on both the compensatory and punitive damages. A jury in a civil case can return a verdict if nine of the 12 members agree.

"No one wants to see their mother living like an animal," Crook's son, Sylvester Crook, testified. "It was always about our dear mother. We wanted to make sure she had the best of care. We feel hurt by Clinton Health & Rehabilitation Center."