

Title: Ramos v. Court of Appeals and Medical Practitioners (G.R. No. 124354)

Facts:

Erlinda Ramos, a 47-year-old woman, experienced discomfort due to gallstones and sought medical advice. She was advised to undergo cholecystectomy (gallbladder removal). Dr. Orlyno Hosaka agreed to perform the surgery at De Los Santos Medical Center (DLSMC) on June 17, 1985, with Dr. Perfecta Gutierrez as the anesthesiologist. Erlinda was prepared for the operation, but Dr. Hosaka arrived three hours late. During the anesthesia phase, something went wrong, resulting in Erlinda's comatose state. The hospital and doctors explained that Erlinda had a bronchospasm. Erlinda was admitted to intensive care, incurred significant medical bills, and has been in a comatose condition since.

Procedural Posture:

Erlinda's family filed a civil case for damages alleging medical negligence. The Regional Trial Court (RTC) found the hospital and doctors liable. The Court of Appeals (CA) reversed the RTC's decision, dismissing the complaint. The case was then brought to the Supreme Court.

Issues:

1. Whether the surgeon, anesthesiologist, and hospital are liable for Erlinda's comatose condition due to alleged negligence in the performance of their professional duties.
2. Whether the doctrine of *res ipsa loquitur* applies, inferring negligence on the part of the defendants.
3. The amount of damages due to the petitioners.

Court's Decision:

The Supreme Court ruled that both the anesthesiologist and surgeon were negligent in the care and management of Erlinda during the anesthesia phase. The hospital was also held solidarily liable, failing to prove that it exercised due diligence in overseeing its employees. The doctrine of *res ipsa loquitur* was deemed applicable, as the type of injury Erlinda sustained ordinarily does not occur in the absence of negligence.

The Supreme Court modified the CA's decision, awarding the petitioners compensatory, moral, temperate, exemplary damages, and attorney's fees.

Doctrine:

The doctrine of *res ipsa loquitur* allows for a presumption of negligence to arise when the injury-causing event is such as does not ordinarily occur in the absence of negligence and

the instrumentality causing the injury was under the control of the defendant.

Class Notes:

- In medical negligence cases, the doctrine of *res ipsa loquitur* can apply if the injury is such that it ordinarily does not occur in the absence of negligence.
- A proper pre-operative evaluation by the anesthesiologist is paramount to prevent anesthesia-related complications.
- An employer-employee relationship can be established between hospitals and their consultants for liability purposes when the hospital exercises a degree of control over the consultants.
- Compensatory damages cover actual loss proved up to the time of trial, while temperate damages cover those that can be reasonably expected to arise but are difficult to quantify.

Historical Background:

Medical malpractice litigation addresses the accountability of healthcare providers when substandard care leads to patient injury or death. The concept has evolved with the complexity of medical procedures and involves legal principles such as duty of care, breach of duty, causation, damages, and defenses like contributory negligence. The case highlights the Philippine justice system's approach towards ensuring redress for victims of medical negligence while safeguarding the integrity of the medical profession.