

Surgery: Nurse's Error Leads To Verdict Against Surgeon.

The patient had a sigmoid colon resection and got a colostomy after an acute bout of diverticulitis.

Four months later the surgeon decided to do a second procedure to reverse the colon resection and take down the colostomy.

During the second procedure the surgeon was assisted by a nurse who was an employee of the hospital. The nurse was assigned responsibility for operation of the surgical stapler, that is, she was supposed to staple together the two segments of the sigmoid colon that were being reattached.

Instead of inserting the stapler into the colon the nurse reportedly inserted it into the patient's vagina and incorrectly carried out the stapling procedure. The patient defecated through her vagina for a number of days until the error was corrected.

The jury in the Circuit Court, Loudon County, Virginia awarded the patient \$400,000 from the surgeon. **Dooley v. Shah, 2010 WL 3621827 (Cir. Ct. Loudon Co., Virginia, February 3, 2010).**