

Legionella at nursing home not revealed until after 90-year-old checked in, family says

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UPPER ARLINGTON, Ohio (WSYX/WTTE) — A nursing home in Upper Arlington with three confirmed cases of Legionnaires' disease since October did not disclose the cases at check-in, says a local family, despite recent diagnoses and an ongoing water restriction making sinks inoperable throughout the facility.

A spokesperson with Franklin County Public Health said Monday that despite conflicting reports from the nursing home's administration, one patient in October and two in February did all present Legionnaires' symptoms and were confirmed to have the bacterial infection. The nursing home claimed Sunday night that water testing revealed a type of Legionella bacteria not normally known to cause Legionnaires disease.

The back-and-forth began Sunday, two days after Bette Kessler, 90, was checked into Arlington Court Skilled Nursing & Rehab Center. Her daughter Kim Kessler is currently suffering a bout with the flu, and says she could not safely care for her mother at home. A hospice care company arranged the five-day "respite stay" for Kim's mother at Arlington Court.

"They never mentioned anything about being under a water advisory or having any issues," Kessler said on Sunday. "There were other choices we could have made, and would have made, had I known that."

It was not until Sunday morning that the family realized something was amiss, when Bette's sink would not work. Her hospice aide was told that sinks had been shut off, but communal showers could provide water because they had been fitted with a special filter, or that bottled water was available by request. A Sunday morning phone call from the nursing home's director finally revealed that the water restriction was a response to a confirmed case of Legionella bacteria. Franklin County Public Health later confirmed that Arlington Court had three confirmed cases of Legionnaires' disease since October.

Kessler says none of this was disclosed before or during her mother's check in.

The nursing center's director, A.J. Stout, confirmed on Sunday that he had spoken with the family. In a statement late Sunday night, the center's vice president of operations insisted communication with patients had been consistent.

"The facility has been transparent with our residents and families during this period of time," wrote James Muckle. "Letters were mailed out and posted in the facility by February 11th. These initial notices and further updates have remained prominently displayed in the facility."

"Water restrictions and other precautions were put in place on February 10th to ensure the safety of our residents, visitors and staff," Muckle said.

It was unclear at deadline whether the February 10th water restrictions had extended all the way until Kim Kessler discovered the issues on Sunday, March 1st, or whether the current water restrictions are a separate event. Bette Kessler did not check-in until February 27th, her daughter said. Kessler said any earlier notices thus would not have reached the family or Bette's care providers.

The type of bacteria found in Arlington Court's water became a topic of controversy late Sunday night and Monday. First, a letter dated February 11th on Arlington Court stationery, says "previous testing of our water supply did not show Legionella, but we are testing again and have implemented an alternative water source and filter system for drinking and bathing." Since then, Muckle explained that testing had uncovered a Legionella bacteria known as *non pneumophila*, which Muckle said is not often known to cause illness.

"The non pneumophila type is found commonly in water and soil and is not the type to normally cause illness," Muckle said. He noted that the bacteria was found in patient urine samples.

According to the Centers for Disease Control, "if the patient has pneumonia and the (urine) test is positive, then you should consider the patient to have Legionnaires' disease."

Franklin County Public Health confirmed on Monday morning that the type of bacteria found is immaterial, so long as patients present symptoms of Legionnaires' disease and any type of Legionella bacteria is present.

Kim Kessler said on Sunday that her hospice care company was working to move her mother Bette to a different facility. Kessler said she reached out to ABC 6/FOX 28 in hopes of preventing a similar situation for other families.

"I just hope that they learn the lesson that they need to be truthful with people. Be up-front, and say 'here's what it is, here's what we're doing,'" Kessler said.

Legionnaires disease is very similar to types of pneumonia, according to the Centers for Disease Control, with symptoms that include cough, shortness of breath, fever, muscle aches and headaches. Legionnaires' disease can also be associated with other symptoms such as diarrhea, nausea, and confusion.

About one in 10 people who get sick from Legionnaires' disease will die, according to the CDC.

A review of [federal nursing home records through Medicare.gov](#) shows Arlington Court Nursing & Rehab Center has received 15 health inspection violations and paid more than \$55,000 in fines to the federal government since 2017.