

Lawsuit gives insight into hospital transplant program

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Practices at Froedtert/MCW may have caused avoidable deaths for patients waiting on life-saving organs. It's one accusation from a lawsuit against the hospital, whose transplant program has been on probation since July. Since then, the I-Team has continued to search for information on the hospital's probation.

We know letters about the probation were sent to people in the liver/kidney program.

The hospital would only say the case leading to probation happened in 2016.

Data shows Froedtert/MCW did 146 transplants involving a kidney, liver or both organs that year.

We're still working to find out which of those cases led the transplant program's probation.

The I-Team's Casey Geraldo found this lawsuit while trying to get to the bottom of all this.

The lawsuit against Froedtert/MCW from a former heart transplant doctor states he believes patients died because the hospital didn't follow transplant regulations. The lawsuit says organs for Froedtert/MCW patients went to other hospitals because doctors weren't on call 24/7.

The wrongful termination and defamation lawsuit, filed in 2015, accuses the hospital of firing Dr. Robert Love after he raised concerns about the medical care given to transplant patients. Love also says people within Froedtert/MCW gave false information about him to hospitals where he was trying to get a job.

While the lawsuit details a number of specific transplant cases and other patient care concerns, The complaint also addresses issues love says he saw within the transplant program.

One claim accuses Froedtert/MCW's doctors of breaking the rules that govern organ transplants.

Court documents allege doctors at the hospital "were not available at all times to perform transplant surgeries."

Love accuses Froedtert/MCW of a longstanding practice of turning down organs because doctors weren't available.

The I-Team read through the federal rules governing transplants. If that claim is true, Froedtert/MCW could be considered a "member not in good standing" with the federal government. That entails more severe oversight of the hospital than probation.

Attorneys for the people involved in the lawsuit have gone back and forth in court since 2015. Now this lawsuit is waiting on both sides to gather their proof. Those documents will be filed in April 2018.

In the meantime, we reached out to Froedtert/MCW about its compliance with transplant regulations. A spokesperson says the hospital follows federal rules. We asked for a copy of the papers given to patients explaining the rules, how it compiles and that doctors are available when needed, but the hospital declined to give those to the I-Team.

Instead, the spokesperson wrote in an email "we are compliant with all OPTN bylaws."

What we're finding out is how hard it is to find information about a transplant program. Transplant centers report to a private organization hired by the federal government to run the country's transplant centers. Because of that, they aren't required to respond to open records requests- and haven't. We have requested complaints against Froedtert/MCW from the Centers for Medicare and Medicaid Services, but none reveal anything that would lead to probation. More than a dozen pages of complaints were redacted from the records.

Froedtert/MCW will remain on probation for at least a year. A board will review its status at that time.

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