

Ureter was severed, reattached, obstructed

A WOMAN IN HER 60S underwent surgery to remove a large abdominal mass. The ObGyn resected a 7-cm portion of her ureter thinking it was a blood vessel. Realizing his mistake during the surgery, he contacted a urologist, who reattached the ureter. Later the patient was rehospitalized when she suffered a ureteral obstruction.

▶ **PATIENT'S CLAIM** The ObGyn was negligent for failing to identify and protect the ureter, and to properly assess the area before resecting the mass. Also, ureteral obstructions were likely to reoccur.

▶ **PHYSICIAN'S DEFENSE** The abdominal mass grossly distorted the patient's anatomy so that the ureter was in front of the mass, which was an unusual presentation. Also, the injury is a known risk of this procedure.

▶ **VERDICT** Michigan defense verdict.

Did retained cervical cup cause all her pain?

A 40-YEAR-OLD WOMAN was discharged the day after her ObGyn performed laparoscopic supracervical hysterectomy. Two months later, a KOH cervical cup was found in her vagina when she presented at the

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emergency room for hip pain. It was removed the next day.

▶ **PATIENT'S CLAIM** The ObGyn failed to remove the cervical cup before her discharge after the original procedure. It compressed her S1 and S2 nerves as well as the pudendal nerve, causing constant pelvic pain. Its presence also changed her gait, resulting in pain and sciatica. Her primary care physician examined her six times following the surgery, but never performed a pelvic exam. It was negligent to leave the device inside her and to fail to find it in the weeks before it was removed.

▶ **PHYSICIAN'S DEFENSE** The ObGyn admitted negligence for not removing the device at the end of the original procedure. He denied negligence in her follow-up care. Also, her pain was unrelated to the device.

▶ **VERDICT** \$63,500 California verdict against the ObGyn was reduced to no recovery due to a set-off by a confidential settlement with the hospital. The patient had sued the ObGyn, the hospital and its parent company, the device manufacturer, the primary care physician, and the assisting surgeon. The hospital settled before trial, and except for the ObGyn, cases against the other defendants were dismissed.

Sickle-cell mother ends up paralyzed

AFTER DELIVERY OF HER CHILD, a 22-year-old woman with sickle cell trait suffered a precipitous drop in blood pressure. When she was given phenylephrine, her blood pressure rose, and then dropped quickly to as low as 94/17. For nearly half an hour, nothing was done. When she was discharged from recovery, she was

unable to move her legs. She remains paraplegic.

▶ **PATIENT'S CLAIM** The paralysis was most likely caused by a drop in blood flow and proper perfusion in the area of the artery of Adamkiewicz, resulting in a sludging and subsequent paralysis.

▶ **PHYSICIAN'S DEFENSE** Not reported.

▶ **VERDICT** Confidential District of Columbia settlement. During discovery, it was learned that a nurse, A, added a note at a later time saying that she had received approval to transfer the patient from another nurse, B, who had received approval from the anesthesiologist. Both nurse B and the anesthesiologist denied this claim, and the hospital filed a third-party claim against nurse A and her employer.

Fetal remains not kept for Muslim burial

A WOMAN EXPERIENCED PROBLEMS with her pregnancy at 17 to 18 weeks and went to the hospital. She was treated by a midwife, but suffered a miscarriage. The father viewed the remains and requested that they be returned to him so he and his wife could bury their child according to their Muslim beliefs. He returned to pick up the fetus, but the hospital no longer had the remains. The parents were unable to have a funeral.

▶ **PLAINTIFF'S CLAIM** The hospital was negligent for failing to retain the remains as requested. As a result, the father suffered major depressive disorder and posttraumatic stress disorder.

▶ **HOSPITAL'S DEFENSE** The plaintiff suffered no damage.

▶ **VERDICT** \$110,000 North Carolina verdict against the hospital. ☹

