Pittsburgh Hospital Sued for Allegedly Ignoring Warning Signs of Impending Hepatitis C Outbreak

July 29, 2016

A Pittsburgh hospital where David Kwiatkowski, the now-convicted radiology technician who started a hepatitis C virus (HCV) outbreak in 2011, now must face lawsuits from four patients he went on to infect with the liver virus in Kansas. According to court records, UPMC Presbyterian allegedly failed to report Kwiatkowski's drug use to the proper authorities after firing him in 2008, which plaintiffs argue perpetuated the risk of him exposing others to the illness, Court House News reports.

In a 2-1 decision, the Pennsylvania Superior Court reinstated four lawsuits filed by six former patients of Hays Medical Center in Hays, Kansas. The ruling reversed an earlier decision by a county courthouse that tossed the cases after determining that UPMC owed a duty of care only to its own patients, not those affected by Kwiatkowski's misconduct down the line.

However, the plaintiffs argue that UPMC "knew or should have known that medical staff such as Kwiatkowski, without intervention, would continue to engage in conduct, including theft of controlled substances in order to satisfy" his addiction to hospital-grade painkillers. It was this failure, they allege, that allowed Kwiatkowski to move on and work at eight other hospitals, ultimately infecting 46 patients with the same strain of HCV he was carrying before his arrest in New Hampshire in 2012.

In 2013, Kwiatkowski was sentenced to 39 years in prison for charges of tampering with a consumer product and obtaining controlled substances by fraud. However, many hospital cases around the massive hepatitis C outbreak he started are still ongoing.

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