



Comisión Nacional de los Derechos Humanos

México

Recommendation 67/2011

The following is a synopsis of the recommendation emitted by the CNDH . The complete version may be consulted on this institution's web page.

Mexico City, November 26th, 2011

SUBJECT: ABOUT THE CASE OF INADEQUATE MEDICAL ATTENTION AT THE GENERAL HOSPITAL OF MEXICO RUN BY THE FEDERAL SECRETARIAT OF PUBLIC HEALTH TO THE DETRIMENT OF V1

AUTHORITY RESPONSIBLE: DIRECTOR GENERAL OF THE GENERAL HOSPITAL OF MEXICO

On February 17th 2009 V1, an 89 year old woman, was diagnosed with an arterial insufficiency within the left side of the pelvic girdle at the Cardiovascular Surgery ward of the General Hospital of Mexico which is run by the Federal Secretariat of Public Health. On the following day, the specialists who examined her determined that she was capable of undergoing a infrainguinal revascularization, subsequently releasing her as a result of her improving health and requesting a graft to perform the required procedure. On March 13th 2009, V1 was admitted to the Cardiovascular Surgery ward once again in order for the required procedure to be performed on her and, on the 17th day of the same month and year, she allegedly received the “placement of a femoropopliteal bypass graft in left side of pelvic girdle”. She was then released in light of her improving health on March 19th 2009; however, she experienced health complications thereafter which deteriorated and disabled the entirety of her left leg.

On July 15th 2009, V1 was evaluated at the *Doctor Carlos Mac Gregor Sánchez Navarro* Regional Hospital No.1 belonging to the Mexican Social Security Institute (IMSS), where she was diagnosed with necrobiosis and was admitted to the Angiology ward. On July 23rd 2009 she underwent a supracondylar amputation, during which the prosthetic tissue which had reportedly been inserted by staff of the General Hospital of Mexico on March 17th 2009 was not found; she was released on the 25th day of the same month and year and. It is noteworthy to mention that V1 died due to septic shock, mesenteric thrombosis and chronic arterial hypertension on April 11th, 2010.

From the logical-legal analysis performed on the entirety of the evidence contained within file CNDH/1/2010/662/Q, and in accordance with the terms of article 41 of the Mexican National Human Rights Commission Law, it was possible to gather sufficient proof to confirm the violation of the human right to health protection to the detriment of V1, attributable to the medical staff of the General Hospital of Mexico which is run by the Federal Secretariat of Public Health.

In light of these events, the Mexican National Human Rights Commission has decided to issue the following **Recommendations**:

To you, Mr. Director General of the General Hospital of Mexico:

First. Instruct whomever it may concern so that the necessary steps are taken to pay compensation to the relatives of V1 or to whoever is better entitled to receive it, due to the institutional responsibility incurred by doctors of the General Hospital of Mexico, based on the considerations set forth in the observations chapter of the current recommendation. Proof of compliance must be sent to the National Commission.

Second. Issue instructions to whoever is responsible so that comprehensive training programs on the contents, handling and observance of the Official Mexican Norms (NOM) on health are developed and carried out at the General Hospital of Mexico. The goal of this is to ensure that the medical and nursing staff provides a service which abides by the law and conforms to the administrative best practices that must be observed, guaranteeing the execution of the clinical study protocols needed to produce precise diagnoses which allow for the timely referral of patients when needed, thus permitting the selection of the right treatment and the provision of quality medical attention at the right time. This aims to prevent actions such as those which led to the recommendation at hand. Proof of compliance must be sent to the National Commission together with the managerial or evaluative indicators which the staff receiving these courses is subjected to, demonstrating the positive impact of their training.

Third. Instruct all the necessary persons in order to require the medical staff of the General Hospital of Mexico to present a copy of the certification and recertification they obtain from Medical Specialty Boards in order for them to prove that they have received updated education and possess the experience and knowledge required to maintain the skills needed to offer an adequate and professional medical service.

Fourth. Cooperate fully with the national commission in the filing and processing of the complaint presented before the Internal Control Body of the General Hospital in question against the medical staff involved in the events which concern the current recommendation, sending proof of compliance to the National Commission as required.

Fifth. Duly cooperate with the investigations arising from the complaint which the Mexican National Human Rights Commission presents before the Attorney General's Office given that the case involves federal civil servants. Proof of compliance must be sent to the Commission as requested.