

Wrong place, wrong time!

Be ready when life happens. These real situations taken from our claims files illustrate the variety of environmental exposures that could just as easily have affected your clients!



Legionella was discovered in the water supply of a major metropolitan hospital. An entire wing of the hospital needed to be vacated and patients removed while the water system went through treatment for the legionella. In addition to the remediation costs, several patients sued the hospital claiming bodily injury from exposure to the legionella.



A mechanical contractor was hired to perform HVAC repairs at a hospital. No medical procedures were performed during the actual renovation activities and proper measures were taken to ensure proper encapsulation. Despite the controls, one year after completion of the project, the contractor was notified that several aspergillus (a type of mold species) infections had occurred several months after valve replacement surgeries. Internal and government investigations identified the source as the hospital operating room shortly after the renovations. The hospital was sued by several of the patients sustaining secondary infections. The hospital and the contractor contributed to settle the claims.



City inspectors received notice of possible building violations at a nursing home facility. Inspection of the facility found the building's roof and interior were in violation of city codes. The violations were serious in nature including signs of water damage on ceilings, light fixtures and electrical switches. Additionally, several employees reported a mold/mildew odor. A further investigation discovered black mold within ceiling tiles, under layers of peeling paint and in areas of noticeable water leakage. Residents of the facility were showing symptoms of rashes, headaches, asthma and difficulty breathing. The facility had to be temporarily shut down and the residents relocated before cleanup of the extensive mold could begin. Families of several of the residents filed suits for bodily injury against the facility.



During recent interior room renovations at a highly rated senior assisted living facility, mold contamination was encountered on the surface and behind vinyl wall coverings. After inspection of over 35 rooms, the cause was determined to be increased humidity levels brought on by occupants opening windows and allowing humid outside air to mix with air-conditioned room air creating excessive levels of humidity. The vinyl wall covering acted as a vapor barrier, causing the walls behind to become impregnated with mold. Costs were incurred to remediate and perform indoor air quality monitoring.

Health Care Claims Scenarios



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