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WEEKLY

Man settles after fall from bed at St. Mary's Health Center



Don Schlapprizzi

BY ALAN SCHER ZAGIER
Special to Missouri Lawyers Media

A 73-year-old St. Louis man who fell out of a St. Mary's Health Center hospital bed settled a medical malpractice claim against the owner of the Richmond Heights facility for \$250,000.

Plaintiff's attorney Don Schlapprizzi said his client Michael Luck was hospitalized early this year for an intestinal disorder but became "agitated and disoriented" because of an adverse reaction to medi-

cation. Hospital staff was instructed to closely monitor Luck after he repeatedly attempted to climb out of his bed, Schlapprizzi said.

Despite written warnings in his medical chart and resulting from what the attorney called a "lack of surveillance," Luck had a broken hip after he fell out of the bed while unattended.

"They were aware that he was a fall risk," the attorney said. "They had marked in his records that the patient must be watched constantly."

Schlapprizzi said that his client, a semi-retired Souldard resident who works part time in the financial services industry, continues to use a wheelchair at home.

A spokesman for SSM Healthcare, the medical center's owner, did not respond to a request for comment. Schlapprizzi provided a canceled check as confirmation of the out-of-court settlement, which was reached without litigation after an initial settlement demand of \$350,000. **MO**

\$250,000 Settlement

MEDICAL MALPRACTICE

- **Venue:** St. Louis County Circuit Court
- **Case number/date:** Not filed/March 12, 2014
- **Special damages:** \$88,420 in medical expenses
- **Insurance:** SSM Risk Management
- **Caption:** Michael and Kathleen Luck v. SSM Healthcare
- **Plaintiff's attorney:** Donald Schlapprizzi, Schlapprizzi Law, St. Louis.
- **Defendant's attorney:** None