

Never Ending Pain

The Story of My Hip Replacement by Dr. Secretan in Vernon, British Columbia, Canada

My Personal Feelings

by Karin J. Iowski

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My mind is revolting. I try to straighten my thoughts. My eyes are fighting with lids heavy like lead. It feels like hours until I perceive my surrounding. I am in the Kelowna General Hospital (KGH), British Columbia, Canada. The silhouette of the person next to me is my husband, who is waiting for me to wake up after anesthesia. And then I remember. I had a surgery. I got an implant

in my right hip. I do not feel comfortable at all but I am consoling myself that the healing process will take a few days and my limited mobility and related sufferings would be history.

Well, weeks later I slowly began to realize that my optimism was not justified at all. My physical condition got worse than before. Today, more than two years after the hip surgery by orthopedic surgeon Dr. Charles Secretan from Vernon, British Columbia, I still suffer from medical misjudgements. Heavy pain medication is my daily diet. I need crutches or even a rollator for walks longer than some 20 meters.

The College of Physicians and Surgeons of British Columbia (CPSBC) investigated my case. They stated that "it is unfortunate that you suffered" But they did not criticise the surgery because Dr. Secretan followed reasonable standards of judgement admitting, however, that other surgeons might have judged differently.

Lawyers, whom I contacted, were very reluctant to take over my case. They said that especially cases of orthopedic maltreatment are very difficult to win. They asked for high deposits amounting from \$6.000 to 10.000. They all warned me that, even if a lawsuit would be successful, due to the Canadian legal system I could suffer from financial losses in addition to my medical issues.



Let me step back in time and tell you about the misery of my hip surgery in a more chronological order.

In May 2007 my left hip was replaced at the Lougheed Hospital in Calgary, Alberta, Canada. The surgery was excellently executed. No complications occurred. I left the hospital pain-free. After some physiotherapy I gained back my full mobility. Later, in 2013/14 I got troubles with my right hip. My first idea was to go back to Calgary and to see my old orthopedic surgeon there. But interprovincial health care arrangement does not allow cross-provincial medical treatment (or you have to pay privately). Therefore, in summer 2014 my family doctor referred me to Dr. Charles Secretan, orthopedic surgeon in Vernon, British Columbia. Despite my increasing pain it took several reminders by my family doctor until I finally got an appointment with Dr. Secretan in April 2015.

This meeting with Dr. Secretan lasted about 10 to 15 minutes. He examined me shortly and checked the most recent x-ray images. His conclusion was as expected. He recommended a hip arthroplasty of my right side. Even though I was not happy about another surgery I agreed. Dr. Secretan reminded me of my experience and information of my first hip surgery in 2007. We discussed no further issues and I left the appointment knowing that I may have to wait for surgery at least a year.

After some surgeries in my life I was aware of the general risks of operations. Dr. Secretan had not discussed any specific risks. And the good results of my first hip replacement made me believe that after nearly ten years of medical progress it could only turn out better. At that time I did not foresee how wrong my assumption was.

To my great surprise I got a phone call from KGH on November 30, 2015 that there was a sudden opening for a hip surgery on December 7, 2015. Even though my husband was still recovering from a complicated heart surgery he encouraged me to take this chance instead of waiting many more months. On December 3, 2015 I went for a pre-op screening at the hospital. The only medical discussion was with the anesthetist, who explained to me the spinal anesthesia procedure. I got a prescription for a liquid to disinfect myself at home in the morning of my surgery.

On December 7, 2015 my husband drove me to the hospital. We arrived there on time at 6 AM. A nurse took care of me. The surgery started at 7:45 AM. It was in the operation room that I saw Dr. Secretan for the second time in my

life. He greeted me saying: "I am Dr. Secretan. I hope you remember our short appointment in last April." After surgery I woke up in ward 4 of KGH that I was moved to at noon.

The hygienic conditions at ward 4 were very questionable. Fresh blood stains were in the washroom and in the toilet bowl; it was not cleaned until my discharge. I developed a bladder issue but the necessary assistance by nurses took often 15 minutes and more resulting in bed wetting. Wet bed sheets were rarely replaced so that I once had to spend in my urine a whole night. I learned that ward 4 had the oldest beds in the hospital not suitable at all for a patient with hip replacement. Nobody cared about my diabetes; my food was not correct for diabetes.

The worst issue, however, was the lack of attention by a physician. After two days a hospital doctor visited me for about three minutes. He looked at the surgery incision and told me that everything is fine. I asked for Dr. Secretan. He explained to me that he is on a contract with Dr. Secretan taking care of Dr. Secretan's patients in accordance with the cost savings program of British Columbia health care. He added that even though this would not exclude visits by the orthopedic surgeon Dr. Secretan would decline post-op visits at KGH because he "is not paid for it".

