

Press Release

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ROOTS COMMUNITY HEALTH CENTER SUES TO HALT SALES OF FLAWED PULSE OXIMETERS

OAKLAND, CALIFORNIA - Roots Community Health Center headquartered East Oakland today filed suit in Alameda County Superior Court asking it to halt further sales of unreliable pulse oximeters or require manufacturers and distributors of the flawed devices to warn purchasers of their products' dangerous shortcomings.

The suit is filed against Walgreens, CVS, GE Healthcare, Masimo, and other leading manufacturers and sellers of pulse oximeters, based on substantial research that determined the devices often dangerously overestimate the blood oxygen levels of persons with darker skin. Additionally, a [study](#) by Roots, Sutter Health and others discovered that the inflated readings drove delays in care and differences in providing oxygen and other treatments.

Widely used in all health care settings and available over-the-counter to persons nationwide, pulse oximeters measure the amount of oxygen in a person's blood to signal whether medical intervention is needed to treat people suffering from respiratory illnesses, like COVID.

"That pulse oximeter readings cannot be trusted for people with darker skin tones is known to the makers and sellers of the pulse ox machines that we are suing, and yet they have neither fixed their devices nor adequately warned users about this potentially fatal shortcoming," says attorney Daniel Abrahamson, who is representing Roots in this action.

According to Dr. Noha Aboelata, CEO of Roots, lighter skin or "whiteness" was "the default" for which pulse oximeters were designed, tested, manufactured, regulated and sold. "The pulse oximeter is an example of the tragic harm that occurs when the nation's health care industry and the regulatory agencies that oversee it prioritize white health over the realities of non-white patients," says Dr. Aboelata.

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“The story of the making, marketing and use of racially-biased pulse oximeters is an indictment of our healthcare system.”

Despite Roots’ written warnings to these 13 companies more than one year ago that they could be subject to legal action if they did not address or warn about the problem with their flawed products, none of the defendants took action to fix their products, remove them from market, or provide adequate warnings to purchasers that their devices can provide unreliable readings for darker skinned persons in real-world conditions.

During the deadliest days of the pandemic, Roots clinical leadership noted death disparities for African Americans in the Bay Area, even after controlling for underlying conditions and socioeconomic factors, and began searching for potential causes. African Americans in Alameda County, California, have died from COVID at twice the rate of whites.

The pulse oximeter reading is the only objective measure generally used to determine whether a covid patient will be taken to the emergency department, receive oxygen, or be admitted to the hospital. For their part, patients of color who purchased pulse oximeters for at-home use may have erroneously trusted their machines’ readings when deciding whether and when to seek professional intervention for the medical distress they were experiencing.

Roots’ medical staff believe that faulty pulse oximeter readings for persons of color help explain race-based disparities in health outcomes.

ABOUT: Roots Community Health Center

Founded in 2008 in Oakland, California, Roots Community Health Center provides a unique blend of health care and complementary services to build patient self-sufficiency and community empowerment through a whole person approach to wellness including medical and behavioral health care, social enterprises, housing, and community outreach and advocacy. Roots annually provides nearly 16,000 clinical visits, including 1,300 to homeless individuals and transition services to approximately 1000 formerly incarcerated persons. Roots Community Health Center is committed to uplifting those impacted by systemic inequities and poverty. Learn more at www.rootsclinic.org.