

## DISCLAIMER

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**1995-2002**  
**Nevada Medical Malpractice Filings and State Demographics**

Year	MLSP Filings in Clark Co.	MLSP Filings Yearly Increase %	Court Filings in Clark Co.	Court Filing Yearly Increase %	Clark Co. Population	Population Yearly Increase %	Six Repeat Offenders
1995	117	.8	120	n/a	1,036,290	6.6	1
1996	121	3.4	130	8.3	1,115,940	7.7	6
1997	126	4.1	132	1.5	1,192,200	6.8	7
1998	134	6.4	133	.75	1,255,200	5.3	4
1999	152	13.4	148	11.3	1,343,540	7.0	7
2000	174	14.5	158	6.8	1,425,723	6.1	9
2001	181	4.0	151	-4.4	1,485,855	4.2	11
2002	244*	34.8	337**	123.0	1,560,653	5.0	16

**95-01 average population growth in Clark County - 6.2%**  
**95-01 average MLSP filing growth in Clark County - 6.7%**  
**95-01 average Court filing growth rate in Clark County - 5.5%**

5% difference equals 7 filings per year

Source: Nevada State Demographer at [http://www.nsbdc.org/demographer/pubs/pop\\_increase.html](http://www.nsbdc.org/demographer/pubs/pop_increase.html)  
\*only through November, 2002  
\*\*236 cases coming out of the panel

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ASSEMBLY JUDICIARY  
DATE: 4-07-03 ROOM 3138 EXHIBIT F  
SUBMITTED BY: Bill Bradley

**Richard Wagner:**

**PROFESSIONAL LIABILITY CLAIM, SETTLEMENT,  
OR JUDGMENT OF \$5,000 OR MORE:**

1) Date Received by the Board: 5/6/2002

Reported by: St. Paul Medical Liability Insurance Company

Date of Act/Omission: 12/10/1996

Details: Alleged negligence during a vocal cord striping procedure resulting in permanent damage to voice.

Medical Legal Screening Panel Finding: Reasonable probability of Malpractice.

Settlement Amount: \$350,000

Total Pages: 4

2) Date Received by the Board: 11/12/1999

Reported by: St. Paul Fire & Marine Insurance Company

Date of Act/Omission: 4/26/1994

Details: Alleged residual problems following bilateral antrostomies, anterior septoplasty and turbinate modifications surgery.

Medical Legal Screening Panel Finding: Unable to decide if there is reasonable probability of malpractice.

Settlement Amount: \$ 240,000

Total Pages: 4

3) Date Received by the Board: 11/10/1999

Reported by: St. Paul Fire & Marine Insurance Company

Date of Act/Omission: 10/21/1991

Details: Alleged a radical turbinectomy was performed resulting in the loss of too much tissue and permanent nasal complications.

Medical Legal Screening Panel Finding: No reasonable probability of malpractice.

Settlement Amount: \$275,000

Total Pages: 1

4) Date Received by the Board: 6/16/1999

Reported by: St. Paul Fire & Marine Insurance Company

Date of Act/Omission: 10/4/1994

Details: Alleged negligence while performing turbinectomy.

Medical Legal Screening Panel Finding: Reasonable probability of Malpractice.

Settlement Amount: \$150,000

Total Pages: 5

5) Date Received by the Board: 6/14/1999

Reported by: St. Paul Fire & Marine Insurance Company

Date of Act/Omission: 11/20/1992

Details: Allegedly Dr. performed a resection of the tubinates bilaterally which

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was unnecessary and resulted in residual problems.  
Medical Legal Screening Panel Finding: Unable to decide if there is  
reasonable probability of malpractice.  
Settlement Amount: \$158,000  
Total Pages: 4

6) Date Received by the Board: 10/16/1997  
Reported by: Nevada Division of Insurance  
Date of Act/Omission: None reported  
Details: None reported  
Medical Legal Screening Panel Finding: Unable to decide if there is  
reasonable probability of malpractice.  
Settlement Amount: \$ 225,000  
Total Pages: 1

