



SAN DIEGO COUNTY
REGIONAL AIRPORT AUTHORITY
STAFF REPORT

Item No.
5

Meeting Date: **FEBRUARY 10, 2011**

Subject:

Authorize the Rejection of the Claim of Bette Van Valkenburg

Recommendation:

Adopt Resolution No. 2011-0015, authorizing the rejection of the claim of Bette Van Valkenburg.

Background/Justification:

On January 6, 2011, Bette Van Valkenburg ("Van Valkenburg") filed a claim with the Authority alleging that on October 9, 2010, she experienced dizziness and asked to sit down after she transited through the security checkpoint at San Diego International Airport. Paramedics were called to evaluate her condition and she was transported by ambulance to Mercy Hospital. Van Valkenburg claims she did not wish to be transported and further that paramedics lied to her about the need to do so. She refused treatment at the hospital and returned to San Diego International Airport by taxi where she departed without incident. Van Valkenburg claims \$1,189.29 in damages which includes the cost of ambulance transportation on the day of the incident.

Van Valkenburg alleges in her claim that on October 9, 2010, she felt dizzy and asked to sit down after transiting through the security checkpoint at San Diego International Airport.

Van Valkenburg's claim should be denied. San Diego Medical Services personnel are not employed by the Authority but rather are contracted to respond when alerted to illness and/or injury. They evaluate and treat illnesses and injuries without direction from Authority personnel. An investigation into the incident revealed no unsafe condition of public property nor any notice of an unsafe or dangerous condition. Further, no allegation of an unsafe or dangerous condition was made.

Fiscal Impact:

Not applicable.

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Environmental Review:

- A. California Environmental Quality Act: The Board action is not a project that would have a significant effect on the environment as defined by the California Environmental Quality Act (CEQA), as amended. 14 Cal. Code Regs. §15378. The Board action is not a "project" subject to CEQA. Cal. Pub. Res. Code §21065.
- B. California Coastal Act: The Board action is not a "development" as defined by the California Coastal Act. Cal. Pub. Res. Code §30106.

Equal Opportunity Program:

Not applicable.

Prepared by:

SUZIE JOHNSON
PARALEGAL



JAN 05 2011

ATTACHMENT

FOR AUTHORITY CLERK USE ONLY

Document No.: CL-136

Filed: 1/6/2011

SAN DIEGO COUNTY REGIONAL AIRPORT AUTHORITY ACCIDENT OR DAMAGE CLAIM FORM

Please complete all sections. Incomplete submittals will be returned, unprocessed. Use typewriter or print in ink.

1) Claimant Name: Bette VanValkenburg

2) Address to which correspondence regarding this claim should be sent:

Telephone No.: _____ Date: _____

3) Date and time of incident: Oct 9, 2010 6:00 AM

4) Location of incident: San Diego Airport

5) Description of incident resulting in claim:

See attached letter

Airport paramedic did not inform me I could refused all ^{ambulance} service when I asked her if there was anyway I did not have to go.

\$ 1189.29 invoice SD 1006759582 San Diego Medical Services for a 3 mile ride I did not want to take one would have refuse if I were informed correctly. Instead I felt emotionally kidnapped to get on truck if I was to return home that day.

6) Name(s) of the Authority employee(s) causing the injury, damage or loss, if known:

Female paramedic

7) Persons having firsthand knowledge of incident:

Witness (es) San Diego Medical Services employee Physician(s): at the hospital I wanted to use service.

Name: _____ Name: _____

Address: _____ Address: _____

Phone: _____ Phone: _____

8) Describe property damage or personal injury claimed:
Invoice # SD 1006759582 \$ 1189.29
9) Owner and location of damaged property or name/address of person injured:
N/A
10) Detailed list and amount of damages claimed as of date of presentation of claim, including prospective damages. If amount exceeds \$10,000.00, a specific amount need not be included.
Invoice SD 1006759582 \$1189.29

Dated: Dec 29, 2010 Claimant: Bette J. Van Valkenburg
 (Signature)

Notice to Claimant:

Where space is insufficient, please use additional paper and identify information by proper section number.

