

Cerebral Palsy: Patient Drowns In Bathtub In Developmental Center.

The patient had lived in the state-operated developmental center for more than forty-two years before her death.

She suffered from life-long cognitive deficits related to cerebral palsy.

Her caregivers knew, or were supposed to know, she was not to be left unattended in the bathtub, but a treatment aide left her alone in the tub and she drowned.

The state, as her employer, was responsible for the aide's personal errors and omissions as a state employee. A failure was alleged by supervisory staff to train and supervise the aide in her caregiving duties. There were also allegations of violations of the state codes mandating a reasonably safe and hazard-free environment in long-term care settings.

The family's lawsuit against the State of Oklahoma filed in the Oklahoma County District Court was settled for \$135,000. **Ferry v. State of Oklahoma, 2007 WL 632739 (Okla. Dist., January 24, 2007).**