

**Surgical standards and postoperative
management of radical prostatectomy
(05HDC18424, 11 August 2006)**

*Urologist ~ Anaesthetist ~ Private hospital ~ Standard of care ~ Vicarious liability ~
Rights 4(1), 4(5)*

A man complained about the services provided to his father by a urologist and an anaesthetist at a private hospital. His father was admitted to the hospital for a radical prostatectomy for prostate cancer. Blood loss during the surgery was excessive and the man's condition continued to cause concern in recovery. The anaesthetist monitored and managed him postoperatively in consultation with the urologist.

When the man showed little response to the anaesthetist's management plan, the urologist was consulted and the man was transferred to the public hospital for emergency explorative surgery. He sustained a cardiac arrest on arrival at the public hospital theatre suite. When the man had been stabilised, the urologist operated and during the surgery perforated the left internal iliac vein. After some delay, a vascular surgeon was called to assist and was able to stop the bleeding and repair the damage to the vein. Blood loss during the second operation was also excessive and, as a result, the man suffered irreparable brain damage, and died a short time later.

It was held that the urologist breached Rights 4(1) and 4(5), by not providing an appropriate standard of surgical care when he re-operated on the man. Nor did he adequately ensure quality and continuity of care when he delayed seeking experienced assistance. The anaesthetist was found to have breached Right 4(1) by failing to institute invasive monitoring following the first surgery.

It was held that the private hospital provided services of an appropriate standard and did not breach the Code. The hospital took reasonable actions to prevent the relevant omissions in clinical care on the part of the urologist and the anaesthetist, by its annual credentialling processes, including review of eventful cases and surgical audit data, and was therefore not vicariously liable for their breaches.