Because of my continuous pain I took heavy pain killers without any true relief. My discharge was scheduled for December 10, 2015. At 10:30 AM, ten minutes before discharge, a hospital doctor looked shortly at me and declared me fit for discharge. Despite my miserable medical condition I did not object to it. Lucky to leave the unpleasant circumstances at ward 4 of KGH I assumed that personal care at home and physiotherapy would improve my healing process.

I was completely wrong. My family doctor prescribed different brands of heavy pain killers without any success. The physiotherapist was very concerned about my condition, in particular because of the heavily swollen thigh (my underwear did not fit anymore), a difference in the length of both legs and the fact that with a straight right leg my knee was in an awkward position. The therapist decided that besides some basic exercise a doctor should see me first before continuing with physiotherapy.

My family doctor placed several urgent phone calls with the office of Dr. Secretan. He finally succeeded in getting me an appointment on December 15, 2015. This meeting with Dr. Secretan was very weird. He introduced to me and my husband a young person as an assistant physician to witness the meeting. He

began the meeting by defending himself of medical maltreatment. Then he let me walk up and down in his office watching my posture. He agreed that my right leg was longer than my left leg. He blamed the surgeon of the first hip replacement for "leaving the left leg too short." He suggested taking further pain killers; the pain when walking would be typical for this kind of surgery. He explained that he was not informed about any issues of my post-op condition. He confirmed that he does not go for post-op visits at KGH because it would lead to an unpaid absence from his office for more than an hour. He asked me to call for another appointment shortly before Christmas for removing the sutures.

I called several times but the receptionist did not offer a requested appointment because of being fully booked before Christmas. Desperately, I consulted my family doctor again. He removed the non-absorbable suture threads on December 21, 2015. The suture had already started getting incorporated in the healing wound leading to a painful removal. In addition, he provided further treatment for pain. The physiotherapist still declined exercises with me. She was too concerned about the condition of my right leg.

Mainly because of my serious medical condition my husband and I decided to temporarily move to Germany, our country of birth. I wanted a second opinion from a German specialist. When we came to Germany in early summer 2016 I immediately visited a family doctor. He saw my posture and concluded that something went wrong with the hip surgery. He referred me to a renowned local orthopedist, Dr. Eiermann in Wiehl. He x-rayed my hips. After further tests he attested severe surgical errors. His main findings were, firstly, that my right leg with the new implant was 2.5 cm (1 inch) longer than the other leg resulting in very painful shift of my posture, and, secondly, that the rounded head of the femur did not properly fit into the capsule of the hip bone.

Dr. Eiermann strongly recommended a new surgery to correct the hip surgery of Dr. Secretan. He explained to me that it is impossible to shorten a leg too much as allegedly done during the first hip replacement. Even if true it would have been Dr. Secretan's obligation to equalize both legs.

Dr. Eiermann asked me to see a second orthopedic expert. He referred me to the Petrus hospital in Bonn, a regional certified center of competence for hip and knee arthroplasty. In the meantime he suggested and prescribed orthopedic shoes. These expensive shoes were especially manufactured in order to compensate for the different lengths of the legs.

Late December 2016 and early 2017 I had several further medical examinations. Scintigraphy and a biopsy ruled out that the hip implant was damaged by infections and inflammation. In a final briefing the chief orthopedic surgeon of the hospital asked me sarcastically if the Canadian surgeon was drunk or drugged. Officially he called my Canadian hip replacement by Dr. Secretan "sub-standard". Particularly he pointed out that

- the right leg is 2.5 cm (1 inch) longer than the left leg causing major shifts in the posture and, hence, serious pain;
- the implant is too big for my size, one of the reasons for the longer leg;
- the angle of the hip joint was changed and is now too steep causing stability and mobility problems, which cannot be corrected anymore;
- the head of the femur does not properly fit into the capsule of the hip bone; and
- the x-ray shows little or even no cement between bone and implant.

He told me that these mistakes can unfortunately happen. He confirmed that there is a certain risk of a discrepancy of the lengths of the legs. However, a difference of 2.5 cm would be a very rare case but it does not mean that it has to be tolerated and accepted. Usually this would lead to a surgical correction. An appropriate post-op quality control would have shown the sub-standard surgery without doubts. No patient in his center of competence would have been discharged with these issues. A corrective surgery would have been carried out immediately.

As a result of these findings and conclusions all physicians involved recommended unanimously a surgery to correct these medical errors. I was told that the surgery will be complicated and, therefore, would be executed by the chief orthopedist/surgeon of the Bonn hospital. After discussions of the pros and cons including a detailed risk assessment I agreed to this corrective surgery. The physicians also arranged for a rehabilitation stay in a specialized clinic directly following the surgery. They deemed it essential for recovery (and they questioned why it was not done in Canada).

On February 20, 2017 I went to the hospital in Bonn. The corrective surgery took place on February 21, 2017.

