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MEDIA RELEASE – April 9, 2018

Re: *Mary Elizabeth (Beth) Falcone v. University of Colorado Health*

El Paso County District Court, Case No. 2016CV32170

On Friday, April 6, 2018, at the conclusion of a five-day trial, the jury found for Beth Falcone. Beth alleged that UCHealth-Memorial Hospital wrongfully fired her because she had reported patient safety concerns.

Beth is overjoyed that the jury found in her favor. This has been a long and extremely difficult process for Beth and her family. She is very pleased with the outcome.

Beth worked as an ultrasound sonographer at Memorial for over 23 years. She was fired in September 2015. She had reported patient safety concerns about the disinfection of probes used for vaginal ultrasound exams. Beth also raised concerns about the number of ultrasound sonographers and their work schedules.

The jury included five women and one man. They unanimously found that the hospital fired Beth because she had reported those concerns. They awarded her damages of over \$948,000.

The jury clearly believed Beth. This verdict sends a strong message to UCHealth and all other health care employers in Colorado. It is rare for an employee's lawsuit to proceed to trial. This case proves that the system works. We believe justice was served.

This is also the first trial of this type of legal claim in Colorado. It was based on a state law passed in 2007. At that time, the legislature stated

Patient safety is of paramount importance in the delivery of health care to Colorado citizens. A patient is at his or her safest when a health care worker has the right to speak out on the patient's behalf without fear or reprisal or retaliation. Health care providers recognize that, in order to deliver the highest quality health care, it is imperative that all health care workers have the right to report patient safety concerns and to advocate for a patient's well being without the risk of disciplinary action or loss of employment.

Several other states have similar laws that protect healthcare workers from retaliation. The Colorado Plaintiff Employment Lawyers Association (PELA) led the effort to pass Colorado's law. Today, PELA has over 200 members across the state who primarily represent employees.