

Hospital Blamed for Legionnaire's Disease

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DAYTON, Ohio (CN) - At least four patients contracted Legionnaire's disease from contaminated water Miami Valley Hospital, one such patient claims in Montgomery County Court.

O'Dell Norman sued the hospital and several building contractors, claiming that "adequate chlorine levels were not employed during the flush of ... water systems" after new water tower was built.

Norman claims he was the fourth patient to contract the disease, and that the hospital failed "to comply with federal, state, and local rules, regulations, and ordinances applicable to the operation of the hospital and its systems" and failed "to have in force an inspection program of its systems when such inspection would have disclosed the presence of legionella [bacteria]."

Norman claims just before a new patient tower was opened at Miami Valley Hospital in December 2010, "the water systems for the tower were flushed by unknown entities. According to information and belief, adequate chlorine levels were not employed during the flush of said water systems.

"Prior to December 28, 2010, and according to further information and belief, adequate standing time was not employed following the flush of said water systems."

Norman claims that three other patients contracted the disease in the first 3 weeks of February 2011. He says he was hospitalized in the new patient tower from Feb. 8-12, 2011. He used the "showers, faucets, and other water systems" there.

During that time, he says, "recent construction of the new patient tower had, upon information and belief, disrupted established colonies of legionella bacteria and/or created conditions ideal of the growth thereof, resulting in a contamination by same of the water systems of the new patient tower of defendant MVH.

"During the time period relevant hereto, plaintiff Norman availed himself of the use of the water system in the new patient tower and consume the water therein. The water was, at the time, heated, causing the water to steam, vaporize and otherwise become aerosolized, allowing it to be inhaled and ingested by plaintiff Norman."

Norman seeks compensatory and punitive damages for negligence and breach of contract.

Named as defendants are Miami Valley Hospital, Premier Health Partners, Skanska-Shook Joint Venture, Skanska USA Building Inc., Shook Inc., NBBJ Inc, TP Mechanical Contractors Inc. and Messer Construction Co.

Norman is represented by Gregory Gibson with Gibson and O'Keefe, of Centerville.