

****Title:****

Pedrito dela Torre vs. Dr. Arturo Imbuido, Dra. Norma Imbuido, and Dr. Nestor Pasamba

****Facts:****

1. ****February 2, 1992:**** Carmen Castillo Dela Torre, pregnant and due for delivery, was admitted to Divine Spirit General Hospital by her husband, Pedrito Dela Torre.
2. ****February 3, 1992 (3:00 PM):**** Dr. Norma Imbuido advises a caesarean section due to the lack of progress in labor. The operation is performed by Dr. Nestor Pasamba.
3. ****February 3, 1992 (5:30 PM):**** Successful delivery of a baby boy.
4. ****February 4, 1992 (early morning):**** Carmen suffers abdominal pain and difficulty urinating; diagnosed with urinary tract infection (UTI) and prescribed medication.
5. ****February 10, 1992:**** Carmen's stomach continues to enlarge; diagnosed by Dr. Norma as flatulence.
6. ****February 12, 1992 (3:00 PM):**** Dr. Norma suggests a second operation due to worsening symptoms; Pedro consents without full details of the procedure or doctor.
7. ****February 12, 1992 (evening):**** Carmen undergoes the second operation. Dr. Norma assures that "everything was going on fine."
8. ****February 13, 1992 (9:30 PM):**** Carmen vomits dark red blood and subsequently dies. Death certificate cites "cardio-respiratory arrest secondary to cerebrovascular accident, hypertension and chronic nephritis induced by pregnancy." Autopsy attributes death to "shock due to peritonitis, severe, with multiple intestinal adhesions; Status post Cesarean Section and Exploratory Laparotomy."
9. ****Post-death:**** Pedrito files a suit, alleging medical negligence.

****Procedural Posture:****

1. ****Regional Trial Court (RTC) Decision:**** The RTC of Olongapo City, Branch 75, ruled in favor of Pedrito on January 28, 2003, ordering the respondents to pay damages.
2. ****Court of Appeals (CA) Decision:**** The CA reversed and set aside the RTC decision on December 15, 2009, directing Pedrito to pay the unpaid balance for hospital bills.
3. ****Petition for Review on Certiorari:**** Pedrito petitions the Supreme Court to review the CA decision.

****Issues:****

1. Whether the respondents were negligent and thus liable for Carmen's death.
2. Whether Pedrito is entitled to damages for the alleged medical malpractice.
3. Whether respondents' counterclaim for unpaid hospital charges and professional fees should be upheld.

****Court's Decision:****

1. ****Negligence and Liability:****

- ****Duty and Breach:**** The Court held that Pedrito failed to establish the breach of duty by the medical professionals to meet the required standard of care, skill, and diligence. Dr. Patilano's expertise was not established, and his testimony was found inconclusive and unreliable as it did not fully encompass Carmen's medical history or the conditions at the time of her treatment.

- ****Causation:**** There was insufficient proof of causation between the medical procedures performed and Carmen's death. The claim of poor state hospital conditions causing peritonitis lacked supportive evidence.

2. ****Damages:****

- The petition for damages based on medical malpractice was denied due to the absence of competent evidence corroborating the alleged negligence causing injury and subsequent death.

3. ****Respondents' Counterclaim:****

- The CA's award of P48,515.58 for unpaid hospital bills, professional fees, and other expenses was upheld based on stipulations during pre-trial.

****Doctrine:****

1. ****Medical Negligence:**** To prove medical negligence, there must be clear evidence showing (1) duty, (2) breach, (3) injury, and (4) proximate causation.

2. ****Expert Testimony:**** Competent expert testimony is crucial to establish the standard of care and breach in medical malpractice cases.

3. ****Standard of Care:**** The duty relates to the exercise of the degree of care, skill, and diligence ordinarily possessed and exercised by peers in the same line of practice.

****Class Notes:****

1. ****Elements of Medical Negligence:****

- Duty: Obligation to provide care aligning with professional standards.

- Breach: Failure to meet these professional standards.

- Injury: Physical harm suffered by the patient.

- Causation: Direct link between breach and injury.

- Reference: Refer to "Lucas et al. v. Tuaño" for principles of medical negligence.

2. ****Role of Expert Witness:**** Must have established expertise relevant to the specific medical field concerning the case.

3. ****Burden of Proof:**** Plaintiff must deliver comprehensive proof of negligence and causation.

****Historical Background:****

The case typifies medical malpractice suits within the Philippine justice system, emphasizing the stringent requirements for proving medical negligence. Filed in a period when medical accountability was increasingly under scrutiny, the case illustrates the judiciary's adherence to high standards of proof and the crucial role of medical expert testimony in resolving disputes regarding medical negligence and malpractice.