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Families sue over deaths after surgery

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The families of two elderly Houston women who developed infections and died after minor surgery have sued the Delaware-based manufacturer of an anesthetic drug as well as a local hospital and physician.

The attorney for the families said the case has national significance because the families hope to influence the use and packaging of the drug, which has been linked to post-operative infections and is now used nationwide.

"These families came to me because they were concerned about getting this drug off the market or seeing that it was made safe, particularly to the elderly, who are the most susceptible," said attorney Richard Mithoff.

The women, Lucille Reese, 83, and Jewel Brooks Cox, 90, who according to Mithoff underwent relatively minor foot and hemorrhoid operations, were among 16 patients who developed infections in June and July after receiving Diprivan during surgery at Twelve Oaks Hospital.

After leaving the hospital, the

women developed infections and later died as a result, Mithoff said.

Although the drug itself has not been found to cause the infections, improper handling of Diprivan, combined with the fact that the drug does not include a bacteria-inhibiting agent, apparently resulted in the infections, the Texas Department of Health and federal Centers for Disease Control in Atlanta have concluded.

State health officials said bacteria, possibly from dermatitis on the anesthesiologist's scalp, contaminated the Diprivan he used. The contaminated drug then was administered into the patients' bloodstreams.

The state has not determined that the resulting infection caused the women's deaths, only that the infection was linked to the use of Diprivan.

The drug Diprivan is a new, fast-acting anesthetic agent. Its chief advantages are that it induces sleep rapidly and patients awake quickly.

Diprivan has been administered to an estimated 10 million people worldwide and 650,000 in this country since it was introduced last October.

In two lawsuits filed in state district court Tuesday, Reese's husband and Cox's sons are seeking unspecified damages from ICI Americas Inc., Stuart Pharmaceuticals, Twelve Oaks Hospital, Dr. Fernando Azevedo and the Greater Houston Anesthesia Association.

The suits accuse the product man-

ufacturers of negligence for failing to include a substance that would inhibit bacterial growth and for failing to provide adequate warnings and instructions.

The suits accuse the hospital and physician of failing to provide proper medical care, improper administration of the Diprivan and failure to maintain sterile techniques.

The suits also state that Azevedo, who attorneys say was the anesthesiologist involved in the cases, should have known he had an infection that could be transmitted through the anesthetic. He could not be reached for comment.

Hospital officials declined to comment about the lawsuit Tuesday. The hospital's attorney did not return phone calls.

But in August, Joan Tracy, the hospital's assistant administrator, said it appeared only one of the deaths might be linked to the infection.

A spokeswoman for the drug manufacturer said the company has included additional instructions with the Diprivan emphasizing the need for sterile handling of it and all similar drugs.

"It's not unusual for this kind of product to not have a preservative in it," said Eileen Cunniffe, spokeswoman for ICI Americas, a parent company of Stuart Pharmaceuticals, which manufactures and distributes Diprivan. "Aseptic handling should have been standard with this product."