

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

ROSA ORTIZ,

Plaintiff,

v.

PROVIDENCE EXTENDED CARE
PROVIDENCE ALASKA MEDICAL
CENTER; PROVIDENCE HEALTH &
SERVICES-WASHINGTON,

Defendants.

Case No. 3AN-18- 8985 - CI

COMPLAINT

COMES NOW Plaintiff Rosa Ortiz, by and through Counsel, Phillip Paul Weidner of Phillip Paul Weidner & Associates, APC, and hereby states, claims, pleads, alleges and complains as her causes of action in the instant matter as follows:

1. Plaintiff Rosa Ortiz, (D.O.B. 08/28/1949), is and was at all times pertinent hereto a citizen of the State of Alaska, and a resident of Anchorage, Alaska;
2. On or about August 19, 2016, Ms. Ortiz was transferred to Defendant Providence Extended Care, (on information and belief an entity in good standing in the State of Alaska and affiliated or partnering with Providence Alaska Medical Center), from Providence Alaska Medical Center;
3. At the time of her discharge from Providence Alaska Medical Center she was severely disabled due to paralysis and weakness of her limbs, and confusion and disorientation and brain impairment;
4. While at Defendant Providence Extended Care, Rosa Ortiz was subjected to verbal and physical abuse, causing severe emotional distress. She was punished because

Spanish is her first language, yelled at, deprived of food and physical therapy, refused a Spanish interpreter, told she could "lay in [her own] shit" if she did not speak English, and otherwise subjected to humiliating, undignified, demeaning treatment by employees and/or agents of Defendants, which amount to: a) elder abuse; b) abuse of the disabled; c) abuse based on national origin, culture, or language; d) deviation from standards governing such facilities and the purported mission of the Providence entities; and e) deviation from the common law. The family eventually removed her from this toxic environment in early October 2016.

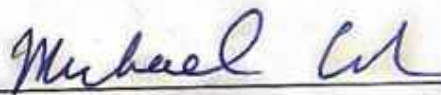
5. Defendant Providence Health & Services-Washington, is a corporation in good standing and authorized to do business in the State of Alaska, and is the parent company of Providence Alaska Medical Center, who is also a corporation in good standing and authorized to do business in the State of Alaska, and both corporations were rendering medical care and treatment at all times pertinent hereto, and both corporations are liable by virtue of their conduct, including the conduct of health care providers who were employees and/or agents of Providence Health & Services-Washington and/or Providence Alaska Medical Center at all times pertinent hereto.
6. Defendants have caused intentional and/or reckless and/or negligent emotional distress on a fragile injured human being.
7. Defendants' actions are outrageous and calls for imposition of punitive damages to punish and deter such undignified callous treatment of others.

WHEREFORE, Plaintiff prays that after appropriate proceedings and/or a jury trial and/or jury verdict, the following be granted:

1. Compensatory damages for the emotional and psychological abuse for the emotional and psychological abuse, and/or physical abuse in an amount in excess of \$100,000.
2. Punitive damages as allowed by law.
3. For pre-judgment and post-judgment interest in the maximum amount allowable by law;
4. For costs and attorney's fees as to each award in the maximum amount allowable by law; and
5. For such other relief this Court deems just, equitable and appropriate.

RESPECTFULLY SUBMITTED this 29th day of August, 2018.

WEIDNER & ASSOCIATES, APC
Attorneys for Plaintiff



Michael Cohn
ABA No. 8506049