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\$26 Million

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Lawsuits continue over alleged botched removal

by Charles Levin,
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A four-year effort to rid St. John's Regional Medical Center in Oxnard of mold has affected more than half of its patient rooms and could end up costing at least \$26 million, documents show. Hospital officials in December acknowledged the cleanup plan but said the mold did not "present a health hazard to patients, employees or visitors."

The hospital has not stopped any services during the cleanup, and no interruptions are anticipated, spokeswoman Rita O'Connor said in a statement released this month. O'Connor declined further comment.

Catholic Healthcare West, the hospital's San Francisco-based corporate parent, is suing more than a dozen contractors for \$25 million for allegedly failing to rid the hospital of mold.

The Rose Avenue facility opened in 1992, is licensed for 265 beds and serves a combined population of more than 200,000 in the greater Oxnard and Port Hueneme area.

Crews have been cleaning and repairing the hospital since at least 2002, according to documents filed with the California Office of Statewide Health

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The work has affected at least 131 of 210 patient rooms, five of 10 coronary care unit rooms, a neonatal intensive care unit, the morgue, showers, doctors' sleeping quarters, a dietary facility, break rooms, nurses' stations and administrative offices, the documents show.

Two labor-and-delivery rooms were reopened in August after a yearlong closure, according to an Aug. 3 letter from Laurie Bigham, the hospital's chief nursing executive, to a state regulator. The rooms were cleaned, inspected and approved for use, Bigham wrote.

Several Oxnard doctors who send patients to St. John's said they were aware of the mold problems but that it did not affect their patients' care.

Mold can pose a health risk for people with allergies, asthma or other respiratory problems, or compromised immune systems, such as those with AIDS or cancer, experts say.

The hospital mold was caused by construction defects that allowed moisture and water to invade the hospital, according to the St. John's lawsuit.

Hired consultants have monitored the mold levels since it was first discovered, according to O'Connor's statement. The work involves "reskinning" the building's entire exterior and replacing most of its windows and patient showers.

It's unclear when and how the hospital first discovered the mold and how much it has found.

Catholic Healthcare West filed its 2003 suit in Ventura County Superior Court. The suit names 15 defendants, including general contractor Centex Rodgers Inc. of Nevada and HKS Inc., a Texas-based architectural firm.

Charges include breach of contract, negligence, negligent misrepresentation

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and intentionally concealing and suppressing facts.

Most of the defendants were hired to clean up the mold, but the effort failed, causing "new and more extensive problems ... to previously undamaged portions of the hospital," the suit alleges.

Attorneys for Centex and HKS did not return calls seeking comment. The suit is in arbitration, with a hearing scheduled for May.

According to a Sept. 6 building permit issued by the state, St. John's now has a \$26 million contract with another company leading a new cleanup.

The work includes sealing off rooms, windows, and heating and air conditioning vents with plastic tarps to ensure that mold spores don't leave the immediate site, said Andrew Burroughs, 27, of Ventura, a former cleanup employee. Burroughs said he worked for a subcontractor on the new cleanup from March 2004 until May 2005, when he was fired after a dispute with a supervisor over a respirator mask.

He claimed some of the new work might have failed to prevent mold from spreading, because the tarps often fell down. "We tried to plug it up, but it was kind of like fighting a losing battle," Burroughs said.

Officials with the subcontracting firm could not be reached for comment.

Kurt Schaefer, deputy director for facilities with the state Planning and Development Agency, said the construction work has gone smoothly. The state Industrial Relations and Health Services departments conducted two investigations of complaints related to the mold but found no violations, officials said.

Betty Smith, district administrator with the Department of Health Services' Oxnard office, said last week that she would investigate when told of

Burroughs' allegations.

The investigation will take four to six weeks, said Norma Arceo, a spokeswoman with the state agency.

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