

The Current Wrongful Death Cap Devalues the Life of Oregon Seniors

Ruby Larson Deserved Dignity and Her Family Deserved Justice

In May 2007, the loving family of 74-year old Ruby Larson made the difficult decision to admit their mother to Pheasant Pointe Assisted Living Residence in Molalla to make sure her Alzheimer's disease and dementia were properly cared for, while keeping her close to home. The family paid for the supervision and close monitoring of Ruby due to her disorientation, memory loss and other medical needs. But after only 2 months, Ruby had already managed to wander off on three separate occasions. Her son David Buoy, who visited often, became very concerned and met with staff to assess whether his mother needed a higher level of supervision. They assured him not to worry. But on July 23rd, 2007 Ruby disappeared from the facility altogether.

Three years later Ruby Larson's skeleton was found in some blackberry bushes, just a quarter-mile away from the care facility. Her shoes were placed neatly next to her remains, which were still clothed.

Ruby's death was preventable. Pheasant Pointe failed to provide adequate care for Ruby and stop her from repeatedly wandering off. The facility was being paid to have a preventative plan in place for Ruby's condition. They assured the family they had the staff and the experience to handle people with dementia and all that goes with the crippling disease.

A jury heard the facts of the case during a five-day trial and returned with an 11-1 verdict for negligence. The \$821,000 verdict was issued to send a message that Oregonians care about seniors and that they deserve better. Because of the wrongful death cap, the judge had to reduce the jury's verdict to \$500,000.

One size fits all justice does not serve Oregon families who face devastating tragedies like the Larson family.

We urge you to vote Yes on House Bill 4136. Thank you.