

Elliot Urgent Care Get Better in no time! OPEN SEVEN DAYS A WEEK

40 Buttrick Road LONDONDERRY 9am-8pm

185 Queen City Avenue MANCHESTER 7am-10pm

Home » News » Health

November 21, 2013 8:56PM

Exeter Hospital suing serial infector, staffing agencies

By JASON SCHREIBER
Union Leader Correspondent

Print Email Facebook Twitter ShareThis

BRENTWOOD — Exeter Hospital is suing serial infector David Kwiatkowski and other health care and staffing agencies, claiming they failed to stop the former hospital lab technician before he was hired in Exeter and infected dozens of patients with hepatitis C.

Related Stories

- ▶ [Francestown eyes work with regional planning commission](#)

The 49-page lawsuit filed Monday in Rockingham County Superior Court names Kwiatkowski as a defendant along with Maxim Healthcare Services Inc., the American Registry of Radiological Technologists, American Healthcare Services Association LLC, and Triage Staffing Inc.

Among other things, the suit demands that the other agencies be forced to contribute to the financial settlements reached with many of the victims who sued the hospital for monetary damages after last year's outbreak.

The hospital argues that the amount it paid to settle the claims was "disproportionate to Exeter Hospital's actual responsibility for the hepatitis C outbreak," the suit said.

"Prior to the time that Kwiatkowski arrived at Exeter Hospital, each of the defendants knew, or through the exercise of reasonable care, should have known, that Kwiatkowski was unfit for continued employment as a traveling cardiac catheterization technician," said the suit.

Authorities say the 34-year-old Kwiatkowski stole syringes filled with the painkiller fentanyl intended for patients and replaced them with syringes containing saline that he had previously used to inject himself and were contaminated with his blood.

In August, Kwiatkowski pleaded guilty to federal felony charges related to the outbreak and will be sentenced next month to 30 to 40 years in prison.

The suit outlines the outbreak first discovered by Exeter Hospital in May 2012 when three former patients were diagnosed with the same strain of the virus later linked to Kwiatkowski, who worked in the cardiac catheterization lab.

The investigation revealed 32 former Exeter patients were infected. Another case was discovered this past June when the wife of an infected patient contracted the virus from her husband, bringing the total number of Exeter victims to 33. According to court documents, another 14 patients in four other states were also diagnosed with the same strain of hepatitis C linked to Kwiatkowski.

Kwiatkowski worked at as many as 19 hospitals in eight states between 2003 and 2012 and was fired from at least four of them before he was hired at Exeter Hospital, which is being represented by the Manchester law firm Devine, Millimet & Branch Professional Association.

Exeter Hospital argues that the alleged failures of the staffing agencies that placed Kwiatkowski in medical facilities around the country allowed him to continue finding jobs.

jschreiber@newstote.com

..
..

News

Animals

Politics

Granite Status

Opinion

Editorials

Sports

Golf

NewHampshire.com

Arts & entertainment

Subscriptions

Subscribe

Classifieds

Automotive