

Hospital, hepatitis C outbreak victims reach settlement

August 30 2016, by Blake Nicholson

Trinity Health and its hospital in Minot have agreed in principal on a legal settlement with 21 victims of the largest hepatitis C outbreak in recent U.S. history, though Trinity's legal fight with a nursing home where most people were sickened will continue.

Trinity attorneys filed a request asking state Judge Todd Cresap to dismiss the lawsuit, saying Trinity recently reached a confidential settlement resolving the plaintiffs' claims. They asked Cresap to allow a connected legal dispute between the hospital and the former ManorCare nursing home to be resolved in [federal court](#), where it originated. Cresap has not yet ruled.

Behdad Sadeghi, an attorney for the plaintiffs, told The Associated Press that the settlement still needs to be finalized, but that his side told the court an agreement had been reached in principle. He declined to comment further about it.

Hepatitis C is a viral infection that can cause serious liver damage or death. Fifty-two people were sickened in the [outbreak](#) that began in August 2013, including 48 residents or former residents of ManorCare. It was the nation's largest outbreak in 13 years, according to the federal Centers for Disease Control and Prevention.

Victims began suing in federal court in April 2014, seeking unspecified money damages. Last March, 21 victims and the nursing home joined in a separate lawsuit in state court alleging that an employee of Trinity's

outpatient laboratory service reused needles and didn't follow infection control practices, causing the outbreak. State and [federal health officials](#) suspect the outbreak might have been associated with blood services provided to ManorCare residents, though they never pinpointed an exact cause.

Trinity has rejected the notion that it's responsible and asked Cresap to dismiss the lawsuit earlier this year. Attorney Randall Hanson did not immediately respond to a request for comment Tuesday on why the hospital decided to settle.

The victims sought compensation for expensive drugs used to treat the disease and unspecified damages for economic harm, personal injury and the wrongful death of at least three people.

ManorCare alleges that Trinity fraudulently blamed the nursing home for the outbreak, hurting its business and leading to the sale of the nursing home to a Wisconsin-based partnership last year at a price far below its true value. Trinity disputes that.

Trinity, which operates medical facilities in 10 northern North Dakota cities, maintains in court documents that its battle with ManorCare is best suited for federal court, where it began and which "has a greater familiarity with the parties' dispute." It asks Cresap to allow the matter to play out in federal court once the individual victims are no longer involved in the case.

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