



**Office of the  
Health Complaints  
Commissioner  
2007**

**700-0505035 – Public Hospital – Surgeons – Hysterectomy – Diagnosis of Endometriosis**

**Section 25(b) & (d) of the *Health Complaints Act 1995* – *the provision of a health service or of part of a health service was not necessary - a health service provider failed to exercise due skill***

**Finalised February 2007**

The complainant lodged a complaint about two public hospital surgeons practicing at the North West Regional Hospital for advising and performing a hysterectomy 8 years ago which she has come to believe was unnecessary. The Commissioner exercised the discretion available under s25(6) of the *Health Complaints Act 1995* to accept the complaint on the basis that the complainant became aware that the hysterectomy was unnecessary on 18 January 2005.

Provider 1 diagnosed endometriosis following a laparoscopy and advised the complainant that the only option was a hysterectomy. Provider 2 performed a hysterectomy based on Provider 1's diagnosis and assessment and informed the complainant that he saw no evidence of endometriosis. The complainant claims that as a result of the hysterectomy, which deprived her of having other children before she was ready to relinquish this, she suffered depression and loss of self-esteem.

The complainant believes the hysterectomy was unnecessary based on the absence of endometriosis following a laparoscopy performed on 18 January 2005.

The expert opinion obtained concluded that it was reasonable for Provider 2 to undertake the hysterectomy in the absence of endometriosis as the complainant had also complained of dyspareunia, dysmenorrhoea and menorrhagia. However, the expert was at a loss to explain the discrepancy between the findings of Provider 1 at laparoscopy and the findings of Provider 2 at hysterectomy as “spontaneous resolution of active endometriosis...is not likely” and “adhesions do not resolve spontaneously.”

The findings of the investigation were that the hysterectomy was not performed unnecessarily and was made to improve the complainant's quality of life based on clinical judgment. No recommendations were made.

- Approved for website
- Approved for Annual Report [theme or case summary]