7) Date Received by the Board: 10/24/1994  
Reported by: NML Insurance Company  
Date of Act/Omission: None reported  
Details: Alleged wrongful death due to sinus surgery.  
Medical Legal Screening Panel Finding: None reported  
Settlement Amount: \$ 300,000  
Total Pages: 1

**Albert Capanna:**

**PROFESSIONAL LIABILITY CLAIM, SETTLEMENT,  
OR JUDGMENT OF \$5,000 OR MORE:**

1) Date Received by the Board: 6/20/2001  
Reported by: Nevada Medical Professional Liability  
Date of Act/Omission: 03/24/1995  
Details: Alleged negligence in performing thoracic laminectomy  
T4-5 with resection of tumor, probable plasmocytoma  
T4-5 disc space.  
Medical Legal Screening Panel Finding: No reasonable probability  
of malpractice.  
Settlement Amount: \$10,000  
Total Pages: 5

2) Date Received by the Board: 1/27/2000  
Reported by: Nevada Medical Professional Liability  
Date of Act/Omission: 4/1/1994  
Details: Alleged that Dr. performed a right frontal craniectomy,  
micro-endoscopic visualization, lysis of arachnoid  
adhesions, external ventricular drain, and removal of the

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prior obstructed ventriculoperitoneal shunt which resulted in patient suffering permanent brain damage.  
Medical Legal Screening Panel Finding: Unable to decide if there is reasonable probability of malpractice.  
Settlement Amount: \$700,000  
Total Pages: 1

3) Date Received by the Board: 9/20/1999  
Reported by: St. Paul Fire & Marine Insurance Company  
Date of Act/Omission: 7/5/1993  
Details: Alleged complication following surgery.  
Medical Legal Screening Panel Finding: Unable to decide if there is reasonable probability of malpractice.  
Settlement Amount: \$526,056.88  
Total Pages: 4

4) Date Received by the Board: 4/23/1998  
Reported by: Nevada Division of Insurance  
Date of Act/Omission: None reported  
Details: None reported  
Medical Legal Screening Panel Finding: Reasonable probability of malpractice.  
Settlement Amount: \$3,500,000  
Total Pages: 1

5) Date Received by the Board: 9/9/1996  
Reported by: St. Paul Fire & Marine Insurance Company  
Date of Act/Omission: 6/10/1991  
Details: Alleged negligence in performance of surgery to repair A-V malformation resulting in patient's death.  
Medical Legal Screening Panel Finding: None reported  
Settlement Amount: \$710,000  
Total Pages: 2

6) Date Received by the Board: 8/15/1991  
Reported by: NAIC Medical Professional Liability Insurance  
Date of Act/Omission: 6/26/1985  
Details: Alleged failure to inform the patient of risks and alternatives of the surgical procedure.  
Medical Legal Screening Panel Finding: None reported  
Settlement/Indemnity Amount: \$50,000  
Total Pages:

**William Robinson:**

**PROFESSIONAL LIABILITY CLAIM, SETTLEMENT,**

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**OR JUDGMENT OF \$5,000 OR MORE:**

1) Date Received by the Board: 6/8/2001

Reported by: St. Paul Medical Liability Insurance Company

Date of Act/Omission: 7/24/1996

Details: Alleged negligence during prenatal delivery and post delivery of twins, resulting in death of one newborn and possible neurological damage to other.

Medical Legal Screening Panel Finding: No reasonable probability of malpractice.

Settlement Amount: \$19,000

Total Pages: 3

2) Date Received by the Board: 12/20/1999

Reported by: Nevada Medical Professional Liability

Date of Act/Omission: 7/13/1994

Details: Alleged that patient was delivered following a long and difficult delivery. Shoulder dystocia was present, and the Dr. utilized vacuum forceps and low forceps to successfully extract the baby.

The baby required resuscitation and was placed on a ventilator while experiencing seizures. The patient claims a cesarean section should have been preformed.

