

JOHNSTOWN

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# Woman sues nursing home over death of elderly uncle

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The niece of a deceased Fulton County man is suing Nathan Littauer Nursing Home for negligence, alleging staff there caused his death in 2010 by failing to treat him in a timely manner after his catheter became plugged.

Christina Mawson of Altamont is seeking unspecified damages in her medical malpractice and wrongful death suit, filed Oct. 25 in State Supreme Court, Fulton County. She is administrator of the estate of Luigi Buttino, 87, who died in the emergency room of Nathan Littauer Hospital on July 27, 2010. Buttino was a lifelong resident of the area and a former tannery worker. He and his brother owned Buttino Brothers' Apple Orchard in Benson and he served in the U.S. Coast Guard. He was unmarried.

The state Department of Health investigated the incident and issued a statement of deficiencies against Nathan Littauer Nursing Home on Oct. 8, 2010. The statement said the nursing home's actions in connec-

tion with Buttino "resulted in actual harm that was not immediate jeopardy," the second-highest category of threat, and that the incident was isolated.

The Health Department's report said the nursing home did not notify Buttino's physician in a timely manner when he had no urinary output through his Foley catheter and when his penis was noted to be edematous. The report also cited the nursing home for not ensuring that Buttino was treated in a timely manner on several occasions.

Mawson's attorney, Sean Doolan, called the case's facts "disturbing."

"The facility did not notify the physician of his [Buttino's] decline. There was an opportunity to correct this problem with his Foley catheter. If the physician had been notified there could have been intervention," he said.

According to the Health Department report, Buttino was admitted to the nursing home in April 2010 for rehabilitation of his lower extremities. On July 25 and 26, 2010, nurses noted that Buttino was not

urinating through his Foley catheter, which is a tube inserted into the bladder, and that when he did urinate, the liquid contained pus.

On July 27 at 9:41 a.m., Buttino was taken to the Littauer emergency room in critical condition. At the time he was diagnosed with hyponatremia, hyperkalemia, acute renal failure, and sepsis secondary to urine source. He died about five hours later.

Doolan said Buttino's death was "very painful. His penis became swollen and infected and he was in a lot of pain for days." He said the nursing home was aware that Buttino had urinary problems and that medical staff should have closely monitored him.

Littauer spokeswoman Susan Kiernan said the hospital does not comment on pending litigation. She said the nursing home responded to the Health Department's investigation by adopting corrective actions in November 2010.

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