

SPSO decision report

Case: 201810640, Lothian NHS Board - Acute Division
Sector: Health
Subject: clinical treatment / diagnosis
Decision: upheld, recommendations

Summary

C complained that the board failed to provide them with reasonable care and treatment regarding their Lyme disease (LD – a disease caused by bacteria).

We took independent advice from a consultant in general internal medicine.

C raised concerns that they were refused intravenous antibiotics when they understood this was an available treatment option. The evidence in C's medical records suggested a treatment approach was discussed and agreed about this. We took account of the advice we received that it did not appear from the evidence that any of the relevant medical complications of LD, which applied for starting a patient on intravenous antibiotics, had been established in C's case. We, therefore, did not find evidence that the clinical judgement of C's doctor was exercised in an unreasonable manner. Furthermore, the board's actions were consistent with the relevant guidelines when applicable.

C also raised concerns about the manner and approach of a doctor. Our investigation did not identify the supporting evidence needed to conclude that unreasonable communication had occurred.

However, we found that the time C waited for diagnosis of LD was unreasonable. We also found that there was an unreasonable delay before a referral for a second clinical opinion was actioned and a significant delay before nerve conduction studies were carried out, in particular, given that in C's case, the test results may have altered their clinical management.

C also reported difficulties contacting the medical team to obtain the results of their investigations. We noted that the board had acknowledged this and apologised to C. For the reasons outlined above, we found there were elements of C's care and treatment that were unreasonable and we upheld C's complaint.

Recommendations

What we asked the organisation to do in this case:

- Apologise to C for the unreasonably delay in diagnosing them with Lyme disease, the delay in the referral for a second clinical opinion, and the time taken to receive a nerve conductivity appointment. The apology should meet the standards set out in the SPSO guidelines on apology available at www.spsso.org.uk/information-leaflets.

What we said should change to put things right in future:

- Tests and investigations should be carried out in an appropriately timely manner. Patients should be provided with clear information in relation to waiting times for testing and referrals.

We have asked the organisation to provide us with evidence that they have implemented the recommendations we have made on this case by the deadline we set.