

## Kidney Transplant Patient Dies from Exposure to Tuberculosis

---

A diabetic since childhood, John Doe was forced to give up his career in 1994 due to complications from his medical condition. In 1996, his diabetes led to kidney failure, and he was forced to go on dialysis. Renal care specialists who were associated with a hospital's transplant unit recommended that Mr. Doe be evaluated for a kidney transplant. Following an extensive workup, the transplant unit determined that John Doe would in fact be a good transplant candidate. Kidney transplants are frequently more successful when a kidney is donated from a living donor, and the hospital's transplant unit determined that John Doe's brother was an appropriate donor match.

The hospital's transplant unit performed transplant surgery in Febru-

ary 1997. During his hospitalization, John Doe was exposed to another transplant patient who was infected with tuberculosis. Hospital personnel negligently concluded, however, that this other patient did not have tuberculosis and removed him from respiratory isolation, making other hospital patients and staff vulnerable to infection. Transplant patients are frequently placed on powerful medicines, which impair the body's immune system and ability to fight infection. These medicines are supposed to help prevent the body from rejecting the transplanted organ. In the case of John Doe, however, this left him more vulnerable to the hospital-based exposure to tuberculosis.

Even after several hospital employees tested positive for tuberculosis, the hospital's transplant unit failed to contact John Doe and advise him that he was at risk for tuberculosis.

In April 1997, John Doe fell ill and was readmitted to the hospital, in-

fectured with the disease. By that time, the hospital had absolute confirmation that there had been a tuberculosis outbreak in its facility, but still failed to diagnose John Doe's tuberculosis for ten more days. During those days, precious treatment time was lost. By the time the diagnosis was made, medicines to treat the disease were no longer effective.

John Doe died from tuberculosis in the hospital in May 1997. He was 32 years old. His widow brought suit against the hospital, alleging that the hospital had failed to protect Mr. Doe from the tuberculosis exposure, failed to notify him after the exposure was known, and failed to timely treat him with appropriate medicines. According to an expert retained by David Sales, who represented Mrs. Doe, John Doe had an excellent chance of living several more years with the transplanted kidney had he not developed tuberculosis. The case was recently settled for a confidential sum.