

Lawsuit charges negligence for maggots on surgical negligence

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Some physicians consider it a viable way to fight infection, but one Cook County resident said the maggots that infested her post-surgery wound weren't exactly what the doctor ordered.

Two months ago, Charlena Sims was recuperating from toe amputation surgery in Manor Care nursing home in Oak Lawn. When a staff member came in to change the dressing on her right foot, she discovered live maggots feasting on the wound, according to a lawsuit filed last week in Cook County Circuit Court.

"It's often a reflection on the cleanliness of the facility, of the environment," said Dr. David Armstrong, professor of surgery and assistant dean at the Rosalind Franklin School of Medicine's college of podiatry in North Chicago.

"Generally, the only time we find maggots on a wound [is when] someone's in pretty bad straits," he said. "They may have been out on the streets for a while, or been something of a shut-in, and haven't been able to take care of themselves."

It is unclear when or how the fly larvae got into Sims' wound, but Armstrong said they had probably been there for several days, given that they were big enough - and numerous enough - to be noticed.

"It's not exactly appetizing," Armstrong continued, "and our unit has seen the worst of the worst. But we look at them as medical devices rather than the crawly little critters you see."

The medicinal use of maggots has a long history that dates back to the Civil War, Armstrong explained. The practice was abandoned - along with leeches that were once believed to suck out evil spirits - with the advent of antibiotics and modern surgical techniques.

But more and more doctors are again welcoming the writhing critters, including Armstrong. Proponents of maggot therapy sing their praises for the cleansing effect they have on hard-to-heal wounds.

"Maggot therapy is saving lives and limbs every day," proclaims the Web site for the BioTherapeutics Education and Research Foundation. The California-based not-for-profit charity sponsors research and programs related to the medicinal uses of maggots, honeybees, leeches, worms and fish.

In 2004, the FDA approved the marketing and sale of disinfected, medical-grade maggots, a specific breed that dissolves dead tissue, kills bacteria and stimulates healing without affecting healthy surrounding tissue.

Now, to order your own vial of Medical Maggots from Monarch Labs, all you need is \$80 and a prescription.

Of course, the maggots in Sims' wound were never prescribed by a doctor. The uninvited varmints caused Sims' pain, loss of appetite and a host of extra expenses, according to the lawsuit.

Sims hired top personal injury attorney Kathleen T. Zellner to represent her in the complaint against Manor Care Health Service. The operating group is in charge of nearly 280 nursing homes in 29 states, including the one in Oak Lawn.

The lawsuit seeks at least \$50,000 for employee negligence that caused the infestation and denied Sims the prompt care she said she needed and that is guaranteed under Illinois law.

Immediately after discovering her nasty bedfellows, the lawsuit charges, Manor Care was required - under the Illinois Nursing Home Care Act - to transfer Sims to a hospital for proper treatment.

Kelly Kessler, a representative for Manor Care, said the corporation does not discuss pending litigation due to patient confidentiality.

"The well-being of our residents is our primary concern," she said. "We take pride in our long-standing history of delivering quality care to the residents of this community."