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## Incapacitated Woman Gave Birth in Arizona Nursing Home: Attorneys seeking \$45M from the State

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Late last December, a nurse at Hacienda HealthCare in Arizona panicked and called 911 as a patient unexpectedly gave birth. The 29 year old patient, who has been in a vegetative state since age 3, delivered a healthy baby boy. A police investigation concluded that one of her caregivers, a 32 year-old male nurse, raped the patient several times and fathered the child. The victim's attorneys filed a \$45 million notice of claim against the state of Arizona in late May.

After giving birth in the nursing home, the victim and baby were transferred to a nearby hospital. According to the hospital, the baby's birth was "a repeat parous event," meaning the victim had likely been pregnant before.

As a result of a near drowning experience in 1992, the victim is described as non-verbal and generally unresponsive. However, she does experience pain and can respond to her surroundings with a groan or a smile.

The staff full of medical professionals said they did not realize the woman was pregnant until a nurse went to change the victim and saw the baby's head.

An anonymous former caregiver for the woman told ABC-15 she didn't believe the pregnancy went undetected. "I can't believe that somebody would bathe her daily for nine months and never know that she wasn't having a period, that she [was] growing in her midsection, that nurses weren't keeping track [of her weight]," the former caregiver said. "Those things are shocking to me."

According to the notice of claim, the nursing home missed 83 opportunities to diagnose the pregnancy. The staff noted the patient's abdomen was sticking out during 24 checks, and noted swollen legs and feet 12 times. A doctor saw the patient at least 10 times during her third trimester.

Hacienda HealthCare was entrusted to give the patient around-the-clock care. Not only did they overlook the signs of repeated sexual abuse the hospital reported, which allowed for it to continue, but they also failed to detect her pregnancy. The facility's negligence caused the patient to go through her pregnancy without any proper care and in a state of malnutrition.

The complaint argues that the state of Arizona "cultivated circumstances" that enabled this misconduct and failed to monitor the long-term care facility.

There are many forms of abuse in nursing homes, to both younger and elderly patients. The long-term care facilities we trust with our loved ones are responsible for their safety and well-being.

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