## CHICAGO LAWYER

MED-MAL MATTERS

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hat's the difference between God and a surgeon?

The stereotypical surgical personality has

been described as "decisive, well-organized, practical and hard-working, but also cantankerous, dominant, arrogant, hostile, impersonal, egocentric and a poor communicator."

Good surgeons need to be driven, focused and demanding, but can arrogance, poor communication and rudeness outweigh technical skill? Authors of a newly published study set out to answer that question.

The retrospective cohort study, "Association of Co-worker Reports About Unprofessional Behavior by Surgeons with Surgical Complications in Their Patients," published in *JAMA Surgery*, analyzed data from two geographically diverse academic medical centers that participated in the National Surgical Quality Improvement Program.

The medical centers recorded and acted upon electronic reports of safety events from health-care providers describing unprofessional behavior by surgeons. The study was designed to test the hypothesis that patients of surgeons with more co-worker reports of unprofessional behavior are at a greater risk for post-operative complications than patients of surgeons with fewer reports of bad behavior.

The study included reports regarding inpatient or outpatient operations over a five-year period and measured post-operative surgical or medical complications, as defined by the program, within 30 days of an operation.

According to its creator, the American College of Surgeons, the initiative is a nationally validated, risk-adjusted program to measure and improve the quality of surgical care. Specific outcomes measured in general surgical patients, for instance, include mortality, cardiac events, nosocomial pneumonia, mechanical ventilation in excess of 48 hours, thrombo-embolic events, renal failure and surgical site infection.

The study found that among the 13,653 patients undergoing surgery performed by 202 surgeons, patients whose surgeon had a higher number of unprofessional behavior reports in the 36 months before the procedure had a "significantly increased" risk of surgical and medical complications.

Patients whose surgeons had more positive or neutral co-worker reports were significantly more likely to experience any complication, any surgical





## **GET THE FACTS**

Greater risk of complications if surgeon has recorded issues

## By THOMAS A. DEMETRIO and KENNETH T. LUMB

complication and any medical complication. The adjusted complication rate was 14.3% higher for patients whose surgeons had one to three reports of unprofessional behavior toward other health-care providers.

The study notes that highly reliable and effective surgical teams depend on effective communication, mutual respect and continuous situational awareness and the authors theorize that surgeons who act unprofessionally may increase the risk of medical errors by undermining teamwork and the culture of safety.

To address this patient safety risk, the study concludes that hospitals should "... focus on addressing surgeons whose behavior toward other medical professionals may increase patients' risk for adverse outcomes."

The authors do not define how to address this demonstrated patient safety risk, but a good first step would be for hospitals to publish this information so that patients can make informed choices about who they want operating on them. Before a surgeon can operate on a patient, he or she must obtain informed consent.

In Illinois, consent is "informed," only when the patient is apprised of the risks of the procedure — and the alternatives to that procedure — which a reasonably well-qualified surgeon would disclose under the same or similar circumstances.

It stands to reason a logical person would choose a surgeon who is not a jerk, if that choice would eliminate a "significantly increased risk of surgical and medical complications." The study highlighted the difference in patient outcomes achieved by surgeons with a stereotypical surgical personality compared with their more collaborative colleagues but did not explore the age-old question: What's the difference between God and a surgeon?

The answer, of course, is God doesn't think or act like a surgeon.  $\fbox{\mbox{CL}}$ 

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