

# Hospital sued for unnecessary heart procedures

By NTA JOHNSON  
Staff writer

A London man who underwent numerous surgical procedures is now suing the doctors, hospital and other medical facilities on the belief that the procedures were a risk and not necessary.

Edward Marshall filed the lawsuit in Laurel Circuit Court on Thursday, Sept. 15 in which he claims he was subjected to unnecessary procedures such as a stent, cardiac catheterizations and pacemaker implantation.

Satyabrata Chatterjee, Sandesh Pathi, and Anis Chalhoub are the physicians named in the suit, which also includes Catholic Health Initiatives, St. Joseph Health System Inc., Saint Joseph-London, Premier Heart and Vascular Center, Cardiovascular Specialists of the Cumberland PLLC, also known as Cardiovascular Spe-

cialists P.S.C. and Medical Specialists of Kentucky.

The unnecessary procedures Marshall claims in the lawsuit began on Oct. 20, 2009 when his cardiologist ordered a pacemaker installation for Marshall, which was done at Saint Joseph-London. On June 25, 2010, Marshall underwent a cardiac catheterization and received a stent on Aug. 2. All procedures were done at the London hospital.

In September 2010, just six weeks after his latest heart procedure, Marshall began seeing another group of cardiologists who discovered that the pacemaker and stenting "were unnecessary."

The lawsuit also names Management Service Organization, which is operated by Chatterjee's wife, Sunita, as knowingly participating with the doctors to "perform and billing for hundreds of medically unnecessary

and harmful cardiac procedures such as percutaneous transluminal coronary angioplasty (PTCA) with stenting." In fact, Saint Joseph facilities in Maryland recently agreed to pay \$22 million to settle similar allegations that it violated state and federal laws of the False Claim Act.

Marshall claims the procedures were performed without properly informing him that his arteries were not medically severe enough that the stent was needed and subjected him to "significant injury and multiple medical risks and hazards."

Furthermore, the lawsuit claims the pacemaker also was not needed because "he had no symptomatic arrhythmias or documented arrhythmias."

"This improper and unlawful conduct by Defendants gives rise to causes of action for medical negligence, lack of informed consent, de-

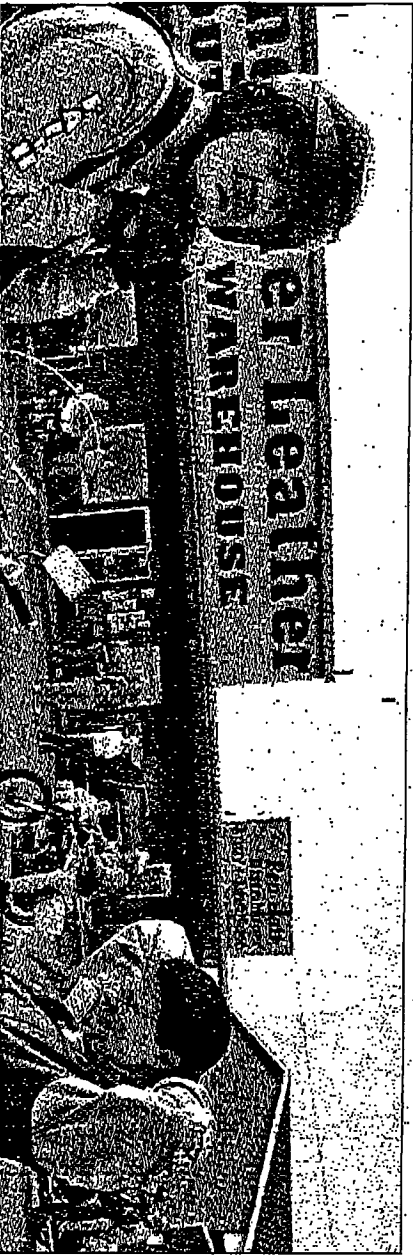
ceit, negligent misrepresentations, negligent hiring and/or supervision, civil conspiracy, and violations of the Kentucky Consumer Protection Act."

As a result of these unnecessary medical procedures, Marshall claims he is now "indefinitely required to take medication that carries life-threatening risks, is now and will always be at risk for future stent thrombosis as well as stent re-stenosis."

The lawsuit lists nine counts against the physicians and medical facilities that include negligence and gross negligence, lack of informed consent, negligent misrepresentation, fraud and fraudulent concealment; negligent hiring, supervision, credentialing, and privileging; civil conspiracy and battery; and asks for compensatory and punitive damages.

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## CHARITY RIDE



## Drunken woman arrested

By CAROL MILLS  
Staff writer

According to Laurel County Sheriff John Root, Deputy William Bo Harris received a complaint from Laurel County Dispatch on Sunday night at 7:23 p.m. that a woman watching her children was intoxicated on Palomino Trail, 10 miles south of London.

Jeanette Cass, 31, of Palomino Trail in Corbin