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Dirty, deadly secret

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Columbia Presbyterian Medical Center struggled for more than a year to treat Legionnaires' disease bacteria in its water pipes without telling patients or most employees to take precautions, state records obtained by the Daily News show.

Only in April - after six patients developed the disease and one had died - did the hospital give staff a memo saying Legionnaires' was "recently" found in its water, according to the records.

But the memo didn't mention that anyone had gotten sick because Columbia Presbyterian didn't want to "induce panic," the records show.

The shocking disclosure is contained in more than 160 pages of state Health Department documents obtained by The News through a Freedom of Information request.

The revelation stunned attorneys for the families of two patients of the Washington Heights hospital who died of Legionnaires'.

The disease contributed to the April 13 death of patient Richard Montesano, 63, whose family would have brought in bottled water had it known the risks, said lawyer David Fair.

"Not even after he was diagnosed with Legionnaires' did they tell the Montesano family that there was [the bacteria] in the water," Fair said. "They certainly would have put bottled water in his ventilator, even if they had to bring it in from home."

Robert Fader, an attorney for the husband of a 42-year-old Queens woman who died of Legionnaires' on March 17, said his client never knew to be worried about the disease - even when she developed an infection after being released.

"You'd get your loved one back in the hospital right away instead of thinking that it's probably not a big deal," said Fader, whose client's name has not been made public. "If they've got cases of this stuff going on for more than a year, they should have jumped on it."

Thousands of patients die each year after catching deadly infections in hospitals. A bill pending in the state Legislature would force hospitals to report their infection rates - which advocates say would spur better conditions and save untold lives.

On April 5, Robert Kelly, Columbia Presbyterian's chief operating officer, sent hospital staff a memo saying Legionnaires' was in the water.

In a conference call the next day, a city Health Department epidemiologist said Kelly should have noted that patients had been sickened "so that the risk is understood to be real," the documents show.

According to notes of the call obtained by The News, another high-ranking hospital official "acknowledged this, but she felt that such statements might only induce panic." And the hospital's infection control manager said, "All the people who need to know about the cases have been informed."

Hospital spokeswoman Myrna Manners said yesterday she didn't know details of the conference call and wouldn't second-guess what the hospital told its staff and patients.

The hospital first learned in March 2004 that a patient had developed Legionnaires' and that the disease was growing in its pipes, according to documents.

The patient survived, as did another who developed the disease that August. But the hospital couldn't kill all the bacteria in the pipes, even after working with city and state health officials as well as private consultants, records show.

The hospital banned showers for some patients and later told everyone to drink bottled water, but it didn't publicly acknowledge that patients were sickened until after The News wrote about Montesano's death April 20.

With Paul H.B. Shin

When peril is piped in

The bacteria that cause Legionnaires' disease are naturally occurring, very common and tough to kill. They grow in the pipes of large water systems, such as those in hospitals, hotels and apartment buildings. People with compromised immune systems can catch a form of pneumonia from Legionnaires'-tainted water. Experts don't know whether the disease is spread by drinking the water, breathing its vapor or both.

Breaking news update

THE ASSOCIATED PRESS

New York Presbyterian Hospital-Columbia said Tuesday that it has identified seven patients as having Legionnaire's disease since March 2004.

Legionella bacteria was a contributing factor in the death of one of the patients and the primary cause in the other patient, according to the medical examiner, said Myrna Manners, a hospital spokeswoman.

Five of the seven patients were diagnosed this year: Three in March, one in April and one in May. The two deaths occurred this year.

There have been no new cases since, she said.

Manners said Legionnella is a common bacteria found in the water supply and only poses a risk to patients with a compromised immune system. The two patients who died had been "extremely ill," she said.

According to a report in the Daily News on Tuesday, the hospital worked to root out the Legionnaire's bacteria from its water pipes for over a year before warning patients or staff in April.

The newspaper, citing 160 pages of documents it obtained through a Freedom of Information request, said an April 5 memo warned staff that the bacteria had "recently" been found in the hospital's pipes but did not say that patients had been sickened by the disease.

A city Health Department epidemiologist told the hospital's chief operating officer the following day that the staff should have been informed about the illnesses "so that the risk is understood to be real," according to notes of the conference call cited by the News.

The city Health Department did not immediately return a call for comment.

Manners said that after the bacteria was detected last year, physicians working with immune-deficient patients were notified. She said "a broader communication" was sent to all staff April 5 after the five patients were identified.

Manners said Tuesday that the hospital continuously monitors its water for traces of the bacteria, per city and state health department guidelines, and regularly briefs department heads on the situation.

"We have been following guidelines set out by the state Department of Health and city Department of Health on how to treat and contain the Legionnaire's bacteria," Manners said.

"In terms of the situation currently, we have taken a number of steps, including hyperchlorination of our water ... and we're continuing to monitor the situation very closely."

She said the hospital was continuing to provide bottled water to patients and staff, and has brought in additional consultants to advise on how best to eradicate the bacteria.