

COMMISSION OF INQUIRY NO. 1 OF 2005
MEDICAL BOARD OF QUEENSLAND

This is the annexure marked "**MDG-4**" mentioned and referred to in the Statement of **MICHAEL STEVEN DEMY-GEROE** dated this 17th day of May 2005.



RECEIVED

23 MAR 2005

OFFICE OF HEALTH PRACTITIONER
REGISTRATION BOARDS

22 March 2005



Mr Rob Messenger MP
Member for Burnett
Shadow Minister for
Education and the Arts

Dr E M Cohn MB BS (Qld) Grad DipFamMed
Chairperson
Medical Board of Queensland
GPO Box 2438
BRISBANE Q 4001

Dear Dr Cohn,

Enclosed for your necessary attention is a copy of a letter forwarded by me today to the Minister for Health. As you will note, the letter raises serious concerns about the professional ability and clinical competency of a surgeon operating at Bundaberg Base Hospital.

As the allegations are serious, I believe your Board should participate in an urgent investigation so that first class patient care can be guaranteed at the Bundaberg Base Hospital.

I look forward to your response.

Yours sincerely

Rob Messenger MP
Member for Burnett
Shadow Minister for Education And The Arts

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Mr Rob Messenger MP
Member for Burnett
Shadow Minister for
Education and the Arts



COPY

STRICTLY CONFIDENTIAL:

22 March 2005

The Hon G Nuttall MP
Minister for Health
147 Charlotte Street
BRISBANE QLD 4000

Dear Minister,

I am in receipt of a copy of correspondence dated 22 October 2004 forwarded to the District Manager, Bundaberg Health Service District from the Bundaberg Base Hospital ICU Nurse Unit Manager.

Whilst the copy was forwarded to me anonymously, I considered the contents so serious I was duty-bound to take action. The letter contained serious allegations relating to the clinical competence and professional behaviour of Dr Patel who is a surgeon working at Bundaberg Base Hospital.

The letter outlines serious difficulties and complications involving approximately fourteen (14) patients at the Bundaberg Base Hospital each of whom had spent some time in the Intensive Care Unit.

Outlined below are some of the incidents involving the patients about which the original author was seeking formal investigation. The author states in the letter that the list is "*not a full and comprehensive review as there are not stats from OT or Surgical Ward*" –

- UR130224 6/6/03 – post op oesophagectomy
12/6/03 – wound dehiscence
15/6/03 – 2nd wound dehiscence
suffered a 3rd wound dehiscence – transferred to Brisbane on 20/6/03 – had a J tube leak and peritonitis.
A bed was obtained for this patient, but Dr Patel went to Dr Keating who advised our anaesthetist to keep the patient a few more days in which time the bed was taken, and the patient stayed several more days whilst another bed was sourced.

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The Doctors at RBH questioned why we (Bundaberg) were doing such surgery when we were unable to care for these patients.

- UR009028 – post op oesophagectomy ventilated for 302 hours
- UR001430 – ventilated for many days – transferred to Brisbane after many arguments in the ICU with Dr Patel who refused initially to transfer the patient.
- UR880266 – issue with transferring patient to Brisbane.
- UR083866 – bowel obstruction – resection and anastomosis on 7/2/04 – to Brisbane on 11/2/04 – on 12/2/04 laparotomy showed perforation and peritoneal soiling.
- UR134442 – wound dehiscence and complete evisceration on 8/2/04 – booked for sigmoid colectomy and found to have ovarian ca.
- UR020609 – wound dehiscence on 27/4/04.
- UR086644 – returned to ICU in extremis with a chest injury. The events of the 13 hours are well documented. Dr Patel interfered in the arranged transfer of the patient to Brisbane and the patient died after it was thought the retrieval team were on their way to retrieve the patient. The subsequent events of Dr Patel's intervention and the traumatic pericardial tap (described by the nurse caring for the patient as repeated stabbing motions) resulted in the ICU staff requesting advice from the Nurses Union. The staff involved in the situation described it as the worst they had even seen. They were acutely distressed. An attempt was made to seek EAS support, but they were unable to assist due to their workload. One staff member accessed psychological support privately. The NUM was requested to fill in a sentinel event form, by the then QI Manager, Dr Jane Truscott. The events of this incident were discussed at length with the Union, who offered support to the staff.
- UR017794 – 10/7/04 laparotomy for ventral hernia – developed haematoma in ward and Dr Patel attempt evacuation without any analgesia. Doctor's notes consistently state patient well when patient was experiencing large amounts of pain and wound ooze.
- UR057809 – patient had Whipples – death certificate stated the patient died of Klebsiella pneumonia and inactivity.
- UR063164 – death certificate stated patient died of malnutrition. Patient had operation on 31/7/04 – several conversations were had with other doctors, Acting Directors of Nursing and NUMs.

