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Woman suffers bladder injury during surgery

Doctor asserts inherent risks with procedure that caused a tear in patient

POSTED: 10:09 AM Friday, August 27, 2010

BY: [Douglas J. Levy](#)

TAGS: [Bladder injury](#), [resultant fistula](#)

In a medical malpractice lawsuit filed in Macomb County Circuit Court, plaintiff Sandra Raymer sought damages from defendants Dr. Timothy Sung-Ju Kim and St. Joseph Mercy Health System following complications resulting from a hysterectomy procedure.

In 2006, Raymer's menstrual periods were irregular, painful and heavy. Based on a recommendation by Kim, she decided to have a hysterectomy. During the procedure, a hole was poked at the site where Kim retracted the abdomen, causing a tear in Raymer's bladder.

The hole stemmed from either retraction trauma, as Kim wrote in the chart, or by Kim's scissors when snipping around in the area, as he explained in his deposition. The hole caused vesicovaginal fistula formation to occur, causing significant, ongoing incontinence. Raymer underwent nine subsequent surgeries to repair the bladder injury and the fistula.

Plaintiff asserted defendant failed to understand the principles of electro-surgery and its effect on tissues and surrounding structures for safe laparoscopic hysterectomy. She also argued there was a lack of understanding about the anatomy of surrounding structures, adequate surgical exposure, and meticulous dissection in the proper planes with appropriate traction maneuver to reduce the risk of bladder injury.

Further, it was asserted, defendant failed to carefully retract during exposure, causing a tear in the bladder.

Defendant contended that there are risks inherent in medical treatment that are not within a doctor's control and that a doctor is not liable merely because of an adverse result. It further was asserted that bladder injury during laparoscopic transvaginal hysterectomy is a known risk and complication, and that no malpractice occurred.

The jury found for the plaintiff and awarded \$800,000.

Type of action: Medical malpractice

Type of injuries: Bladder injury with resultant fistula

Name of case: *Raymer v. Sung-Ju Kim, et al.*

Court/Case no./Date: Macomb County Circuit Court; 09-0409-NH; Aug. 12, 2010

Tried before: Jury

Name of judge: Matthew S. Switalski

Demand: \$300,000

Verdict amount: \$800,000

Most helpful expert: Dr. Michael Berke, OB/GYN, Walled Lake

Insurance carrier: Self-insured

Attorney for plaintiff: Albert J. Dib

Attorney for defendant: Julia McNelis



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NETWORKING CALENDAR

Today ◀ ▶ Friday, August 27 ▼

Showing events after 8/27. [Look for earlier](#)

- Wednesday, September 1
- No-Fault Institute VII (Sept. 1-2)
- 12:00pm NALS of Lansing Board Meeting
- Wednesday, September 8
- 5:30pm NALS of Lansing Education Mee
- Thursday, September 9