Philips Respironics CPAP, BiPAP, & Ventilator Recall and Litigation

Introduction

Many people who suffer from sleep apnea use sleep apnea machines to ease their symptoms and obtain a restful night's sleep. Many sleep apnea sufferers have used a sleep apnea device from Philips Respironics. Unfortunately, instead of providing restful sleep, some of these devices have caused some users to develop cancer and other serious illnesses. There's nothing more frustrating than putting your trust in a medical device and a company that claims it can help you, only to have it injure you instead.

We are here to help. If you were diagnosed with a serious illness as a result of a Philips sleep apnea machine, Marc Whitehead and Associates has a team of attorneys ready to fight on your behalf. Don't hesitate to reach out to us. Contact Marc Whitehead and Associates today to speak to someone who can help.

June 2021 Recall

In June 2021, Philips issued a recall of millions of Philips CPAP, BiPAP, and Ventilator machines because of a serious design defect. Subsequently, the Food and Drug Administration issued a Class 1 recall, the most serious type of recall.[i] These devices contain a polyester-based polyurethan (PE-PUR) sound abatement, which is a toxic foam. According to the FDA, the Pe-PUR may break down, enter the device's air pathway, and as a result, debris or chemicals from the PE-PUR may potentially be inhaled or swallowed by the user.[ii] If inhalation or swallowing of the debris or chemicals occur, serious health problems may develop, some of which can be life-threatening or cause permanent damage.

Devices Recalled:

Philips Respironics has issued a recall on the following devices: [iii]

All Devices manufactured before 26 April 2021, All serial numbers	
Continuous Ventilator	Trilogy 100
	Trilogy 200
	Garbin Plus, Aeris, LifeVent
Continuous Ventilator, Minimum Ventilatory Support, Facility Use	A-Series BiPAP Hybrid A30 (not marketed in US)
	A-Series BiPAP V30 Auto
Continuous Ventilator, Non-life Supporting	A-Series BiPAP A40
	A-Series BiPAP A30

All Devices manufactured before 26 April 2021, All serial numbers	
Continuous Ventilator, Minimum Ventilatory Support, Facility Use	E30 (Emergency Use Authorization)
Continuous Ventilator, Non-life Supporting	DreamStation ASV
	DreamStation ST, AVAPS
	SystemOne ASV4
	C-Series ASV
	C-Series S/T and AVAPS
	OmniLab Advanced+
Noncontinuous Ventilator	SystemOne (Q-Series)
	DreamStation
	DreamStation Go
	Dorma 400
	Dorma 500
	REMstar SE Auto

Symptoms:

Many Philips CPAP, BiPAP, and Ventilator users have reported a wide variety of symptoms, ranging from mild to severe:

- Headaches
- Irritation (respiratory tract, skin, eye, nose)
- Inflammatory Responses
- Cough
- Chest Pressure
- Sinus Infections
- Nausea
- Dizziness
- Vomiting
- Asthma
- Hypersensitivity
- Liver Damage
- Kidney Damage
- Respiratory Illness
- Respiratory arrest
- Myocardial Infarction
- Stroke
- Cancer diagnosis

The Class Action Lawsuit

A class action lawsuit was filed in June 2021, against Philips in Massachusetts. The lawsuits are based on the claims that Philips knew their sleep devices contained the toxic foam PE-PUR, and that they were aware of the major health problems it was causing its users for years. However, Philips didn't issue a public warning until April 2021, and it took them another two months before they recalled the devices. These lawsuits against Philips are based on two violations: Design Defect and Failure to Warn.

Design Defect: Since the materials used in the sleep devices were defective and dangerous to the point that it can cause cancer, this is one of the reasons its users were filing lawsuits.

Failure to Warn: Not only did Philips use toxic materials in their sleep devices, but once they became aware of the risks of the toxic materials, they failed to warn the public immediately. There are allegations that users have been complaint of health issues due to the toxic foam for years. But as mentioned previously, it was not until April 2021 that Phillips issued a public warning, and not until June 2021 that they actually recalled the devices. Ultimately, this means that Philips allowed people to continue to buy and use these machines, despite being fully aware of the health risks.

Contact Us

If you or a loved one have used one of the recalled Philips CPAP, BiPAP, or Ventilator machines, and have been diagnosed with one more of the following, please contact the attorneys at Marc Whitehead Associates at 866-519-4179.

- Kidney Failure
- Liver Failure
- Kidney Cancer
- Liver Cancer
- Heart Failure
- Sudden Respiratory Failure Leading to a Heart Attack

We welcome your phone call or the opportunity to speak with you to answer any questions you may have about your case. The sooner you contact us the faster we can get to work on your behalf – the right legal guidance can make the difference in your case.

[i] https://www.fda.gov/medical-devices/safety-communications/certain-philips-respironics-ventilators-bipap-and-cpap-machines-recalled-due-potential-health-risks

[ii] https://www.fda.gov/medical-devices/safety-communications/certain-philips-respironics-ventilators-bipap-and-cpap-machines-recalled-due-potential-health-risks

[iii] https://www.philips.com/c-dam/b2bhc/master/landing-pages/src/update/documents/philips-recall-letter-2021-05-a-2021-06-a.pdf