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## Families of victims file lawsuit over fallout from bariatric surgery

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The families of four women who suffered complications from bariatric surgery have filed suit against the doctor and two health organizations associated with the surgery, including Highland Medical Center.



Mithoff

Richard Mithoff, an attorney with Mithoff and Jacks LLP in Houston, and Tommy Turner, an attorney with Turner and Jordan PC in Lubbock, filed the petition Tuesday in Harris County against CHS/Community Health System, which includes Compass Surgical Weight Loss Program, Highland Medical Center and Dr. Ramesh Srungaram.

Eva McNew, 49, of San Angelo, died Thursday from complications after what is commonly known as stomach-stapling surgery.

According to an attorney representing the plaintiffs, the three surviving patients are expected to recover. They are being treated at University

Medical Center.

Natalie "Kaye" Parsley, 38, of Magnolia has been transferred from intensive care to a private room. Julie Scott, 31, of San Angelo was expected to be discharged either Tuesday or today, said Baynetta Jordan, also with Turner and Jordan PC. Judy Poole, 43, of Clayton, N.C., remains in the intensive care unit, Jordan said.

The suit alleges the doctor and hospital were not qualified to perform the surgery, and that one of the plaintiffs was soliciting patients off an Internet site without proper screening.

"Our real concern here is that there was in place this massive marketing scheme to bring women into surgery in many instances without adequate screening and without adequate workup," Mithoff said, adding they will be seeking "substantial damages."

Mithoff said other bariatric patients began contacting his law firm several months ago about problems following surgery and at least one of whom was Srungaram's patient at another facility.

"This Lubbock incident is the first instance where so many patients had the same complications at the same time

in the hands of the same doctor in the same facility," Mithoff said.

He said several clients have told him the network that referred the plaintiffs to Srungaram and Highland Medical Center tells patients if they pay cash for the bariatric surgery, it costs between \$20,000 and \$30,000. However, if the procedure is billed to insurance, it costs between \$50,000 and \$60,000.

Srungaram resigned Aug. 6 from Highland Medical Center, two days before McNew died. He said in a previous interview he did not quit specifically because of the complications his patients suffered, but that was a factor in his decision.

According to Srungaram and Highland, bariatric surgery is performed on patients who are at least 100 pounds overweight who are considered high-risk because they often suffer from other medical conditions.

A spokeswoman for Highland Medical Center said the organization has not yet been served, and declined to comment citing the pending litigation.

Srungaram did not return calls seeking comment.

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