Australia Convicts U.S. Doctor For 3 Surgery Deaths

Rohan Sullivan, AP

An American doctor accused of botching a string of operations while he was the chief surgeon at an Australian hospital has been found guilty of killing three of his patients and grievously harming another.

Jayant Patel, 60, was ordered into police custody until sentencing after a jury returned guilty verdicts on all charges against him. Patel had pleaded innocent to three counts of manslaughter and one count of causing grievous bodily harm to four patients he treated while working as director of surgery between 2003 and 2005 at a public hospital in Queensland state. He faces a maximum penalty of life in prison.

The trial came more than 25 years after questions were first raised about Patel's competency, and marks a milestone for many former patients and their families who have waited years to face the man they accuse of irreparably damaging their lives. Patel did not visibly react when the guilty verdict was read out or when he was led away to jail. His wife, Kishoree Patel, left the courthouse in tears without speaking to reporters.

The trial heard that Patel had been banned by U.S. authorities from carrying out some of the procedures he undertook when he later moved to Australia. He had failed to inform his new employers about the restrictions. At the trial, prosecutor Ross Martin described Patel as a bad surgeon motivated by ego who tried to restore his reputation by carrying out surgery he was not competent to perform.

Patel did not speak at the trial, but his defense lawyer said he was a hardworking doctor devoted to his patients, and that all of the patients named in the case had consented to the surgeries and knew the risks. The Indian-born Patel was found guilty of the manslaughter of patients Mervyn John Morris, James Edward Phillips and Gerry Kemps, as well as the grievous bodily harm of Ian Rodney Vowles.

Judy Kemps, Gerry's widow, said she was relieved that the long ordeal had ended with justice. “It's been a long five years but it's all over,” she told reporters outside the court. Patel graduated from medical school in Jamnangar, India in 1976 and entered a residency program in New York state two years later.

Patel's competency was first questioned in the early 1980s, when he practiced in the United States. In 1984, New York health officials fined Patel and placed him on probation for three years for failing to examine patients before surgery. He later worked at Kaiser Permanente Hospital in Portland, Oregon, which banned him from liver and pancreatic surgeries in 1998 after reviewing 79 complaints about him. The

Oregon Board of Medical Examiners later cited him for gross or repeated acts of negligence.

In 2003, he took up a posting at the Bundaberg Base Hospital — a mid-size facility in Bundaberg, a small city in Queensland on the fringe of the Great Barrier Reef. Patel left Australia in 2005, just as questions began to be raised about his record. An investigation in Australia led to an extradition request and in 2008 the FBI arrested Patel at his home in Oregon. He was brought back to Australia and the trial began that year.

At the trial, Martin said Patel was driven by ambition and a toxic ego in a pattern of negligence that included performing surgeries that U.S. authorities had banned him from undertaking, misdiagnosing patients and employing sloppy surgical techniques. The jury heard evidence that Patel rushed Kemps into surgery on his esophagus without proper planning, then failed to spot profuse internal bleeding and stitched up the patient. The 77-year-old died of blood loss.

Morris died after Patel failed to identify the cause of rectal bleeding. In Vowles' case, Patel found a benign cyst during a colonoscopy but rather than ordering a biopsy, Patel removed the bowel. The specimen later showed no sign of cancer.

Source URL (retrieved on *05/23/2013 - 3:27am*):
http://www.surgicalproductsmag.com/news/2010/06/australia-convicts-us-doctor-3-surgery-deaths