

MEDICALADVISORS, INC

TECHNICAL NETWORK CONSULTING SERVICE®

COLONOSCOPY COMPLICATIONS

Colonoscopy Complications
Colon and Rectal Surgeon from Virginia

A patient underwent a colonoscopy during which a benign polyp was excised. He developed rectal bleeding at home that evening which was small in amount. He called the doctor who claimed that he instructed the patient to go to the emergency room if the bleeding continued. The patient claims that he called the doctor two more times that evening reporting bleeding and that this doctor reassured him that it was nothing serious.

Early the next morning the patient went to the emergency room. In addition, to bleeding, he was found to have abdominal tenderness. X-rays showed free air and he underwent a partial colectomy and a colostomy. Eventually he had the colostomy closed, but developed a ventral hernia which required a third operation.

Bleeding and perforation are two major complications of colonoscopy. The doctor documented that he explained this to the patient pre-op colonoscopy. The patient does not recall this warning.

At this point, the case seems to hinge on the way the doctor responded to multiple phone calls the evening of colonoscopy. If the patient had gone to the emergency room the afternoon of the colonoscopy, perhaps a primary repair to the colon perforation would have been possible and a colostomy would have been avoided.

Sounds like a pretty good case for the plaintiff thus far. The complication is a recognized risk, but the way it was managed was difficult to defend.

So why was the case settled at the time of the jury trial? Because the defendant's lawyers obtained a copy of the phone records from the evening that the plaintiff claimed that three calls were made to the doctor. Unfortunately, for the plaintiff, only one call was documented. This undermined the credibility of the plaintiff sufficiently to prompt a settlement which was less than what was expected if the plaintiff had won a verdict in his favor.

The message? Patient claims of calls to the doctor can be challenged by phone records. The number of calls to a doctor should not be exaggerated by plaintiffs.

There are numerous experts who are more than willing to provide testimony for medical malpractice and personal injury litigation cases. Finding the right one is crucial to the strength of your particular case.

Since 1983, Medical Advisors has assisted in the selection of expert witnesses in several thousand cases. We have provided medical opinions and testimony which have resulted in competent preparation and in-court support for cases involving medical malpractice, hospital negligence, personal injury, workers' compensation and product liability.

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