

## **Routine complication from surgery turns fatal**

[Lance Williams, Chronicle Staff Writer](#)

Monday, August 10, 2009



A hospital patient suffers excruciating pain from what turns out to be a routine complication from elective surgery.

As her condition deteriorates, she and her family plead to see the doctor. But no doctor examines her until the next morning, when she goes into shock, is rushed into intensive care and dies.

Then, after her death, the hospital deletes portions of the woman's medical file in what the woman's family says is an attempt to cover up its horrendous mistakes.

The allegations, contained in a lawsuit filed in Santa Clara County Superior Court, describe events that seemingly could occur only at an institution that provides medical care at its worst.

Instead, the claims concern a 2007 fatality at what is regarded as one of the best hospitals on the West Coast - Stanford University Medical Center in Palo Alto.

The case of Diane Stewart, 70, who died of a bowel obstruction after knee replacement surgery, shows that bad mistakes and worst-case outcomes are possible even at world-renowned hospitals, said her family's lawyer, Christopher Dolan of San Francisco.

Medical errors occur because "we have corporatized medicine and marginalized the professional's role," Dolan said. "We took the same principles used in automation, to do the job cheaper and faster, and applied it to medicine."

In response to the lawsuit, Stanford has denied wrongdoing in Stewart's death. In a letter to the family, her orthopedic surgeon, Stanford Professor Dr. Stuart Goodman, wrote, "The loss of a patient by a physician is a difficult loss to bear." But in a statement, the hospital says its "care was appropriate based upon the circumstances presented."

The condolences were no comfort, said Stewart's son, San Diego physician David Stewart.

David Stewart said he is convinced his mother died because of a "humongous fumble" by Stanford doctors, who he said balked at coming to the hospital on the weekend to check on their patient. He also said he is infuriated by what his lawsuit calls the hospital's attempt to avoid responsibility for his mother's death by dumping parts of her medical file.

"I believe Stanford is making a concerted effort to obstruct our family from learning the truth about what happened to our mom," he wrote in a complaint to the state Medical Board.

In 2008, investigators from the state Department of Public Health found that "relevant" portions of Diane Stewart's computer file had been deleted after her death and that a supervisor instructed a nurse to make postmortem "late entries" to describe her care.

In a written statement, the hospital said that only temporary notes that were never intended to become part of Diane Stewart's permanent record had been discarded.

### **Injury 40 years ago**

Stewart was the wife of a Silicon Valley executive, mother of four and grandmother of 10. She lived much of her life in Los Gatos, where she was a den mother, Camp Fire Girls leader and, in the 1960s, a contestant on the television game show "The Price Is Right."

More than 40 years ago, she was badly injured when the car she was driving was hit by a train. The accident crushed her knees, her son said, and arthritis eventually made her unable to walk. She was referred to Goodman, a highly regarded professor of orthopedic surgery who, according to a university publication, performs more than 300 hip and knee replacements per year.

On March 30, 2007, she underwent double knee replacement surgery. On a Sunday morning two days later, she began to complain of intense abdominal pain. Her family's lawsuit says she was suffering from an obstructed small intestine, a fairly common postsurgical complication that shuts down the digestive process.

The condition can be treated by inserting a nasogastric tube to relieve pressure on the bowel or by surgery, according to the WebMD site. If left untreated, the condition is dangerous. The patient can develop peritonitis, go into septic shock and die.

Stewart's pain got worse as the day went on, and she, her husband and her daughter, who were with her in the hospital, all made urgent requests for a doctor, according to David Stewart's complaint.

A nurse later told investigators at the state Department of Health Services that she phoned two doctors, asking them to order insertion of a nasogastric tube, but they declined. The nurse also said she asked a doctor to come to the hospital to see Diane Stewart, but he declined to do that, too.

In any event, no doctor examined her, David Stewart said in his complaint. The doctors believed his mother's problem was the result of an ileus, a temporary paralysis of the intestine that sometimes occurs after surgery, a nurse told investigators. The doctors relayed instructions to give Diane Stewart pain medication, the suit says.

### **Rushed to emergency room**

As the day went on, the lawsuit says, she showed other symptoms of an obstructed bowel: decreased urine output, nausea, vomiting, elevated heart rate, a sudden drop in blood pressure. On Monday morning, she was disoriented and breathing rapidly, and nurses could not find her pulse, records show. She was rushed to the emergency room.

Stewart died the next day of a blocked intestine, hospital records show.

Soon after that, her son asked to review her medical records. Stanford resisted, he told the Medical Board.

Meanwhile, after her death, someone deleted some of her records from the hospital computer, the state health department later found.

Then, a week after she died, nurses made a series of "late entries" to her file, state investigators found. The late entries described her condition in the hours before she went to the intensive-care unit. In a 2008 statement of deficiencies, the health

department said Stanford Hospital had "failed to permanently record relevant information" about the patient, as required by state law.

In the lawsuit, Stewart's family says that both the destruction of the records and the late entries to the file were part of an effort to "cover up" the negligence and mistakes that led to her death.

But in its statement, Stanford said "no permanent records" about Stewart had been deleted. Only "rough, contemporaneous notes" that weren't intended to be part of her permanent file were discarded, the statement said. The hospital also said she got appropriate care.

"Unfortunately, not every condition can be successfully treated," the statement said.

E-mail Lance Williams at [lwilliams@sfchronicle.com](mailto:lwilliams@sfchronicle.com).

*<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/08/10/MNN9191UPS.DTL>*

*This article appeared on page **A - 6** of the San Francisco Chronicle*

[© 2009 Hearst Communications Inc.](#) | [Privacy Policy](#) | [Feedback](#) | [RSS Feeds](#) | [FAQ](#) | [Site Index](#) | [Contact](#)