

Nurse Nina Pham settles Ebola lawsuit against Texas Health Resources



Jennifer Emily, Justice reporter

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Nurse Nina Pham settled her lawsuit Monday against Texas Health Resources, owner of the hospital where she contracted Ebola while caring for the first person in the United States diagnosed with the deadly disease.

The deal was signed exactly two years after Pham was


declared free of Ebola, although she still has health problems likely related to the disease and experimental treatments.

THR and Pham's attorneys Charla Aldous and Brent Walker released a brief joint statement to *The Dallas Morning News*: "Texas Health Resources and Ms. Pham have resolved the pending lawsuit, and wish the best for each other going forward. All parties have agreed the terms of the resolution are confidential and will not make additional statements or grant media interviews."

The terms of the settlement were not disclosed. But a typical agreement could include future health care and possibly millions of dollars.

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Ebola survivor Nina Pham walks her dog Bentley in Dallas.
2015 File Photo/Smiley N. Pool

Pham, an ICU nurse at Texas Health Presbyterian Hospital Dallas, claimed in the lawsuit that the company did not properly train and protect its staff to care for Thomas Eric Duncan, a Liberian man who died in October 2014. She also claimed that THR violated her privacy by releasing information about her condition.

THR has denied these claims and said it did not violate her privacy. The company has also said its staff was properly trained and that the protective gear used followed Centers for Disease Control and

Prevention guidelines. The company kept Pham on the payroll even though she did not return to work.

The case was set to go to trial last week but was delayed because another case in the same court had not concluded.

Pham first detailed the chaotic scene inside the hospital's ICU in an exclusive interview with *The News* in the spring of 2015. Pham said she and her fellow nurses made decisions about safety protocols, increasing the protection above the gloves, gowns and masks recommended at the time. They also decided they should shower after leaving Duncan's room.

"I wanted to believe that they would have my back and take care of me, but they just haven't risen to the occasion," Pham told *The News* in 2015.



Thomas Eric Duncan, the first person in the U.S. diagnosed with Ebola, died in October 2014 at Texas Health Presbyterian Hospital Dallas.

Duncan, who was exposed to the disease in his native Liberia, was sent home from Presbyterian's emergency room after his first visit. He returned when his symptoms didn't improve and was admitted to the hospital, where he tested positive for Ebola and later died.

Pham has said she can't point to a particular "uh-oh" moment when she contracted the disease. She wasn't splashed with bodily fluid or stuck by a needle.



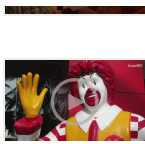
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She told *The News* last year that she has suffered hair loss, physical pain, insomnia and nightmares since recovering from Ebola. Doctors who cared for her at the National Institutes of Health in Bethesda, Md., told her that some of those problems could be a result of the infection.

Since her recovery, Pham has met President Barack Obama, who even asked about her now-famous Cavalier King Charles spaniel, Bentley. The dog, now 3, was quarantined when Pham got sick but never caught the disease, creating another media sensation.



Pham's dog Bentley was quarantined after Pham became ill but never contracted Ebola. 2015 File
Photo/Smiley N. Pool

Pham has expressed concern about paying for health care for the rest of her life because so little is known about the long-term effects of Ebola and the treatments used to save her life.

In the lawsuit, she asked for unspecified damages for physical pain and mental anguish, medical expenses and loss of future earnings. But Pham also wanted Texas Health Resources to admit that it let down her and other front-line health care workers.

In what at the time was a dramatic moment in television news, an employee of THR walked into Pham's hospital room while she was being treated for Ebola and filmed her in her hospital bed. He asked "Do you need anything?" and told her not to cry after she wiped away tears.

"I love you guys," Pham said.

“We love you,” he said.

The video, which Pham and her attorneys say was shot without her consent and without advance warning, went viral after being posted on YouTube. Pham previously told *The News* that she thought the video was for training purposes.

THR has said that Pham granted permission to release information about her health. But Pham’s attorneys have said she was not able to grant consent because a doctor wrote in her medical file that she was not competent to make “end of life” health care decisions.

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