

Local rehab center facing lawsuit over woman's death

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A Merced man has filed a lawsuit with a Lodi rehabilitation center, claiming staff negligence led to the death of his mother.

Linda Moore was admitted to the Arbor Rehabilitation and Nursing Center, located at 900 N. Church St., in October of 2023 after multiple hospitalizations relating to breathing problems and a pulmonary embolism, according to lawsuit documentation provided to the News-Sentinel.

Prior to the complications, she had been living at her Merced home with the assistance of her son, Eric Moore. She was interactive, able to communicate, and was fully aware of people, times and places, the lawsuit states.

At the time she was admitted to Arbor Rehab, Linda Moore

was deemed to be at high risk for developing pressure sores due to her limited mobility and other relative factors.

The lawsuit, filed by Sacramento law firm Dudensing Law on behalf of Eric Moore, claims that Arbor staff “utterly failed to implement the necessary interventions to ensure that Ms. Moore remained free of pressure sores and to ensure that, once the multiple pressure sores were identified, they were properly treated to ensure that they did not devolve to Stage IV pressure sores.”

These interventions, the lawsuit states, include turning and repositioning Linda Moore every two hours, ensuring she was on a proper pressure relieving mattress from the outset of her stay, and ensuring she was adequately nourished, among other things.

The suit claims staff found a

wound on Linda Moore's backside about a month after her admittance, and could not determine how long it had been there.

There were multiple wounds on her backside that were “already horrific,” the suit claims, and would have taken many days of neglect to evolve to that condition.

The suit further claims no documentation had been made prior to the discovery of initial “unstageable” wound.

After discovering the wounds, a nurse recommended Linda Moore be placed on a low-air-loss mattress immediately, in an effort to keep the wound from deteriorating and to protect her from developing more.

However, the suit claims staff “waited” another 17 days to secure a mattress, and wounds dramatically worsened in the days that followed.

Linda Moore died on Dec. 24, 2023, just days before her 79th birthday, and the suit alleges her passing was a direct result of the pressure sores she developed while at Arbor Rehab.

The lawsuit alleges staff failed to create proper and necessary care plans for preventing and treating pressure sores, and failed to follow care plans already in place.

It also alleges staff failed to carefully monitor the wounds, failed to consistently reposition and mobilize Linda Moore, and failed to take all necessary measures to ensure that the wounds healed.

“The defendants’ violations of the various provisions of the Elder Abuse Act, which provisions embody a substantial public interest to protect the health and welfare of elderly and dependent persons, were despicable and in conscious disregard of Ms. Moore’s

rights, health and welfare,” the lawsuit states. The defendants acted with fraud, malice, oppression, and recklessness in doing so, thereby entitling plaintiffs to heightened remedies and punitive damages.”

While monetary damages are not disclosed, the suit states that “plaintiffs are entitled to recover for all pre-death harm, pain and suffering that Ms. Moore experienced.”

Edward Dudensing, the attorney representing Eric Moore, said that monetary amounts are not typically disclosed in these types of suits.

Arbor Rehab is owned by Covenant Care of California, LLC, which is also named in the suit. A representative of the Aliso Viejo-based company said it would not be commenting on pending litigation.