

SPSO decision report

Case: 201708302, Tayside NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Decision: not upheld, no recommendations

Summary

Mr C complained that the board's neurology (the branch of medicine concerned with the diagnosis and treatment of disorders of the nervous system) department had unreasonably delayed in diagnosing his epilepsy (a neurological disorder). Mr C was initially diagnosed with chronic fatigue syndrome (a medical condition of unknown cause, with fever, aching, and prolonged tiredness and depression) and said that he was referred to the neurology department on many occasions over a number of years but stayed with this diagnosis. Several years later, Mr C's diagnosis was changed to functional weakness and, several years after this, it was identified that he had epilepsy. Mr C considered that his epilepsy should have been identified earlier.

We took independent advice from a consultant neurologist. We found that it was unlikely that the symptoms Mr C initially had were due to epilepsy. He subsequently did develop symptoms that fitted epilepsy, but it was reasonable that it took some time to make a diagnosis, as his symptoms were relatively infrequent. We found that the sequence of investigations undertaken were reasonable and that there were no failings in Mr C's care and treatment. Therefore, we did not uphold this complaint.