Philips faces European lawsuit over faulty sleep apnea devices

Sarhan Basem — 4 July 2024 in Health And Fitness News

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Brussels (Brussels Morning) – Philips faces a massive class action over faulty sleep apnea devices, affecting 1.2 million users globally, including 34,000 Belgians, due to hazardous foam issues causing injuries and prompting recalls.

More than 1.2 million users are said to have suffered damage from Philips sleep apnea devices, including 34,000 Belgians. An international group of lawyers is undertaking a class action on a European scale, the first of its kind.

What issues did Philips' sleep apnea devices encounter?

Philips' sleep apnea device was supposed to give patients a better night's sleep by reducing snoring, which in turn forced their breathing to stop less. Sleep apnea is a standard sleep disorder characterized by reprised interruptions in breathing throughout the sleep cycle. These interruptions, called apneas, are driven by the collapse of soft tissue in the airway, which stops oxygen from reaching the lungs.

In practice, the device turned out to be a nightmare for Philips itself. The Dutch electronics giant has had to recall millions of sleep apnea devices since 2021. The devices' insulating foam could come loose, end up in the air hose or filters, and sometimes cause serious injuries.

Why is Philips facing a European class action lawsuit?

The issue has already cost the company billions in recalls, lost profits and legal fees. Earlier this year, Philips reached a billion-euro settlement in the US, buying off some 60,000 damage claims from people who say they have become ill or fear they will become ill. A European class action is now added to this. An Italian law firm is taking Philips to the Milan court at the request of the Italian consumer organization Adusbef. The lawsuit applies not only to Italy, but to the entire European Union, and should therefore be a first.

Who is leading the class action against Philips?

More than 1.2 million patients have used the device, according to prosecutors. An estimated 34,000 of them are Belgian. They are entitled to compensation, either for emotional distress or for complaints such as respiratory problems or cancer. According to lawyer Stefano Bertone, some patients have even died.

"Philips knew there was a problem since 2008," says Bertone. "We want to take Roy Jakobs (current chairman of the board of directors, ed.) to court to explain why it took so long to intervene."So far, only a dozen European patients have joined the class action, but that could change soon. According to Bertone, it is still possible to join even after the verdict. Philips has so far denied any guilt. After the settlement in the US, the share price even shot up, indicating that the financial markets were expecting higher amounts.

Moreover, Philips Respironics has also published a recall for its OmniLab Advanced+ (OLA+) ventilators due to a warning failure that can lead to therapy interruption or failure of ventilation. The recall involves revising usage instructions, applying software patches, or delivering replacement

devices. It is identified as the most severe type of recall, citing 15 injuries and one death. The OLA+ ventilator is employed in hospitals and sleep laboratories for patients with obstructive sleep apnea and other breathing difficulties.