Return completed form to:

Tony Russell, Director, Corporate Services/Authority Clerk
 Corporate Services Department
 P.O. Box 82776
 San Diego, CA 92138-2776

Dear Tony Russell, Director of Corporate Services:

I was told I had to take an ambulance ride to the local hospital if I were to return home on the airplane back to Ohio on October 9, 2010. I asked if there was any way I did not have to go as I did not have insurance that would pay for it and I had a relative that lived closed by and I did not feel I needed to go as I was feeling better, but your paramedic told me I had to go because she called them and I needed to get checked out by the doctor before they would let me back on the plane. (There were three different times I informed her I did not want to go.)

I was dehydrated from taking some water pills the night before and told them that is what I thought was wrong. I had gotten up at 4:00am and went to bed at midnight, drove to the rental car place, walked through security, and felt dizzy. I asked to sit down to rest a bit. I never wanted the paramedics at all. They (airport paramedics) came, checked me out, I was OK on vital signs. She (airport paramedic) called 911. I found out she called, I told her over three times that I did not want to go. She made me feel like I had to go if I were to return home that day. I felt emotionally kidnapped to get on that 911 truck. Everyone knew I did not want to go.

The 911 truck told the hospital on arrival I wanted to refuse service. (I did not know this was possible.) I took the taxi back to the airport and got back on the next flight. (Without any doctor's note)

I wished your (airport) paramedic would have answered me correctly when I asked if there was any way I did not have to go right before I got on the 911 truck. I wished she (airport paramedic) would have told me I had the right to reject the service when I told her I did not want to and if there was any way I did not have to go.

Since she did not tell me the truth, I want the airport to pay for this \$1189 fee for the 3 mile ride to the hospital that I did not want.

I have asked to be on the Nancy Grace show so there might be a lie detective test to show that she lied to me which made me walk on that truck. (I did not know, but she knew I could refuse.)

I heard from the San Diego Medical Services that she wrote I fainted, which was a lie also. I was dizzy, not feeling well, but the more I drank water and the longer it was since I drank some water, I was feeling better and I never fainted. I tilted to the side while bending and stooping down on my toes to get something out of my purse, but that is the closes to anything to claim I fainted, which I did not. I was tired and vulnerable, but cognitive in answering questions, etc. I certainly was not ill enough to be transported by a 911 truck to the hospital like she made me feel I had to in order to return home on that day. (And she knew I did not want to go because of the cost. I went on the 911 truck through her threat of needing to in order to get home through the airport to Ohio that day. Afterwards, knowing she lied to me makes me want justice for the situation.

Please contact me so we can discuss this further.

The cost I am asking the airport to pay is: Invoice # SD1006759582 - \$1189.25 from San Diego Medical Services.

Sincerely,



Bette J. Vanvalkenburg

Cc: Nancy Grace; San Diego Medical Services

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RESOLUTION NO. 2011-0015

A RESOLUTION OF THE BOARD OF THE
SAN DIEGO COUNTY REGIONAL AIRPORT
AUTHORITY AUTHORIZING THE REJECTION OF
THE CLAIM OF BETTE VAN VALKENBURG

WHEREAS, on January 6, 2011, Bette Van Valkenburg filed a claim with the San Diego County Regional Airport Authority for reimbursement of costs related to ambulance transport from San Diego International Airport on October 1, 2010; and

WHEREAS, at its regular meeting on February 10, 2011, the Board considered the claim filed by Bette Van Valkenburg, the report submitted to the Board, and found that the claim should be rejected.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby authorizes the rejection of the claim of Bette Van Valkenburg.

BE IT FURTHER RESOLVED THAT this Board Action is not a "project" as defined by the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §21065; nor is it a "development" as defined by the California Coastal Act, Cal. Pub. Res. Code §30106.

PASSED, ADOPTED, AND APPROVED by the Board of the San Diego County Regional Airport Authority at a special meeting this 10th day of February, 2011, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSENT: Board Members:

ATTEST:

TONY R. RUSSELL
DIRECTOR, CORPORATE SERVICES/
AUTHORITY CLERK

APPROVED AS TO FORM:

BRETON K. LOBNER
GENERAL COUNSEL

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