Dr Miach refused to allow Dr Patel to care for his patients as he stated he had a 100% complication rate with peritoneal dialysis insertion. The data was shown to the Acting Director of Nursing Mr Patrick Martin.

Additional relevant comments include -

- Soon after Dr Patel started operating at Bundaberg Base Hospital the nursing staff observed a high complication rate amongst patients. The issues involving Dr Patel have been ongoing for 2 years.
- Dr Miach refused to allow Dr Patel to care for his patients as he stated he (Dr Patel) had a 100% complication rate peritoneal dialysis insertion. This was stated in a medical services forum as well as in a private conversation.
- It is widely believed amongst the medical and nursing staff that Dr Patel was very powerful; that he was wholeheartedly supported by Peter Leck and Dr Darren Keating and was untouchable. The staff held the belief that anyone who tried to alert the authorities about their concerns would lose their jobs, and this perception was perpetrated by Dr Patel on a daily basis.
- Many of the resident Doctors and PHO's expressed their concerns but were unsure of what to do because of the widespread belief Dr Patel was protected by the Executive.
- There is no confidence in the Executive by doctors and nurses. There is a culture of bullying and intimidation rife throughout the hospital.
- The quality and skills of some of the overseas trained doctors is appalling, and their ability to speak English is non-existent. The nurses are consistently stepping in to protect the patients and acting outside their scope of practice because they are so afraid for the patients.
- Bundaberg ICU is a designated level one unit capable of ventilation for short period of time – 24 to 48 hours. The unit is forced to consistently exceed their capability.
- Dr Patel constantly vents his frustration about the system by being insulting to the nurses and the ICU. The louder Dr Patel screams, the longer his patients stay. Dr Patel repeatedly threatens to resign; not put any elective surgery in ICU; complain to the Medical Director; or complain Peter Leck as "I have earned him ½ million dollars this year".

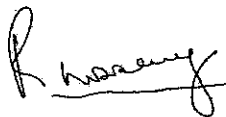
I understand the Queensland Chief Health Officer Dr Fitzgerald has visited the hospital on a "fact-finding" mission. However, there appears to be no result which is available to staff or doctors. Consequently, their collective disillusionment continues to worsen.

As you are aware, I have been publicly raising the community's concerns about health service delivery at the Bundaberg Base Hospital since my election as a Member of Parliament. Whilst you and your colleagues have berated my actions as "scaremongering" or "grandstanding", I can assure you that it is now time for you to put your political ire aside and issue a Ministerial direction for a full and independent investigation of these serious allegations. I also strongly suggest that you include within the scope of any independent investigation the continual failure of the management of the Bundaberg Base Hospital in particular, and the Bundaberg Health Service District generally.

Whilst you may state that hospitals and their staff deal with life and death situations on a daily basis, you would have to be concerned by the number and seriousness of the allegations contained herein. Similarly you would have to agree me that these allegations need to be independently investigated as a matter of urgency and the results of the investigation made public.

I look forward to your early response.

Yours sincerely



Rob Messenger MP
Member for Burnett
Shadow Minister for Education And the Arts