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U-M lab cancer mistake verdict upheld

Samples mislabeled; woman did not have breast cancer

BY AMY WHITESALL

In 2003, a laboratory mix-up at the University of Michigan Hospitals caused Theresa Karwoski's doctor to incorrectly diagnose her with breast cancer.

Karwoski went through a partial mastectomy, removal of seven lymph nodes, drugs and testing to fight a cancer she didn't have.

In February, a jury awarded the 51-year-old Ann Arbor woman and her husband more than \$3 million in damages in a lawsuit filed against the medical center. The verdict was upheld in the court of claims by Washtenaw Circuit Judge Timothy P. Connors, who late last month ordered U-M to pay the Karwoskis' attorney's fees and interest.

Attorney Michael Garriss said Karwoski, who was a nurse in the University of Michigan Health System, wanted her story made public to help other patients protect themselves.

"It's an important warning for people to be careful about the medical care they get -- to

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U-M acknowledged error

ask questions," Garriss said. Although it does not contest the misdiagnosis occurred, the university will appeal the verdict as inappropriate based on the evidence at trial, UMHS spokeswoman Kalie Michels said Monday. The health system has since added extra labeling in the five-point process it uses to make sure samples are assigned to the right patient.

"From the start we acknowledged our error to Ms. Karwoski and apologized sincerely for it," Michels said. "This error has never occurred before, and we took extraordinary measures to ensure it never would again."

In April 2003, Karwoski went through a procedure to have fluid and cells drawn from her left breast and submitted for testing because of a thickening in that breast. But, according to Garriss, the lab clerk processing the sample put the wrong number on the slide, and Karwoski's sample was mixed up with that of a male patient who did have cancer. It is unclear what happened to that patient.

The next month, Dr. Alfred Chang, U-M surgical oncology chief, removed seven lymph nodes and took tissue from the breast and the area around the lymph nodes, Garriss said. When the pathology report on the tissue that was removed failed to show any cancer, Karwoski went through nuclear medicine and radiological tests to look for the cancer.

Karwoski pushed for answers, and in July 2003 UMHS cytopathology director Dr. Claire Michael discovered the labeling mistake, Garriss said.

Today, because of the surgery, Karwoski has a permanent condition called lymphedema, a swelling of her left arm and chest that requires physical therapy and periodic draining of fluid, Garriss said.

The attorney said Karwoski ended up losing her job and sued U-M for both malpractice and negligence, he said.

"(Karwoski) didn't want go through a trial," Garriss said. "That was very traumatic to her, but she felt the jury paid great attention throughout the trial and made a just decision."

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