

# Manorcare Settles Lawsuit

## Chain To Pay Family Millions

BY SCOTT SANDLIN  
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A wrongful death lawsuit filed against the corporate owner of a nursing home chain was settled Friday, three days into a state district court jury trial.

The settlement between Manorcare and the family of the late Ray Overson was in the "millions" of dollars, though the precise figure was unspecified, said Carl Bettinger, co-counsel with Michael Gross for Overson's family.

Bettinger said the settlement included no admission of liability on the part of the corporation.

Tom Countryman of San Antonio, Texas, lead defense attorney for Manorcare, referred questions or comment to the corporate media relations spokeswoman in Toledo, Ohio, who couldn't be reached late Saturday.

In his opening statement Wednesday, Countryman said Overson was in "end-stage" Alzheimer's disease, which meant he was dying at the time of his admission and not from anything Manorcare did or didn't do.

Ray Overson, Ila Overson's husband of 61 years, walked into Manorcare Sandia in February 2001. He left four

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months later in an ambulance, after his son Frank found him in his room curled up in a fetal position, with a fever and a broken hip.

"I believe if Frank hadn't stopped by, out of a feeling that something wasn't right, his dad would have died all alone that way," Bettinger said Saturday.

Overson died in the hospital surrounded by his family about a week after his emergency exit from Manorcare.

The family's lawsuit alleged the corporation had put profits ahead of patients, leading to chronic understaffing. While corporate officials used a private jet to oversee Manorcare's 500 facilities, they skimmed on staff in the nursing homes, the suit alleged.

Records were sometimes falsified to show medications dispensed or services performed when they weren't, it alleged. Residents sometimes didn't get their diapers changed — the staff masked odors with shaving cream — or get turned in bed to prevent developing bedsores, the suit alleged.

Bettinger praised his clients for taking on "this Goliath."

The case was settled during the testimony of the director of nursing at Manorcare Sandia when Overson was admitted. That witness testified she couldn't recall any of the letters from nurses dating back to 1998 complaining about lack of staff, Bettinger said.

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