

# ***LOIS' STORY***

A real case demonstrating  
the unfairness of damage caps.

## Lois' Story

***Forty-three-year-old Lois died following her family physician's orders. Lois displayed the signs of angina, but her doctor repeatedly misdiagnosed her symptoms and ignored a warning from an E.R. physician. Lois was treated for gallstones and heartburn, but her doctor never referred her to a cardiologist who would have saved her life.***

Lois was 41 years old. She was married to a hardworking and kind man, Charles, who was the supervisor and groundskeeper of a local boy scout camp. The couple had two teenaged daughters, whom Lois thought of as her best friends. Lois' family was very important to her, as was her job as a nurse at a local community hospital.

While Lois spent much of her time caring for other people, she didn't always pay enough attention to her own health. At the age of 41, she decided to take her health more seriously. She began seeing a family practice physician in her area. At the time of her first visit, she had insulin-dependent diabetes, high blood pressure, morbid obesity and a positive family history for heart disease.

After almost a year of treating with her family physician, Lois began experiencing chest heaviness, sweating, lightheadedness, shortness of breath, higher than normal blood pressure and nausea, all signs of angina. Angina is a common symptom of coronary heart disease, which is a narrowing of the blood vessels that carry blood to the heart caused by plaque in the arteries. Despite the fact that the emergency room physician suspected angina, Lois' family physician attributed all of her symptoms to gallstones, which had previously been diagnosed. He referred her to a surgeon, who removed her gallbladder.

Unfortunately, this surgery did not relieve Lois' symptoms. Only a few months after her surgery, she returned to her doctor with symptoms of severe chest pain that became worse with activity, chest fluttering and arm weakness. When her doctor asked her to walk down the hallway in his offices, Lois became short of breath, her chest pain became worse, and her pulse rate soared. An EKG performed in the office was abnormal, but Lois' doctor again advised her that her symptoms were caused by a gastrointestinal problem—heartburn. He told her to take Prevacid and avoid spicy foods.

Lois followed her doctor's orders, but she found that she was not feeling any better. Over the next few days, she called her doctor's offices several times, reporting that her symptoms were unchanged, her blood sugars were elevated and that she was miserable. Each time, her physician told her to continue taking the heartburn medication and to try Maalox as well. After the third telephone call, he also told Lois that she should call a gastroenterologist for an appointment.

Lois was never seen by the gastroenterologist. She died before her appointment was scheduled. Her body was found on the floor of her home, near her bed, by one of her daughters. Lois died three weeks after her last phone call to her doctor.

Lois was only 43 years old. Because of her age and the unexpected nature of her death, an autopsy was conducted. The coroner determined that she had died of an acute myocardial infarction, or heart attack, which he believed had occurred 14-21 days before her death. The cause of the heart attack was severe coronary heart disease.

Lois' death was entirely preventable. Coronary heart disease does not have to lead to a deadly heart attack. When its symptoms are correctly recognized, monitored and treated, coronary heart disease is able to be controlled. Although Lois had the classic signs and symptoms of coronary heart disease, her doctor never recognized those symptoms, never referred her to a cardiologist, and never recommended the medical and surgical treatment that would have saved her life.

Lois could have, and should have, lived for at least another 30 years. She should have had the opportunity to see her beloved daughters grow into beautiful and successful young women. She should have been able to see them off to proms, throw their mortarboards in the air at graduation, move into cramped dorm rooms, begin their first "real world" jobs, walk down the aisle at their weddings, and hold their first babies. Lois should be alive to give her daughters the love, guidance, advice and support that only a mother can give.

Lois could have, and should have, lived to enjoy a relaxing and peaceful retirement with her husband, Charles. She should have had the opportunity to ease back and enjoy life after years of hard work and sacrifice.

Medical negligence took Lois' life from her and from her family. The loss that her daughters and husband suffer daily is real and never-ending. Each new day brings a new reason to miss her, a new experience that they want to share with her, but can't. Why should Lois' family not be able to fully recover for all that they have suffered against the negligent doctor who caused her death? How is a cap on non-economic damages fair to Lois and her family?



***Lois would be alive today, had her physician heeded the warning of an E.R. doctor and referred her to a cardiologist.***