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# NORTHEAST TIMES

NEWSWEEKLY

## **Aria Health is back on track**

The state's health department, which had issued a lengthy and harsh report on Aria Health's Frankford emergency room after a December inspection, has said the ER now is in "full compliance" with state regulations.

The family of a man whose death spurred that inspection, has come to a settlement with the hospital.

Health department inspectors had revisited Aria's Frankford ER in early March to see if hospital management had corrected several problems detailed in an earlier report.

Inspectors initially had visited Aria's Frankford campus in December, soon after well-known Latino musician, Olney High guidance counselor and community activist Joaquin Rivera had died in the ER's waiting room on Nov. 28, 2009.

Philadelphia police had reviewed security footage of the waiting room and said it appeared the 63-year-old Rivera had died 11 minutes after he had arrived at the ER complaining of pain in his left side.

The city medical examiner's office later ruled Rivera had died of a heart attack.

The surveillance recording also showed that no one had come into the waiting room to check on the man's condition. Rivera's death was not discovered until more than a half-hour later, and only after another patient alerted ER staffers and after even another person in the waiting room had stolen his watch.

That combination of circumstances provoked outrage as well as a police probe, an internal investigation by Aria, the health department inspection and a City Council hearing. Three people believed involved in the theft of the dead man's watch were arrested and tried.

An unannounced health department inspection was conducted in December. A report of that visit was released in late January:

Among the findings:

- \* Some Aria employees were not aware of a policy that patients should be checked on while in the ER waiting room

- \* A review of surveillance video revealed that nurses did not monitor or maintain awareness of activity in the ER waiting room.

- \* One hospital employee believed monitoring vital signs was at the discretion of the nurse in charge of assessing treatment priority.

Investigators further wrote that the hospital didn't ensure its ER had enough staff and that the staff followed hospital policies. The state report said some employees interviewed had thought Rivera was sleeping, not dead.

Aria was warned to correct its ER's problems and that inspectors would make another unannounced visit in early March.

Hospital CEO Linda Williams told Council members in an early February hearing that Aria already had addressed the problems listed in the report. She also said the hospital had suspended a nurse and an ER clerk.

Attorney Thomas Kline, who represents the Rivera family, also spoke at the Council hearings. He said there are thousands of deaths annually in the nation's emergency rooms and added that his firm has an expertise in developing cases against hospitals.

He also presented an inch-thick booklet about the health department's findings and about Rivera's life.

In an e-mail to the Northeast Times last week, Kline said the family and Aria had resolved the case.

"Following the City Council Hearing, the Rivera family and Aria reached a resolution of the family's claims without the need for litigation," he wrote. "The family has been satisfied with Aria's response. The parties have agreed not to discuss the terms and specifics of the resolution."

When health department inspectors revisited the Frankford ER unannounced in March to check on the improvements, they found the hospital was in compliance with state regulations. The health department does not publicly release inspection reports until at least 41 days after an inspection. This report was made public in May.

Such reports routinely are put online, but this report is not available on the Internet because of computer problems, Claudine Battisti, the department's communications director, said in a phone interview Friday.

Federal inspectors, who earlier had seen problems at Aria's Frankford ER, also now find the hospital in compliance with federal regulations, Battisti said in an e-mail to the Northeast Times.

In response to a request for comment, the hospital released the following statement:

"As part of Aria Health's ongoing comprehensive quality initiatives, policies and procedures are internally reviewed on a continuous basis. Aria Health also actively participates in Pennsylvania Department of Health surveys and values its input. We appreciate the Department's recent review and thank them for their subsequent report and recommendations."