


2016

## Case No. 13 - Delay in Diagnosing a Left Breast Malignant Tumor that was 7 x 9 cm. at Diagnosis

New York Law School

Follow this and additional works at: [http://digitalcommons.nyls.edu/patient\\_safety\\_project](http://digitalcommons.nyls.edu/patient_safety_project)

 Part of the [Health Law and Policy Commons](#), [Insurance Law Commons](#), [Medicine and Health Sciences Commons](#), [Social Welfare Law Commons](#), and the [Torts Commons](#)

---

### Recommended Citation

New York Law School, "Case No. 13 - Delay in Diagnosing a Left Breast Malignant Tumor that was 7 x 9 cm. at Diagnosis" (2016). *Patient Safety Project*. Book 15.  
[http://digitalcommons.nyls.edu/patient\\_safety\\_project/15](http://digitalcommons.nyls.edu/patient_safety_project/15)

This Book is brought to you for free and open access by the Academic Centers and Programs at DigitalCommons@NYLS. It has been accepted for inclusion in Patient Safety Project by an authorized administrator of DigitalCommons@NYLS.

CASE #13

DELAY IN DIAGNOSING A LEFT BREAST MALIGNANT  
TUMOR THAT WAS 7 X 9 CM. AT DIAGNOSIS

Alice, age 45, went for mammography in February 1995 which was interpreted as negative. In April of 1995, Alice went to her GYN with complaints of lumps in her left breast. The lumps were aspirated. Pathology was within normal limits. In February, 1996, Alice returned to the GYN office with complaints of painful left breast lumps. Alice was referred to Dr. Frank, a breast surgeon.

Dr. Frank aspirated clear amber fluid but did not send the fluid to any lab nor make any slides. In August of 1997, Alice returned to Dr. Frank for painful and tender left breast lumps. Aspiration revealed cloudy gray fluid again not sent to a lab and no slides were made. That same month, August, 1997, Alice went to the hospital for mammogram. The report never arrived at the GYN's office and could not be found at the hospital. Alice assumed it was negative.

In April 1998, Alice went to Dr. Frank's office and was instead seen by Dr. Z. Dr. Z biopsied a mass in the left breast which was positive for cancer. The tumor was 9 X 10 cms. The cancer was Stage III with 13 out of 17 nodes positive. Alice underwent chemotherapy to reduce tumor size, then a modified radical mastectomy, and then additional chemotherapy and radiation therapy. Alice died on August 30, 1999 associated with spinal metastasis.