



# North Dakota Supreme Court KO's Final Hep C Claim Against Hospital

Trinity Health in Minot, North Dakota, was at the center of a hep C outbreak first discovered in 2013.

March 12, 2020 By [Benjamin Ryan](#)

---

The North Dakota Supreme Court has dismissed the last remaining civil claim against Trinity Health in the city of Minot, which was at the center of a hepatitis C virus (HCV) outbreak first identified in 2013, Minot Daily News reports.

The outbreak was related to a lapse in infection control procedures at ManorCare Health Services in Minot. Ultimately, 52 senior citizens were identified as a part of the outbreak; they had contracted genetically linked hep C.

In December 2016, 21 people [settled claims](#) against the nursing home facility.

Trinity Health is a health care conglomerate that provided lab services to ManorCare during the period in question. Civil cases accused that a Trinity Health phlebotomist stole drugs and reused needles on patients.

Mark Krebsbach sued Trinity on behalf of his late wife, who contracted HCV during the outbreak.

The North Dakota Supreme Court unanimously ruled that a lower court had correctly dismissed Krebsbach's case. The question centered on whether a phlebotomist is classified as a medical professional for whom there applies a two-year medical malpractice statute of limitations. Such a statute of limitations would nullify Kresbach's complaint, which he filed in September 2016.

The superior court sided with the district court in deeming that while the phlebotomist did not meet the definition of a medical professional, this person nevertheless was a member of a professional continuum of care. Those overall duties, the court decided, do indeed fall within the statute of limitations.

Additionally, the court ruled that Krebsbach had failed to establish that Trinity was duty-bound to disclose information about the phlebotomist's stealing of drugs, which would have backed his claim that he had been the victim of fraud or deceit. Instead, the court found that Krebsbach should have known to file a lawsuit against Trinity within the statute of limitations.

To read the Minot Daily News article, [click here](#).

---

© 2026 Smart + Strong All Rights Reserved.

<http://beta.docker.hepmag.com/article/north-dakota-supreme-court-kos-final-hep-c-claim-hospital>