

Española Hospital sued over woman's injury

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The daughter of a 78-year-old Fairview woman has filed a negligence lawsuit against Presbyterian Healthcare Services, alleging her mother fell and broke her hip while hospitalized at Presbyterian-owned Española Hospital last year.

The lawsuit was filed last week in state District Court by Lennett Rendon as a representative of her mother, Sophia Maestas.

The lawsuit said Maestas was admitted to the hospital on May 22, 1998, after suffering "a presumed stroke." By May 29, 1998, when she was about ready to go home, Maestas fell and broke her left hip, the lawsuit said. It alleges the hospital was negligent in part because hospital employees failed to "adequately monitor" Maestas and because she was in a bed with a broken rail, which the

lawsuit says contributed to her fall.

Maestas had to undergo surgery as a result of the fall and has been unable to walk ever since, the lawsuit said. She continues to have medical expenses stemming from the incident.

The lawsuit seeks an unspecified amount of damages. Carl Bettinger, the Albuquerque attorney representing Rendon and Maestas, said he filed the lawsuit in an effort to gather more details about the circumstances surrounding the fall.

Bettinger said there's a note in Maestas' hospital chart "about a possibly broken bed rail, and that's why we want to investigate further."

"This case is in its infancy," Bettinger said, "and there is very little information about it at this point."

A Presbyterian spokeswoman said Presbyterian does not comment on pending law-

suits. Bettinger said he would advise Rendon not to speak with the media.

In a recent ruling in an unrelated case involving a fall at another hospital, a 73-year-old San Diego man won a new trial. Adolph Perales had sued St. Vincent Hospital after he fell in the hospital while recovering from a stroke during a New Mexico vacation in April 1996.

Perales lost his lawsuit against St. Vincent in April when the jury voted unanimously for the hospital in June. But U.S. District Judge Martha Vázquez, who had presided over the case in federal court, recently granted Perales a new trial, saying she erred by not clearing up jury confusion over her deliberation instructions to them.

Perales alleged in his lawsuit that he fell as a student nurse helped him out of bed, despite doctor's orders that he not be moved because he was at risk for falling.