

Evaluation of malpractice litigation in thyroid disease in the NHS

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Aims

Thyroid diseases are managed by a wide range of primary and secondary care specialties. Medical and surgical interventions for common thyroid conditions are effective; but delays in diagnosis, and ineffective or inappropriate treatment may affect outcomes adversely and be subject to litigation. This study aims to analyse trends, and details of successful claims and costs incurred in thyroid malpractice litigation in the UK over a 14-year period.

Methods

This is a retrospective cohort study of all negligence claims recorded by the NHS Litigation Authority (NHSLA) from April 2002 to November 2016. Data on incident details, outcomes of claims, time to settlement, costs and specialties involved were collected in an Excel sheet and analysed using the SPSS software package.

Results

Out of 189 cases analysed, an outcome was decided in 136, while the rest are ongoing. Of the 136, 66.9% were successful (ie the claimant received compensation). The commonest reasons for successful claims were treatment complications (47 cases) and delay or failure of diagnosis (22 cases); many cases were multifactorial. Among all successful claims, nerve and/or vocal cord damage and hypoparathyroidism were cited in 12 and 3 cases respectively, with overlap. Common specialties involved in successful claims were general surgery, ear nose and throat (ENT) and endocrinology. Including patients receiving regular long-term compensation, the median (range) cost paid was £5,0701.35 (£189.00 to £4.5 million). The median (interquartile range) time from incident to settlement was 1,254 (992–1,756) days. The number of claims (overall and successful) have reduced over the 14-year period, but there has been no change in the total cost per successful claim from 2002 to 2014 ($p=0.279$).

Conclusion

This study presents an overview of litigation related to thyroid disease in the UK. The data will enable clinicians to avoid potential pitfalls and help formulate guidelines to minimise risk. ■

Conflict of interest statement

The authors have no conflicts of interest to declare.

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