



**Medicine,
the Law
& You**

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Fatal errors during surgery

UNFORTUNATE. An error during an operation or diagnosis can cost a patient their lives like in this case.

A 31-year-old woman went for a scan, which showed that her right ovary was swollen. This finding worried the woman so much that she decided to see a gynecologist, who by a procedure known as laparoscopic surgery, removed part of the swollen ovary for analysis. The part of the ovary removed was sent to a pathologist, who diagnosed that the patient had cancer but at an early stage. The pathologist called it micro-invasive cancer.

The patient returned to the gynecologist, who then decided to remove, again using laparoscopic surgery, the diseased ovary and the surrounding tissues where the cancer could possibly and probably spread. The doctor used a procedure known as electrocautery during the surgery to remove the tissues. The day after the surgery, the patient, however, started feeling unwell, became pale, collapsed and died in the hospital within two hours after the onset of her symptoms.

A postmortem examination carried out showed that the woman had bled

of the bleeding and prove its link to the surgery. The bleeding was found to have been from a major blood vessel that had been injured during the operation.

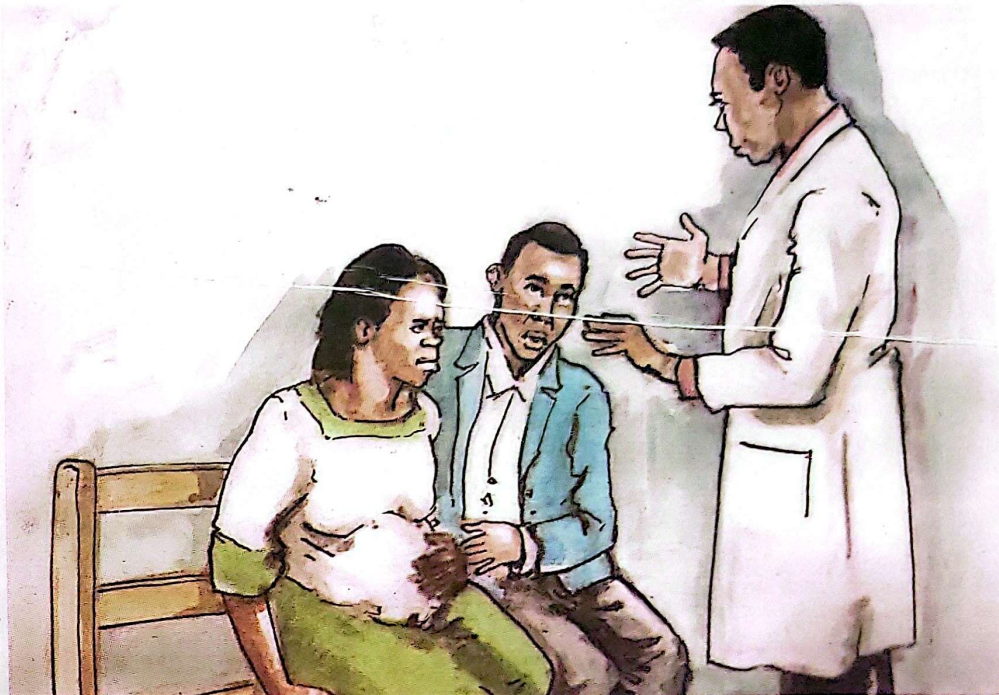
The vessel had been cauterised during the surgery. The offending site of the vessel showed electrothermal changes. The pathologist concluded that the mechanism of the injury was electrothermal injury of the blood vessel leading to massive fatal hemorrhage.

What went wrong?

The vessels, when examined, did not have any other injury or disease that could explain the bleeding. But, most sadly, when the tissues removed during the operation were reviewed, none of them had cancer. Even when the first tissue the pathologist stated had micro-invasive cancer was reviewed by other pathologists, it was also established that the tissue had no cancer. The pathologist had made a misdiagnosis.

Deaths are not uncommon following surgical operations and such deaths are often the subject of criminal prosecutions and civil litigation. Postoperative mortality in gynecology is, however, a rare event. It has been reported that an average hospital in the Western world would encounter one such case of postoperative death every four years and most of the mortality is not related to the surgery.

It is therefore of paramount importance that a postmortem examination is carried out whenever a death occurs after a surgical operation. The doctor carrying out the postmortem examination should thoroughly review the past medical history of the deceased, the circumstances leading to the surgery, and the specific details of the surgical procedure that was performed. The doctor should specifically seek information about



ment, failure to use appropriate facilities and wrong diagnosis.

Doctor on the spot

The doctor should, in addition, have the details of the operation and anesthesia given as documented by the surgeon and anesthetist respectively. The doctor should also be conversant with known complications of the surgery as well as the anesthesia given. Ideally, the doctors, who carried out the operation should be present at the postmortem examination. This will aid in the assessment of the alterations in the body caused by the surgery. Deaths that occur during or soon after a surgical operation may be attributed to the following:

- The disease that brought the patient to the operating room
- A complication of the surgery such as excessive bleeding, infections or abnormal clotting
- Another disease, separate from the one for which the patient was operated
- Complications associated with the administration of anesthesia such as wrong intubation
- Adverse effects of the anesthetic drug
- Failure to appropriately give fluids to the patient before, during and after the operation
- Failure to monitor the patient after the operation
- Failure to manage the patient appropriately after the operation

surgical operations are carried out without sound medical or surgical reasons or when there is a misdiagnosis. Relatives of the deceased may report such a case to the relevant medical regulatory body such as the Medical and Dental Practitioners Council that will then provide the technical expertise to investigate such cases and their evidence may be vital in subsequent criminal and civil cases.

to be continued...

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