

Error in Anesthesia During Routine Surgery Causes Tragic Results

Married over 50 years, Jane Client and her husband, John, moved to Florida to enjoy their well-deserved retirement. John Client had been a colonel in the Air Force after the couple and their children had lived all over the world. John and Jane had shared the challenges of raising a handicapped son and they endured John's lengthy imprisonment as a POW in the Korean War, an ordeal for which there had been no guarantee of survival. After his tour in the military, John worked as an insurance executive, and then eventually planned his retirement altogether. The couple looked forward to playing golf and spending time with their children, grandchildren, and their large circle of friends. Unfortunately, the dreams they shared for their golden years ended abruptly in the summer of 2000.

On the morning of July 11, 2000, Jane Client was scheduled to have a routine knee replacement surgery at Hospital X in Florida. Jane was cleared for general anesthesia, but on the morning of the scheduled procedure her anesthesiologist advised her that a spinal anesthetic would be a better option. Jane agreed and her surgery was performed.

According to the report dictated by her orthopedic doctor, Jane's knee replacement surgery was completed without complication. Jane was moved to a post-surgical recovery unit and she was administered, on her doctor's orders, medications called Lovenox and Toradol. Soon afterward, Jane began to complain of severe pain from her lower back to her knees. Though such bilateral leg pain is a classic indication of damage caused during spinal anesthesia, neither the doctor nor the nurses made the connection. In addition, Jane's internist also examined her, but he too failed to intervene on Jane's behalf. Finally, after several hours of Jane's horrible discomfort, a neurologist was called in for consultation. The neurologist weighed the possibility of a spinal hematoma and recognized the seriousness of such a diagnosis. He then made an extraordinary effort to help Jane by traveling, in the middle of the night, to a local neurosurgeon's house in an attempt to get Jane the surgical attention she so desperately needed. Unfortunately, too much time had passed and the bleed around Jane's spinal column had

caused devastating damage. Exacerbated by the blood-thinning medications prescribed by her knee doctor, the bleed in Jane's spinal column caused a condition known as cauda equina, rendering her a near paraplegic in excruciating pain.

Once Jane's injury stabilized, an investigation into her medical care was commenced. It was learned that the operative report, which noted no complications, failed to indicate that Jane's spinal anesthesia had been described as "difficult." In fact, the anesthesiologist had attempted to administer the epidural anesthesia multiple times, leaving "several bloody needle sticks." Tragically, neither the nurses nor the anesthesiologist communicated this vital information to the surgeon. As a result of the collective negligence of her medical providers, Jane Client is paralyzed and requires frequent hospitalizations for debilitating pain. She has sought treatment from prominent specialists throughout the country, but has been told repeatedly that hers is a permanent condition. She has lost all bowel and bladder function and requires catheterization, which her husband does for her every six hours.

Jane's injuries now consume the life she shares with her husband. Furthermore, John recently became seriously ill, leaving his wife dependent upon others for her daily care. Despite their plans for a leisurely and fun-filled retirement, this lovely couple now struggles to manage together through what should have been their golden years.

Shortly after legal proceedings began, Jane's anesthesiologist admitted liability, capitalizing on a \$250,000 statutory damage cap provided under Florida law. The remaining providers denied liability, forcing a prolonged litigation led by attorney Bill Norton. Testimony was offered in the case that Jane's catastrophic injuries would require future medical costs of approximately \$4.7 million, over and above the nearly \$500,000 in expenses she had incurred already. Shortly after mediation, the Defendants collectively offered a confidential sum sufficient to settle the case. The proceeds will provide the Clients with the resources necessary to provide Jane with the crucial care she will need for the remainder of her life. ■