



**Office of the
Health Complaints
Commissioner
2007**

700-0706001 – Public Hospital - Level of service - X-rays not taken after motor vehicle accident - Closed July 2007

Section 23(1)(c) Health Complaints Act 1995 - that a health service provider acted unreasonably in the manner of providing a health service

In 2007 a young woman was taken to hospital following a car accident. She was assessed and discharged from hospital with painkillers and advised to visit her GP for ongoing signs and symptoms. Her complaint was that she was released without undergoing x-rays or scans and she had to organise her own transport home.

The hospital stated that the woman was assessed by ambulance personnel at the scene of the accident and given medicine for nausea. An experienced emergency physician saw her within 8 minutes of her arrival at the Emergency Department (ED), and considered that x-rays or CT scans were not required as she had a soft tissue injury. This diagnosis was based on the Canadian Head CT rule & Nexus criteria, which are used to assess patient care requirements. Her ongoing symptoms suggested that she was suffering from post-concussive syndrome and a strain to her neck muscles. The hospital submitted that nothing more could have been done at the ED to prevent or treat this, as the damage was caused by the accident, and there is no specific treatment for that syndrome. An apology was given for the negative encounter she perceived during her admission at the ED.

To determine whether the complainant had on-going symptoms attributable to her treatment in the ED a report was sought from her GP, who stated that he ordered x-rays, which revealed no broken bones, that she had no ongoing disabilities and that she was receiving massage as an ongoing treatment. The conclusion reached was that the treatment in the ED and her follow up care was appropriate and the complaint was dismissed under s.25(5)(g) on the basis that a reasonable explanation had been given.

Regarding after hours transport, the hospital stated that they do not provide free taxis to patients on their discharge, and her records did not indicate that she did not have the capacity to arrange her own way home. This explanation was reasonable.