

Briskman Briskman & Greenberg Attorney Discusses Two Lawsuits Against Chicago Hospital

The families of two patients who died have filed a lawsuit against Sacred Heart Hospital.

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/EINPresswire.com/ -- Relatives of Walter Bruce and Katheryn Robinson allege that the patients were sedated and given unnecessary tracheotomies as part of a fraudulent scheme by

hospital executives and doctors to gain additional payments from Medicare. The procedure, which involves cutting the windpipe to insert a breathing tube, caused fatal complications in both patients.

"These cases involve allegations of particularly egregious acts," said Paul Greenberg, a wrongful death and medical malpractice attorney not involved in the case. "If the allegations are true, this obviously goes beyond mere negligence."

The allegations in the lawsuit are similar to those in an FBI affidavit used in an investigation of the hospital. On April 16, the owner of the hospital, its chief financial officer and four doctors were arrested by federal agents and criminally charged in the alleged scheme. They remain free on bond.

The lawsuit names doctors as well as the hospital as defendants and alleges that the doctors were paid kickbacks in exchange for referring Medicare and Medicaid patients to the hospital. Payments were allegedly disguised as alternative billing arrangements and "ghost contracts."

According to the complaint, the defendants participated in a plan to extend hospital stays and perform unnecessary procedures, which culminated in the deaths of the two patients. According to the FBI affidavit, if a tracheotomy patient had a 27-day stay, the hospital could receive \$160,000 from Medicare.

The lawsuit was filed under federal and state anti-racketeering statutes, which entitle successful



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plaintiffs to triple damages.

The hospital abruptly shut down on July 1, without the 90-day notification that the Illinois Department of Public Health requires for a hospital closing. The last patient was transferred from the hospital the same day the department received notice of the closing.

The hospital filed for federal bankruptcy protection on July 2. The bankruptcy filing revealed that the hospital had made at least \$5.5 million in payments to companies controlled by its owner. The filing categorized the payments as not within the ordinary course of business. The payments will be closely scrutinized during the bankruptcy proceedings.

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