The surgery in Bonn was successful. Both legs have now an equal length. During a post-op briefing I was told that mobility issues and pain will remain for quite a while. It would be because of the long time between first and corrective surgery. For more than a year my posture tried to balance the unequal legs. It's like walking on two different shoes, one with a high heel, the other one with a

flat heel. They told me, too, that despite a rest risk of length discrepancy an appropriate CAD based surgery strategy would have minimized these risks. This would be today's international standard in orthopedic surgery, which was obviously not applied by Dr. Secretan.

I spent in a rehabilitation clinic three weeks. I got daily physiotherapy and special exercises. After staying at rehabilitation my local orthopedist prescribed physiotherapy and lymph drainage massage for several months in row. My condition improved only slightly. Presently, I can walk without crutches or rollator a distance of about 50 meters without a break. After winter time I will continue practising. The worst issue, however, is heavy pain. Nearly no day is pain-free. If I walk and stand too much my condition even deteriorates. Most of the pain medication leads to stomach problems. Therefore, I try to avoid regular application of the pills.

My family doctor and my orthopedist refrain from a prognosis. They told me that I might never be completely pain-free and won't gain my full mobility again. German health authorities attested a minimum of 40% handicap.

I requested financial compensation from Dr. Secretan. Without any comment he forwarded this request to his lawyer. On behalf of Dr. Secretan his lawyer corresponded with me. He declined medical maltreatment blaming again my first hip surgery in Calgary for leaving me with a too short leg. Reports from my German doctors were rejected as being of no use because German doctors would not know British Columbia standards.

During this correspondence I received copies of some letters that Dr. Secretan allegedly sent to the office of my family doctor. I never got these letters at my family doctor's office. Among others Dr. Secretan wrote that he informed me in detail about the risks of hip surgery, particularly the risk of the possible discrepancy of the length of the legs. Dr. Secretan never discussed it with me during the one and only meeting with him before surgery. But I have no witness. It leaves me with a bad taste that some letters were fabricated after my complaints.

Early 2016 I asked the College of Physicians and Surgeons of British Columbia (CPSBC) to investigate my case. They accepted my German medical reports and looked into documents and information provided by my BC physicians. After several months they concluded that based on Dr. Secretan's filed documentation CPSBC does not see a violation of the standards of the college. In regard to the length discrepancy CPSBC stated that Dr. Secretan judged

that "maximizing stability took precedence over ... equal leg length". In other words, he had to spontaneously judge during surgery that less pain is better than equal length. CPSBC does not comment on the fact that I am still suffering from pain.

The college added a medical paper about the risks of length discrepancy during hip arthroplasty. The authors refer to these risks. They also provide methods of minimizing limb length discrepancy for instance by applying preoperative planning with preoperative radiological templates -- similar to the CAD planning of my German surgeons. According to the documents provided Dr. Secretan did not apply such a preoperative planning, which to my understanding would have avoided most of my suffering. And by the way, this paper also states that you cannot get a shorter leg by hip surgery as Dr. Secretan is falsely suggesting.

In summary, CPSBC does not offer criticism of Dr. Secretan because he followed CPSBC's standards and procedures. This sounds to me very strange. Errors and maltreatment does not matter as long as the surgeon follows all rules and standards. Quality is not important as long as you follow text books.

CPSBC also mentioned that other orthopedic surgeons would have judged differently. But even this statement did not result in further investigations.

I contacted several law firms asking for legal help in regard to the potential medical maltreatment. All lawyers were very reluctant. They agreed with my criticism of Dr. Secretan and my allegations of maltreatment. But all of them told me that litigation of orthopedic maltreatment will usually last some years because of fights between orthopedic experts of the opponent and defendant. Also, in most cases the insurance of the surgeon will appeal and bring it to higher court levels. As a result, I may lose lots of money and an eventual final compensation will not even cover my legal expenses. Therefore, the law firms asked for upfront deposits of funds as high as \$10,000. Given this little chance to win a law suit at all I decided to stop my legal attempts to sue Dr. Secretan.

Lessons learned (and recommendations to patients in a similar situation)

1. Request evidence that an appropriate pre-op risk assessment took place (my German surgeons took notes of my risk briefing, which I had to sign).
2. Check medical internet portals that provide reviews of your surgeon (too late I found out that Dr. Secretan had a few very negative reviews).

3. Do not agree with a hospital discharge if you do not feel well. Insist on subject specific medical examinations (your surgeon is obliged to meet with you after surgery if you request it).
4. Involve lawyers as early as possible if you believe in a chance to win. Doctors and defendant lawyers will delay correspondence as long as possible because they strive for a status of limitations after two years.
5. Approach your members of parliaments that the Canadian legal system needs urgent changes. It is not acceptable that you have to carry all your legal expenses if you win your law suit. Unfortunately, this is in favor of wealthy people only. If you cannot afford a lawyer you are forced to pay your pain medication yourself for the rest of your life.