

### Verdicts ONLY on the Web

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#### Did young woman need hysterectomy?

A few months after giving birth, a 22-year-old woman presented to her Ob-Gyn with lower abdominal pain and vaginal bleeding. Although she wanted more children, she consented to a total hysterectomy to avoid developing a very dangerous condition. However, she was not clear on what that condition was.

**Patient's claim** The hysterectomy was unnecessary, because she had a normal post-childbirth problem that could have been treated with Depo-Provera or oral contraceptives. She did not give informed consent, because her condition was not explained to her, and the hospital chart and physician's office chart differed significantly. Finally, the hospital was negligent for credentialing the physician, who had a high rate of hysterectomies in women under 30 and had several lawsuits filed against him.

**Doctor's defense** The ObGyn offered the patient alternatives to a hysterectomy, but she insisted on a hysterectomy. The

hospital claimed it followed its credentialing procedures.

**Verdict** \$1.75 million Washington verdict. The physician was found to be 90% at fault, and the hospital 10% at fault. Post-trial motions were pending.

#### Woman hears "cancer" and has hysterectomy

A 24-year-old woman underwent a hysterectomy because she believed the doctor told her she had cancer.

**Patient's claim** She was told the surgery was necessary because of cancer, but she did not have cancer—thus the hysterectomy was unnecessary. Also, she did not give informed consent.

**Doctor's defense** As the patient did not want the frequent follow-up needed with other options to treat her precancerous growth, a hysterectomy was a legitimate treatment choice. She was fully informed of all options, and the surgery was performed properly.

**Verdict** Illinois defense verdict. ■