Medical Legal Screening Panel Finding: Reasonable probability of Malpractice.

Settlement Amount: \$ 980,000

Total Pages: 1

3) Date Received by the Board: 9/17/1997

Reported by: Nevada Division of Insurance

Date of Act/Omission: None reported

Details: None reported

Medical Legal Screening Panel Finding: None reported

Settlement Amount: \$ 50,000

Total Pages: 1

4) Date Received by the Board: 8/3/1994

Reported by: Doctors' Company

Date of Act/Omission: 4/12/1989

Details: Alleged that Dr. performed a pap smear on 4/12/1989 and again on 3/20/1990, both smears had been diagnosed as normal. In 8/1990 the patient was diagnosed with stage IIIA adenocarcinoma of the cervix, she underwent extensive pelvic surgery including total pelvic exeteneration and complete reconstruction of bowel and urinary function.

Medical Legal Screening Panel Finding: None reported

Settlement Amount: \$ 450,000

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Total Pages: 2

5) Date Received by the Board: 12/13/1993

Reported by: The Doctors' Company

Date of Act/Omission: 11/25/1985

Details: None reported

Medical Legal Screening Panel Finding: Unable to decide if there is reasonable probability of Malpractice.

Settlement Amount: \$62,500

Total Pages: 1

6) Date Received by the Board: 3/24/1988

Reported by: NAIC Medical Professional Liability Insurance

Date of Act/Omission: 2/28/1984

Details: Alleged death of spouse.

Medical Legal Screening Panel Finding: None reported

Indemnity Paid: \$50,000

Total Pages: 1

**Reynold Rimoldi:**

**PROFESSIONAL LIABILITY CLAIM, SETTLEMENT,  
OR JUDGMENT OF \$5,000 OR MORE:**

1) Date Received by the Board: 1/10/2002

Reported by: St. Paul Medical Liability Insurance

Date of Act/Omission: 3/26/1998

Details: Alleged delay in diagnosis of postop leg circulation problem, resulting in above the knee amputation.

Medical Legal Screening Panel Finding: Reasonable probability of Malpractice.

Settlement Amount: \$100,000

Total Pages: 4

2) Date Received by the Board: 10/31/2002

Reported by: St. Paul Medical Liability Insurance Co.

Date of Act/Omission: 05/07/1996

Details: Patient alleges failed to perform the appropriate procedure.

Medical Legal Screening Panel Finding: Reasonable probability of Malpractice.

Settlement Amount: \$1,400,000.00

Total Pages: 5

1.

**FORMAL DISCIPLINARY ACTION TAKEN BY THE BOARD:**

MARCH 22, 2002

The Investigative Committee of the Board filed a formal complaint alleging that Dr. D'Ambrosio failed to use reasonable care, skill, or

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knowledge ordinarily used under similar circumstances. The Complaint alleges the respondent committed malpractice in his treatment of several patients, evidences a pattern by Respondent of continual failure in regards to his surgical skills, to exercise the skill or diligence or use the methods ordinarily exercised under the same circumstances by physicians in good standing practicing in the same specialty or field, a violation of the provisions of NRS 630.306(7) and NRS 630.301(4)

**Copies / Complaint = 10 pgs.**

**JUNE 3, 2002**

The Board accepted the irrevocable surrender of the license to practice medicine in the state of Nevada, while under investigation, of Francis D'Ambrosio M.D.

**Copies/Order=3 pgs.**

**Francis D'Ambrosio:**

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**PROFESSIONAL LIABILITY CLAIM, SETTLEMENT,  
OR JUDGMENT OF \$5,000 OR MORE:**

**1) Date Received by the Board: 7/26/2002**

Reported by: St. Paul Fire & Marine Insurance Company

Date of Act/Omission: 8/4/1999

Details: Allegedly performed a decompression laminectomy at the wrong level

Medical Legal Screening Panel Finding: None reported

Settlement Amount: \$100,000

Total Pages: 4

**2) Date Received by the Board: 4/24/2002**

Reported by: Nevada Medical Professional Liability

Nevada Division of Insurance

Date of Act/Omission: 1/19/1998

Details: Alleged four level surgery was contraindicated and inherently risky.

