

Title

Mariter Mendoza vs. Adriano Casumpang, et al.: A Case of Medical Negligence Resulting in Patient's Death

Facts

In February 1993, Josephine Casumpang, later substituted by her husband Adriano and their children Jennifer Adriane and John Andre due to her demise, filed a lawsuit for damages against Dr. Mariter Mendoza following a medical procedure. Josephine underwent a hysterectomy and myomectomy performed by Dr. Mendoza at the Iloilo Doctors' Hospital. Post-operation, she experienced recurring fever, nausea, and vomiting. Three months later, a foul-smelling gauze was discovered protruding from her cervix, which was later removed by another physician.

Asserting that Dr. Mendoza's omission led to Josephine's suffering and eventual demise, the family pursued a damages suit. Initially, the Regional Trial Court (RTC) of Iloilo City sided with the Casumpang family in 2005, mandating Dr. Mendoza to compensate the plaintiff's heirs. However, upon Dr. Mendoza's motion for reconsideration, the RTC reversed its decision, leading to an appeal by the Casumpang family to the Court of Appeals (CA).

The CA reinstated the RTC's original decision in 2011, citing the discovery of the gauze as breaching medical duty. The case was propelled to the Supreme Court following Dr. Mendoza's failed motion for reconsideration with the CA.

Issues

1. Whether the presence of a surgical gauze inside the patient's body post-operation constituted negligence on Dr. Mendoza's part.
2. Whether the factual findings of the CA, which accepted the negligence, should be binding.
3. Whether exemplary damages and additional attorney's fees should be awarded.

Court's Decision

The Supreme Court thoroughly affirmed the CA's decision. It recognized the undisputed negligence by accepting the RTC and CA's findings - that the unaccounted surgical gauze left in Josephine's body post-operation was indicative of negligence. It rebutted Dr. Mendoza's defense on the surgical sponge count accuracy, highlighting the implausibility of such a foreign object being introduced into the patient's cervix by any other means within the given timeline.

The Court also addressed the procedural appropriateness, dismissing the objection raised by Dr. Mendoza regarding the raising of factual issues at the Supreme Court level, as the negligence was clearly established and undisputed based on the lower courts' findings.

Furthermore, the Supreme Court modified the CA's ruling by including the award of exemplary damages to set a precedent for the medical profession's vigilance, increased attorney's fees for the plaintiffs, and introduced civil indemnity for Josephine's death, setting the amount based on prevailing jurisprudence.

Doctrine

This case reiterated the doctrine that leaving surgical materials inside a patient's body post-operation is prima facie evidence of negligence. It emphasizes the supreme duty of care required of medical practitioners. It also upheld the principle that factual findings of lower courts are binding unless certain exceptions apply, which were not present in this case.

Class Notes

- **Negligence in Medical Practice**: Leaving surgical materials inside a patient is considered negligence per se.
- **Factual Findings**: The Supreme Court typically does not overturn factual findings of lower courts unless exceptions apply.
- **Exemplary Damages**: These can be awarded in negligence cases to set a public example, under Civil Code Article 2229.
- **Civil Indemnity for Death**: Fixed at P50,000.00 applicable in cases resulting from negligence, referencing prevailing jurisprudence.

Historical Background

This case underscores a pivotal issue in medical practice: the paramount importance of adherence to procedural standards to avert preventable post-operative complications. It highlights the legal system's role in addressing medical negligence, setting the tone for accountability and vigilance in healthcare to prevent unnecessary suffering and loss of life.