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Local

Health center, man's family reach \$2.5 million settlement

By Jennifer Sinco Kelleher
Associated Press

Attorneys for a 33-year-old man's family who claimed his toe infection turned deadly because of negligent treatment at the Waianae Coast Comprehensive Health Center said a \$2.5 million settlement has been reached.

Attorneys for Chad Kitayama's fiancée and parents said the settlement was put on the record during a federal court hearing Tuesday, but that it is subject to final approval by the U.S. Department of Justice. The lawsuit was filed last year in federal court because of the health center's federal funding.

The U.S. attorney's office in Hawaii denied the allegations in the lawsuit. Elliot Enoki, first assistant U.S. attorney, said Wednesday in an email there's no settlement until it's been formalized and finalized. He said even if it were finalized, his

office wouldn't comment unless it's in a public document.

Kitayama went to the health center's Nanakuli clinic on Jan. 4, 2011, with a red, swollen lump between toes on his left foot, according to the lawsuit, and he was prescribed Bactrim, an antibiotic. He went back the next day with pain in his left hip and thigh, a pounding headache and red eyes with yellow crust. He was sent to the comprehensive's emergency room, where he was given painkillers and told to continue taking Bactrim.

According to the lawsuit, he went back to the clinic five more times with severe headaches, eye pain, leg pain, nausea, vomiting and a rash and then to the ER on Jan. 12, where it was determined he had renal and liver failure and needed to be transferred immediately to the Queen's Medical Center. He remained at Queen's until he died Feb. 20, 2011.

He had multi-organ failure because he was allergic to the antibiotic, says the lawsuit, which was filed in August 2012.

"It was very sad, very tragic," said Richard Turbin, one of the family's lawyers. "They didn't do the proper blood work-up, which would have shown he was allergic."

Chief Medical Officer Dr. Stephen Bradley said in a statement Wednesday that the health center extends condolences to the family. "At Waianae Coast Comprehensive Health Center, every one of our patients is precious to us and we grieve the loss of any of them," he said.

Kitayama was an out-of-work forklift operator who was working as a greeter at Target, preparing to marry his fiancée.

"He came in for a very benign problem," Turbin said. "The cure was worse than the disease."