

NORTH INLAND

Logan Jenkins, 2 • Town Focus: Escondido, 4 • Town Focus: Valley Center, 6 • Community Sports, 14

Facility settles neglect lawsuit

Doctors found ants in 92-year-old's face

By Onell R. Soto
STAFF WRITER

Doctors were appalled when they saw the 92-year-old's face full of ants.

The insects had crawled into Angelo George's eyes and mouth, doctors at Tri-City Medical Center said. Some were living. Others had died, including some underneath his eyelids and some on his hair.

Attendants at the Vista home for seniors where his wife had placed him three months earlier called an ambulance when he was unresponsive, a lawyer said.

George was also malnourished and dehydrated, according to court documents. The retired movie technician from Fallbrook was wasting away, his family said.

"He was basically left there for dead," said William Berman, an attorney for George's family.

Ultimately, nobody could save George, an Alzheimer's patient who three months earlier had been placed into Cedar Manor Homes. He died within a week.

Now, 18 months later, the owner of the senior home has agreed to pay George's family nearly \$1 million to settle a lawsuit filed in Superior Court, according to court records.

Another company, the one that suggested George's wife, Helen, put him in Cedar Manor, is still fighting, asking a judge to throw out the suit.

Lawyers for Cedar Manor and for Innovative Healthcare Consultants Inc. were unavailable for comment.

In court documents, lawyers for Cedar Manor and owner Salvador Pilar said they agreed to the settlement after a thorough investigation into George's treatment.

Lawyers for Innovative Healthcare of Fallbrook argued against the \$950,000 settlement as they battle allegations that the company acted recklessly by not placing George in a home where he could get skilled nursing care.

They say that everything that caused the case to be filed happened at Cedar Manor, and, at most, Innovative Healthcare is liable for less than 5 percent of the damages due George's family.

But that's not what George's lawyers say.

"He should have been in a nursing home," Berman said in an interview. "They placed him in a facility that was unable to meet his needs."

A Hollywood life

For most of his life, George was in love with movie-making.

He worked in Hollywood back lots and studios starting in the 1930s as a stagehand who did a bit of everything, from setting up lights to helping with sets.

But when he was done working, George wouldn't go home, Berman said.

"He would love to stay around the sets, even after hours, and just watch them filming these movies," he said.

George retired in 1973 at age 64. He lived in rural Fallbrook for 35 years.

By the spring of 2001, George had become too much for his 84-year-old wife, Helen, to look after.

She sought help and settled on Innovative Healthcare, which recommended she put George in Cedar Manor, according to court records.

Cedar Manor is not a nursing home.

Instead, it is one of 583 licensed residential care facilities for the elderly in San Diego County, places where staffers care for people who need help with daily activities such as bathing and grooming.

Such facilities are not required to have medical staff on site at all times, Berman said.

Innovative Care said it would look after George, coordinating the services he was to receive at Cedar Manor, George's family said in court documents.

But on July 10, George, frail and thin, was rushed to the hospital.

He was lethargic and pale. And then there were the ants.

A doctor's notation tells the story: "Multiple dead and live ants removed from eyes and mouth," it reads. "Dead ants found in hair."

George was ill, but nobody at Cedar Manor could say how he got that way, or list the medicines he was supposed to take, according to the emergency room doctor's report.

Hospital staffers said he was severely malnourished and suffering from pneumonia, septic shock and severe muscle wasting, according to a medical examiner's report. George was put in hospice care and died a week later.

'Horroric neglect'

After his death, his wife called lawyers with a state-funded group called Elder Law & Advocacy, which provides free legal assistance to seniors in their homes.

She was complaining about a deposit she was due. But the lawyers focused on how her husband was treated.

"The facts were so shocking and so awful," said Carolyn Reilly, director of the program.

"This is just the classic horrific neglect case," she said.

She called in Berman, whose San Diego firm won a \$2.2 million settlement from an Oxnard home where a woman choked to death on her own vomit, one of the largest settlements to date under a new state law that provides greater protection for senior citizens.

Berman said George was a victim of greed.

"This facility was looking to make a quick buck and took somebody they knew they could not meet his needs," he said.

With Reilly, he worked on the case for more than a year, and Helen George waited.

Last Sept. 15, she died at age 86, before Cedar Manor settled the case.

The settlement money will go to her children from an earlier marriage, grown men George considered grandsons.

The case, Berman said, points out the importance of keeping tabs on the places where senior citizens live.

"We don't expect that when we put our elders in these types of facilities, that they're going to be neglected," he said.

Onell Soto: (760) 476-8211;
onell.soto@uniontrib.com