

CASE NOTE 01HDC12788: Investigation of woman with melanoma and metastatic spread to liver

Right to services of an appropriate standard – Reasonable care and skill – General practitioner – Cancer – Eyes – Melanoma – Metastases – Liver – Gall bladder disease – Ultrasound – Right 4(1)

A complaint was received from a woman about the services provided to her mother by a GP. The complaint was on the basis that the GP (1) did not adequately investigate the patient's ongoing symptoms and health problems; (2) failed to take into account the patient's history in investigating her ongoing symptoms and health problems; and (3) failed to diagnose the patient's cancer.

The Commissioner reasoned, after receiving independent expert advice from a GP, that:

- (1) during each consultation, the GP conducted a thorough clinical examination and ordered the appropriate tests for the patient's symptoms. Although there is no indication that the GP considered the diagnosis of metastatic disease, the tests he ordered, including the ultrasound, were appropriate to both metastatic disease and gall bladder disease. Gall bladder disease was an appropriate working diagnosis;
- (2) although the spread of the patient's cancer may have been diagnosed earlier, there was no indication to bring forward the ultrasound; and
- (3) metastatic melanoma disease is not preventable and not successfully treatable; once seeding has occurred it tends to be in multiple sites.

The Commissioner held that the GP did not breach Right 4(1) of the Code, even though he was aware of an earlier diagnosis of retinal melanoma, in that (1) he was thorough in investigating the patient's symptoms and did not deviate from a reasonable standard of care in terms of his clinical management; and (2) he took the patient's illness seriously and provided the same management that would be appropriate to metastatic melanoma, had he considered it as a differential diagnosis.