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Illinois Appellate Court Ruling Means Hospitals Must Release Data about Incidents of MRSA Infections

CHICAGO, IL – A recent Illinois Appellate Court opinion, which reversed the decision of a lower court, will make it easier for all hospital patients who acquire methicillin-resistant staphylococcus aureas (MRSA) to obtain medical records for the purpose of pursuing legal action, according to Stephan D. Blandin, a principal in the Chicago injury law firm of [Romanucci & Blandin](#), LLC.

The court's review grew out of a case in which the firm represented two families whose breadwinners contracted MRSA at Advocate Christ Medical Center. One of the patients died.

In its ruling, the court rectified the injustice of the Circuit Court of Cook County by holding that information pertaining to the rates of MRSA in a hospital is not privileged under the Medical Studies Act. The decision, written by Justice Robert Cahill, with concurring opinions from Justices Margaret Stanton McBride and R.E. Gordon, requires the hospital to produce the information to the plaintiffs so that the families of the deceased may proceed with their claims.

“MRSA has become a national crisis, and hospitals have been slow and unequal in their response,” Blandin stated. “They can no longer hide behind the Medical Studies Act. The case is significant to Romanucci & Blandin’s efforts to ensure that hospitals are taking action to prevent the deadly spread of MRSA throughout Chicago area hospitals.”

Blandin said the decision will have a positive and significant impact on the rights of victims of medical malpractice. “Because of this, it will be up to the juries to decide whether or not a hospital took adequate steps to combat MRSA outbreaks,” he said.

The families of Joseph Zangara and Zigmund Dziamara, through the Romanucci & Blandin law firm, first attempted to obtain documents in November 2007 that they believe would have shown the hospital and its physicians deviated from the standard of care it provided to their patients. The hospital claimed that the number of patients who had contracted MRSA was privileged information and they did not have to disclose this information, but the Appellate court disagreed and reversed.

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