Medical Legal Screening Panel Finding: Unable to decide if there is reasonable probability of malpractice.

Settlement Amount: \$775,000

Total Pages: 2

**3) Date Received by the Board: 3/22/2002**

Reported by: St. Paul Fire & Marine Insurance Company

Nevada Division of Insurance

Date of Act/Omission: 7/26/1994

Details: Alleged failure to advise patient of possible hepatitis and

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test in a timely fashion.

Medical Legal Screening Panel Finding: Reasonable probability of malpractice.

Settlement Amount: \$150,000

Total Pages: 5

4) Date Received by the Board: 3/18/2002

Reported by: St. Paul Medical Liability Insurance Company

Date of Act/Omission: 3/25/1997

Details: Alleged failure to properly perform back surgery resulted in an aggravation of patients condition causing permanent partial paresis to all extremities.

Medical Legal Screening Panel Finding: None reported

Settlement Amount: \$2,000,000

Total Pages: 4

5) Date Received by the Board: 1/10/2002

Reported by: St. Paul Medical Liability Insurance Company

Date of Act/Omission: 3/26/1998

Details: Alleged delay in diagnosis of postoperative leg circulation problem, resulting in above knee amputation.

Medical Legal Screening Panel Finding: Reasonable probability of malpractice.

Settlement Amount: \$500,000

Total Pages: 4

6) Date Received by the Board: 10/1/2001

Reported by: St. Paul Medical Liability Insurance Company

Date of Act/Omission: 10/28/1998

Details: Alleged negligent performance of cervical spinal surgery resulted in partial paresis.

Medical Legal Screening Panel Finding: None reported

Settlement Amount: \$3,500,000

Total Pages: 4

7) Date Received by the Board: 7/26/2001

Reported by: St. Paul Medical Liability Insurance Company

Date of Act/Omission: 1/12/1995

Details: Alleged that the surgery to improve chronic neck pain was improperly performed leaving her with vocal and swallowing problems which she alleged were permanent.

Medical Legal Screening Panel Finding: Unable to decide if there is reasonable probability of malpractice.

Settlement Amount: \$9,000

Total Pages: 4

8) Date Received by the Board: 4/23/2001

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Reported by: St. Paul Medical Liability Insurance Company  
Date of Act/Omission: 7/18/1997  
Details: Alleged negligently performed a leminectomy resulting in Cauda Eauina Syndrome.  
Medical Legal Screening Panel Finding: No reasonable probability of malpractice.  
Settlement Amount: \$0  
Total Pages: 1

9) Date Received by the Board: 2/23/2001  
Reported by: St. Paul Fire & Marine Insurance Company  
Date of Act/Omission: 9/12/1997  
Details: Alleged permanent injury, useless right upper arm, and motor sensory deficit following neck surgery.  
Medical Legal Screening Panel Finding: Reasonable probability of malpractice.  
Settlement Amount: \$1,927,000.89  
Total Pages: 3

10) Date Received by the Board: 4/7/2000  
Reported by: St. Paul Fire & Marine Insurance Company  
Date of Act/Omission: 10/2/1996  
Details: Allegedly performed an unnecessary surgery.  
Medical Legal Screening Panel Finding: None reported  
Settlement Amount: \$0  
Total Pages: 1

11) Date Received by the Board: 9/2/1998  
Reported by: Nevada Division of Insurance  
Date of Act/Omission: None reported  
Details: None reported  
Medical Legal Screening Panel Finding: None reported  
Settlement Amount / Indemnity Paid: \$ 17,500  
Total Pages: 1

12) Date Received by the Board: 1/17/2003  
Reported by: St. Paul Medical Liability Insurance Co.  
Date of Act/Omission: 12/21/1995  
Details: Alleged doctor was negligent in administering excessive steroid injections resulting in alleged damage to his health.  
Medical Legal Screening Panel Finding: No reasonable probability of negligence  
Settlement Amount/Indemnity Paid: \$85,000.00  
Total Pages: 6

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Total for all pages is 53 pages at \$.60/page

**James Thomas**

**PROFESSIONAL LIABILITY CLAIM, SETTLEMENT,  
OR JUDGMENT OF \$5,000 OR MORE:**

1) Date Received by the Board: 11/28/2001

Reported by: St. Paul Medical Liability Insurance Company

Date of Act/Omission: 12/15/1998

Details: Alleged that foreign body was left in the patient after surgery.

