## Surgeon erroneously removes 'abdominal mass' in patient, which turns out to be perfectly good kidney

## Surgeon failed to review medical records detailing unusual position of kidney.

On March 1, 2016, Jane Doe (not her real name) sought treatment with an orthopedic physician for ongoing back pain. Ms. Doe had previously had two lower-back MRI

examinations, both of which revealed, among other things, that Ms. Doe's left kidney was located in her pelvis instead of in her abdomen. This condition occurs in approximately one in 500 people in the United States and is not harmful. In her own case, Ms. Doe's left kidney was fully functional and, based on multiple MRIs, was well known to her physicians. Due to the back pain, the orthopedic physician scheduled her for low-back fusion surgery which would be performed with a second orthopedic physician.

On the day of surgery, Ms. Doe was first introduced to a general

surgeon who explained that he would be performing the initial part of the surgery – exposing the surgical site for the orthopedic surgeons. After placing Ms. Doe under anesthesia, the general surgeon made initial incisions. He found what

he described and labeled as an "abdominal mass." The general surgeon, having failed to review the medical records documenting Ms. Doe's pelvic kidney, removed the "mass" and sent it to pathology. Pathology immediately identified the "mass" as an "intact kidney." When Ms. Doe awoke, she was

informed by the surgeon that he had removed her left kidney.

Though a person can live on one kidney, Ms. Doe suffered tremendous mental anguish at having a major, fully-functioning organ removed in error. Her right kidney was able to compensate for the loss of the left kidney, but this was no substitute for losing a vital organ. Ms. Doe reached out to SDSBS attorneys John Shipley and D.J. Ward for help in finding the physicians accountable for their mistake. Ultimately, the attorneys were able to reach a substantial confidential settlement against the general surgeon for his

negligence in deciding to remove Ms. Doe's left kidney, as well as a settlement against the other physicians for their failure to inform the general surgeon of Ms. Doe's properly functioning pelvic kidney.



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