

Testimony of Geoffrey C. Cly, MD, FACOG

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My name is Geoffrey C. Cly, MD. I am a Board Certified Obstetrician and Gynecologist with Northeast OB/Gyn, LLC, a Fort Wayne, 8 physician group practice. I have been in private and academic practice for 8 years. I have been in Fort Wayne for the past 5 years. Additionally, I am a member of the Dupont Hospital Quality Assurance Committee for the last 5 years and was Chairman of that committee for 3 years. I come before you today to discuss dangerous situations affecting patients in Fort Watyne. Multiple serious complications have occurred and are still occurring weekly to patients in Fort Wayne who are undergoing invasive surgical procedures performed in physician offices.

I recently became aware of the substandard medical quality protocols that allowed 3 of my patients to suffer serious, life threatening complications after undergoing invasive office surgical elective terminations performed in Fort Wayne. After caring for these three women and correcting the complications that occurred under the questionable care of another physician, I felt it necessary to become involved in this process in order to protect other women and patients from needlessly suffering the same complications.

These three cases brought forward an even broader concern for patient safety; the absence of quality assurance measures for invasive office surgical procedures. Currently, it is possible to perform invasive, office surgical procedures and not have any follow up safety mechanisms for patients if a complication should arise. This is why a patient safety ordinance is necessary and will protect the patients and elevate the quality of care in Fort Wayne.

At this point, there are no hospital admission requirements or on-call night time emergency physician coverage requirements for any invasive office surgical procedure. There are currently many invasive office procedures being converted from hospital surgical cases to in-office cases because the financial reimbursement is much higher. Some of these in the gynecological field alone are: biopsies, tubal ligations, dilation & curettages, suction D&Cs, and uterine ablations. Patients think that their doctor has appropriate on-call coverage and hospital admission privileges when they agree to allow the physician to do the procedure. The following example is one of many that are occurring in Fort Wayne. This example involved an elective termination, but could easily have been any invasive office procedure.

The first patient had become pregnant and underwent an elective termination prior to notifying our office of the pregnancy. She showed up in the ER several days later with a severe uterine infection, vaginal hemorrhaging, severe abdominal pain, fever, chills, nausea and vomiting.

The ultrasound performed in the ER showed pieces of the baby were left inside and had become necrotic. I immediately had to perform a Dilation and Curettage to “finish the abortion” in order to save the patient from sepsis (a life threatening total blood stream infection) and to attempt to save her uterus so that she could preserve her fertility, as she was only 20 years old and wanted children in the future. Unfortunately, due to the pain and infection, she required a hysterectomy to fix her symptoms. She cannot have any more children as a result of these complications. All of

which could have been prevented with proper emergency on call coverage and quality oversight. This ordinance would correct that problem by requiring admission privileges and notification of the hospital where the patient can receive follow up care. Admission privileges allow for the on-call night time coverage and quality review of complications that receive follow up care in the hospital.

I have cared for 2 more patients with similar complications. The most recent case occurred within the past 8 weeks. All 3 of these patients were cared for by a physician who has no admission privileges, no on-call coverage, no emergency notification system, and no quality assurance mechanisms or oversight.

Unfortunately, my OB/Gyn colleagues in Fort Wayne have reported similar occurrences. The problem is that there is no quality assurance system or “checks and balances” for invasive office surgical procedures in Fort Wayne. Hospital privileges and notification to the patient of the hospital where the physician has privileges would immediately correct this patient safety issue.

As I mentioned, I had been the Quality Assurance Committee Chairman for the past 3 years, and a Committee Member for 5 years at Dupont Hospital. Every hospital already has a Quality Assurance Committee. The committee reviews every single complication, surgical infection, and procedural complication that occurs. This system is completely done by physicians and it allows us to ensure that physicians are not harming patients because of substandard medical care or negligence. It also allows us to track complications and if necessary take educational or disciplinary action to protect our patients from harm.

If I perform a Dilation and Curettage for a miscarriage and pieces of the baby are left inside the patient. Within days I would have more than 10 physicians from a Quality Committee asking me to explain myself, what happened and why I performed substandard surgery on that patient. They would also track my complications and make sure it didn't happen again. None of these checks and balances occur without admission privileges.

Any physician with admission privileges in Fort Wayne, has to have 2 emergency backup physicians listed who will provide emergency and nighttime call coverage should that physician be unavailable or out of town. This includes almost all physicians. The exceptions are those physicians who only perform office procedures but never bother to get hospital privileges. Many times they don't apply for privileges because of a history of substandard care, multiple complications, multiple malpractice lawsuits or they are transient and only come into Fort Wayne during the day and then leave town after hours. Hospital admission privileges are a normal requirement of a physician's practice. Not having admission privileges is very much like always driving a car without auto insurance.

This patient safety ordinance would protect our patients by raising the quality of medical care in Fort Wayne. It would allow for the rapid treatment of complications from invasive office surgical procedures. It will also allow quality committees to help to ensure that all physicians in Fort Wayne are providing high quality medicine, and thereby prevent the substandard medical care that is occurring.

In summary, as physicians, we are making life and death decisions about patients. These patients trust us with their lives. It is our duty to protect them and care for them in the best way possible. The current regulations allow a few substandard physicians to place a group of patients in Fort Wayne in serious danger because the lack of proper quality assurance oversight. This abuse of the physician patient relationship and negligence toward the patient can not be allowed to continue. This ordinance will immediately ensure that all Indiana patients receive high quality, physician reviewed, and proper medical care for invasive office surgical procedures. I ask that you use your authority to protect these patients by passing this ordinance in a timely fashion.

Thank you for your time. I would like to answer any questions you may have.