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Woman's death prompts family to take action

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Posted: 08/19/2009 12:00 AM



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The family of Georgia Fitsos filed suit after she died from bedsore complications.

Georgia Fitsos died in October 2007 of acute sepsis and other complications from what her family's lawyer calls "a bedsore the size of a turkey platter," a Stage 4 pressure wound that had eaten deeply into her flesh.

It was discovered almost by chance two months earlier, when Fitsos' son found her suffering unrelated shortness of breath. Paramedics rushed the 82-year-old woman to the hospital from a Folsom board-and-care home, the Broadstone Residential Facility.

Now Broadstone's owner and administrator, Adriana Catuna, and her husband, Viorel, are the focus of pending legal action on three fronts.

A felony elder abuse trial continues in mid-September, and the Fitsos family's civil suit, claiming negligence and wrongful death, goes to court a month later. The Department of Social Services' Community Care Licensing division began license revocation proceedings in late July.

Douglas Broomell, who represents Adriana Catuna in the civil litigation, declined to comment.

Lisa Franco, Adriana Catuna's criminal defense attorney, said: "I've had nothing but good reports from the other patients and families of patients who've stayed at the Broadstone. Mrs. Catuna is not guilty of the injuries that were caused.

"I hope things work out well for Mrs. Catuna," Franco added. "Her patients love her. She has a good case."

The Sacramento County Public Defenders Office, which represents Viorel Catuna in the criminal

action, didn't return phone calls.

With a huge demographic wave of baby boomers sweeping into old age in the next two decades, the Broadstone litigation raises a number of issues.

Long-term care for the elderly isn't cheap: John and Peter Fitsos paid a monthly fee of \$3,500, which rose to \$4,500 in May 2007 after their mother suffered what the family said was a minor stroke.

State regulators monitor the industry, but patient advocates said enforcement can sometimes lag. Barring complaints, about one-third of California's 7,800 residential care facilities for the elderly are randomly inspected each year, said DSS Deputy Director Jeff Hiratsuka.

When families visit care homes, they see facilities that look clean and neat, and they assume this means elderly loved ones are well-tended, said Lesley Clement, an elder abuse attorney representing the Fitsos family in the civil matter.

"If you went into a day care center and found a child dehydrated with diaper rash penetrating to the bone and physically restrained because they're crying, you'd have the district attorney and attorney general's office lining up to take those cases," she said.

Too often, she said, care providers tell families their loved one would have died anyway – and families, who don't know where to turn for help, believe them.

Deputy Attorney General Steven Muni, who is prosecuting the criminal case, agrees.

"Working with law enforcement on elder abuse cases, we're where domestic violence was 20 years ago," he said. "We're still in the process of educating the public and the courts. The elderly are some of our most vulnerable people."

Georgia Fitsos emigrated from Greece to Sacramento in 1952 when she married a fellow native of the Peloponnese who was 30 years her senior. He died in the early 1960s, and she raised their two sons alone in east Sacramento.

She was diagnosed with Alzheimer's disease and dementia in 2006, and it quickly became clear to her sons that she couldn't continue living alone. That fall, she moved into a private room in the Broadstone, where, according to the facility's brochure, residents "can enjoy a lifestyle of Elegance!"

"I've been blaming myself for killing my mother for the past couple of years, because it was my decision for her to go to this facility," said retired attorney John Fitsos, 55, her older son.

He went by the Broadstone regularly to visit his mother, take her out to lunch and bring her to his house, he said.

In July 2007, he took pictures of her with a huge black eye. She told him someone hit her, he said, while Broadstone staff told him that she fell asleep sitting in her wheelchair at the dining table and hit her face on the table.

A month later, he found his mother suffering shortness of breath at the Broadstone and called 911 because, he said, the on-site attendant – who has since returned to her native Romania – didn't speak enough English to make the call.

Besides the bedsores, Mercy Hospital of Folsom personnel found that Georgia Fitsos, a diabetic, had high blood-sugar levels and extremely low blood pressure, according to medical reports. She died that October at the Bruceville Terrace skilled nursing center.

The initial investigation of Fitsos' complaints to Community Care Licensing resulted in Broadstone receiving a \$600 fine in late 2007.

"I filed suit when I saw the system fall apart," said Fitsos, who wants to establish a nonprofit group to advocate for reform of the residential care industry.

"I'm not interested in blood money," he said. "I'm not interested in an adversarial situation. I'm interested in seeing legislation passed that really protects the public."

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