Medical Legal Screening Panel Finding: None reported

Settlement Amount: \$8,500

Total Pages: 4

2) Date Received by the Board: 4/17/2001

Reported by: St. Paul Medical Liability Insurance Company

Date of Act/Omission: 11/8/1996

Details: Alleged delay in diagnosis of spinal abscess resulting in quadriparesis.

Medical Legal Screening Panel Finding: Reasonable probability of Malpractice.

Settlement Amount: \$ 3,600,000

Total Pages: 4

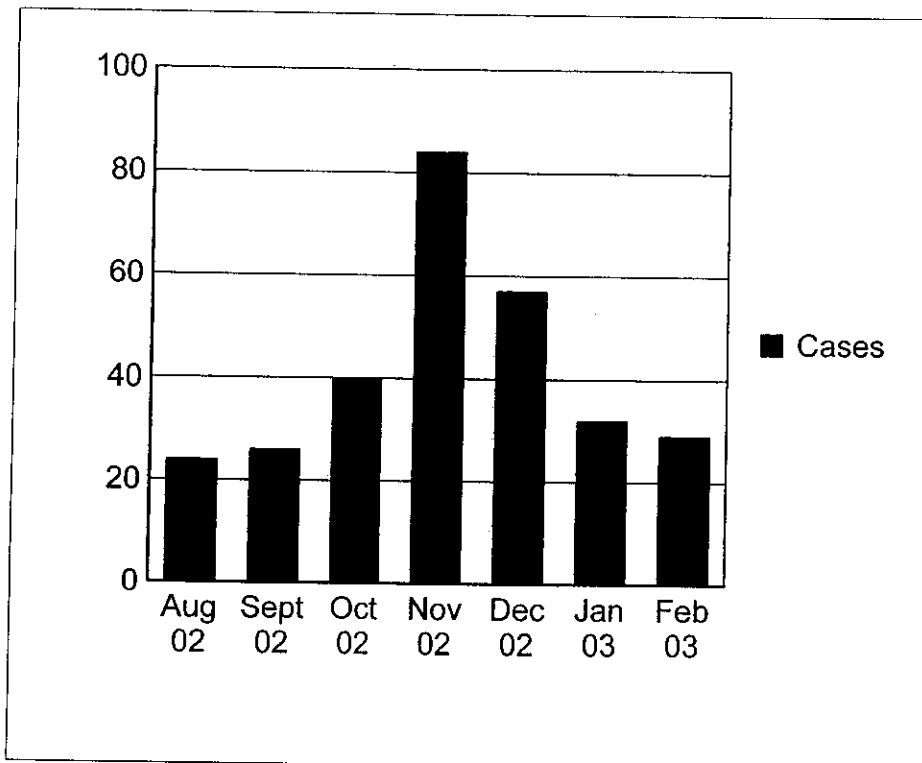
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Review of court filings 1995-2002

	1995	1996	1997	1998	1999	2000	2001	2002
William Robinson		2			1			
Richard Wagner		2	1	1	2			
Reynold Rimoldi					1			
Albert Capanna	1	2		1				
Francis D'Ambrosio (Advanced Orthopedic)				1	3	9	5	12
James Thomas				1	1		4	4

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## Cases Filed In Clark County Since August 2002



Month	Cases
Aug 02	24
Sept 02	26
Oct 02	40
Nov 02	84
Dec 02	57
Jan 03	32
Feb 03	29

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