



CLAIM SCENARIOS

HOME HEALTH CARE/HOSPICE ORGANIZATIONS

\$234,000

This case involves the death of an eleven year old child under the care of a traveling nurse who provided home care to the patient.

First report indicates the patient suffered from congenital central hypoventilation syndrome (CCHS) from birth. She was ventilator dependent when sleeping. There were doctor's orders for the ventilator during sleep, and for one hour per day when needed. She was to receive private duty nursing up to 16 hours per day, seven days a week.

On the date of the occurrence, the patient was left unattended for an unknown period of time to rest on a couch without the required mechanical ventilation. The patient was found unresponsive and unconscious with blue lips. She was pronounced dead about three hours later.

\$187,329

This case involves a home health care professional visiting an at-home client. The client fell while the caregiver was assisting the client to access and negotiate the use of the restroom. The caregiver reportedly was positioning a wheelchair for the client; the client stood from using the restroom, lost balance while rotating to sit in the chair, and subsequently fell to the floor. The client sustained a serious hip fracture and now requires around the clock care.

After the investigation it was determined the caregiver did not adhere to written procedures involving client handling and employee training on patient transfer was substandard. The initial hire and follow through refresher training programs were identified as needing improvement.

The caregiver in this case failed to assess the needs of the client and was not in a position to perform the task of manual lifting. The client was allowed to twist and fall to the side. The caregiver had insufficient training and knowledge to apply when presented with this case of assistance in a narrow and cramped setting such as a home restroom.

\$293,675

This case involves a patient who sustained injuries when she fell out of her wheelchair bending over to pick up a washcloth she dropped in the bathroom while the aide was washing a coffee pot in the kitchen. It was alleged the employee was negligent in not properly providing assistance.

The claimant (patient) who was confined to a wheelchair in her home alleges aide failed to assist in obtaining items from bathroom causing her to fall out of the wheelchair. Our insured's employee advised the claimant was left secured in her wheelchair and decided to go to the bathroom on her own and removed the safety belt and then fell.

\$193,000

This case involves an 87 year old male who had received in-home care for 3 years by our insured, Home Health Agency. Claimant (patient) was severely burned with second and third degree burns when taking a shower/bath. Claimant was facing the shower handles with the spray hose draped around behind him.

The home health aide shut the curtain and walked to closet to retrieve gloves and when the aide came back in to the bathroom he noticed steam. Due to reduced mobility and reduced sensitivity to the temperature, the 87 year old male was not able to react appropriately, or quickly enough to prevent injury.

During the investigation it was found the patient had a new water heater installed with temperatures set well above the 120 degree recommendation and the caregiver failed to test the temperature of the water before placing patient in shower.

The caregiver in this case was found guilty of improper supervision and failed to follow the employer's written procedures specific to scalding prevention which instructed a caregiver to always test water temperature and never leaving a patient unattended while in the shower or bath.

This case involves a 76 year old patient where an employee of an Insured Home Health Agency was transporting the client. The Insured's employee was 35 years old and lost control of her vehicle by either passing out or having a seizure. The client later passed away.

After a police investigation and interviewing several witnesses it appeared the employee passed out, crossed several lanes of traffic, and struck a metal light pole. The police report indicates there appears to be a history of blackouts and seizures.

The employee was covered under her personal automobile insurance however the Agency's policy was impacted also.

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HOME HEALTH CARE/HOSPICE ORGANIZATIONS - *continued*

\$390,125 \$124,500

This case involves the improper care of a hospice patient. The estate alleges improper hospice care provided to a husband by the insured. Allegations state the patient was "10 – agonizing" on the pain scale chart and nurse did not provide the proper care so the patient could live last remaining days in comfort.

The family contracted another non-affiliated RN during the final days of care which relieved the terminal agitation, allowing the patient to die peacefully.

The estate's position is that this was a situation where it was appropriate for continuous care during the last days. The estate advised the patient for 9 days out of the final three weeks of life did not sleep and suffered restlessness and emotionally wrenching night time hallucinations. The patient was cited to have cried out asking why no one was helping him and it was not until the family retained the services of the non-affiliated RN that he received the appropriate care.

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