

SPSO decision report

Case: 201303349, Tayside NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: not upheld, recommendations

Summary

Mrs C had suffered from knee pain for a number of years. She was diagnosed with degenerative changes in her knee and a meniscal tear (a tear in the pad which provides shock absorption and other functions in the knee). She also had a meniscal cyst (a cyst often found in the presence of a meniscal tear and which can cause pain and discomfort). Following an initial course of physiotherapy, Mrs C had surgery at Perth Royal Infirmary to treat her meniscal tear and decompress the cyst. Although she experienced some initial improvement, her knee pain returned. She had further physiotherapy and a second operation. However, again her pain returned and in fact became worse. She complained that the board did not adequately treat her knee problems or provide appropriate follow-up care.

We took independent advice from one of our medical advisers, who explained that meniscal cysts can return and knee pain can persist following surgery. We were satisfied that this was explained to Mrs C before her first operation. We could find no mention of the cyst in the notes for the first operation. Whilst this could have indicated that the cyst could not be found, or that it was treated successfully, the absence of records meant we had to conclude that the cyst was not treated during the first procedure. That said, we found that it was treated appropriately during the second procedure and overall, we were satisfied that Mrs C was discharged and re-referred to the orthopaedic department appropriately as required when her knee pain flared up. We were also satisfied that physiotherapy was used appropriately. We did not uphold Mrs C's complaint, but we did ask the board to apologise to Mrs C in relation to the uncertainty surrounding her first operation.

Recommendations

We recommended that the board:

- apologise to Mrs C for the uncertainty surrounding her initial operation.