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## Patient's daughter alleges poor care led to death at Christus St. Vincent

By Patrick Malone  
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A Rio Arriba County woman is suing Christus St. Vincent Regional Medical Center and a Santa Fe doctor, alleging inattentive care due to a lack of staff and the administering of too many opiate painkillers led to her father's death.

Ben Arellano, 63, of Santa Cruz died in the early morning hours of Nov. 18, 2011. He suffered from advanced kidney disease and had undergone dialysis treatment the day before he died.

Arellano's daughter, Jeannie Gallegos-Esquivel, brought the legal action, which accuses the hospital and Dr. Joshua Brown of negligence and wrongful death.

Arellano received a series of the opiates Dilaudid and morphine throughout the day, which the suit describes as a mistake and says the professionals treating Arellano should have recognized that his compromised kidney would not be able to process the painkillers.

Between 45 minutes and 105 minutes passed between Arellano's last dose of painkillers and the time that a nurse checked on his condition. The nurse found him unresponsive and suffering from an apparent heart attack, according to the lawsuit. He was not breathing and never regained consciousness.

A death certificate identified Arellano's cause of death as "cardiac arrest due to end-stage renal disease, hypertension and diabetes."

The complaint alleges understaffing at St. Vincent led to inattentive care that contributed to Arellano's death. To support this allegation, the lawsuit cites complaints by nurses at the hospital that staffing is inadequate.

For years, the hospital and the union that represents its nurses and support staff have been at odds over staffing. In October, St. Vincent and New Mexico District 1199 of the National Union of Hospital and Health Care Employees agreed to a three-year contract that requires the hospital to maintain staffing levels equivalent to 40 percent of similar institutions.

Resolution of the contract came after seven months of tense negotiations. Differences between the hospital and the union over staffing drove the rift.

The lawsuit over Arellano's death, filed by Santa Fe lawyer Samuel Wolf, names Brown, the hospital and its Texas-based parent company, Christus Health, as defendants. Brown did not return a phone call Monday seeking a comment.

The lawsuit seeks an unspecified amount of money.

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