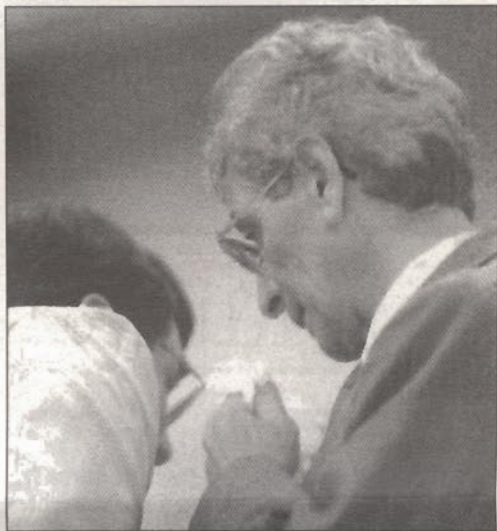


Misdiagnosis and Miscommunication - A Lethal Combination

JURY AWARDS KIDNEY PATIENT \$3.5 MILLION

Mr. Ken Lugo went to the emergency room at the Columbia HCA Medical Center in Port St. Lucie with severe flank and stomach pains in June of 1992. The emergency room physician correctly diagnosed kidney stones. A radiologist reviewing the x-ray studies done on Mr. Lugo added a second diagnosis: "a suggestion of a mass in the upper right kidney." This radiologist was reading the study at a time when Mr. Lugo had been discharged and was told only of his kidney stone problem. The radiologist recommended follow-up studies.

Mr. Lugo followed up with a urologist, Dr. Michael Dennis. At the time Mr. Lugo saw Dr. Dennis, the second finding had not been reported to the doctor. Unfortunately, the report



Kenneth Lugo, (right), with attorney John Shipley.

with the second diagnosis of a suggestion of a mass was received by Dr. Dennis after Mr. Lugo was discharged from Dr. Dennis' care. Dr. Dennis never reported to Mr. Lugo that there was a mass that needed follow-up. Also, no one at the hospital or the radiologist reported the finding of the mass to Mr. Lugo. **Continued on Page Two.**

MISDIAGNOSIS AND MISCOMMUNICATION - A LETHAL COMBINATION

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From 1992 to 1995, Mr. Lugo had no symptoms; after all, kidney cancer is a silent killer. In 1995 he went in for a different problem and his doctor started a workup for a possible ulcer. This workup revealed a massive tumor in his abdomen, too late for treatment.

Kidney cancer is curable if diagnosed before it spreads to other parts of the body. The x-ray from 1992 showed the tumor to be still within the kidney. X-ray studies of the lungs were clear, which meant that there was no spread to the lungs. By 1995, the tumor had spread to the stomach, lungs and intestines.

The jury found both the hospital and physicians responsible for this tragic case of malpractice, and ordered the parties to pay the sum of \$3.5 million to Mr. Lugo. Mr. Lugo commented to a newspaper reporter that "a mistake was made. I'm just sorry it was made on me. I wouldn't want a thing like this to happen to anybody, but it happened to me." Mr. Lugo's attorney, John Shipley, was also quoted in the newspaper that it was an honor and a privilege to represent Mr. Lugo and his family. "Justice is a wonderful thing," Shipley said. "We can't give him his life back, but Ken is a winner today."

Mr. Lugo passed away on May 25, 1997, just over one month after the jury rendered their verdict. He was 57 years old and survived by his wife and 11-year-old son. As a highly regarded member of the Martin County Sheriff's Office, Ken's funeral was attended by a large honor guard and he received a rifle salute. ■