



# Comisión Nacional de los Derechos Humanos

## México

### **Recommendation 37/2011**

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

**24th of June 2011**

**Matter: The case of the inadequate medical care received by V1 and V2, at the zone 1 IMSS General Hospital, in the state of Zacatecas.**

**Authority Responsible: The General Director of the Mexican Institute of Social Security**

The National Commission of Human Rights has examined the evidence presented by the file CNDH/1/2010/6505/Q, relating to the case of V1 and V2. On the 18th of October 2010, V1 was assessed by their physician, who diagnosed them as having suffered a cardiographic silent stroke and fetal hypomotility and as a result was asked to attend as a matter of urgency the Zone 1 IMSS General Hospital in Zacatecas, Zacatecas in order to have a Cesarean performed upon them. The medical staff who received her, then transferred her to the Tocosurgery unit. Following this however, AR1 – a doctor working at the aforementioned hospital, neglected to properly assess and monitor her situation through which they failed to recognize fetal distress in the patient V2, which ultimately resulted in asphyxiation and their death. Had the doctor carried out the appropriate and proper examination of V1, continuing a close monitoring of V2, they would have detected data presenting fetal distress, as a result of a loop in the umbilical cord which was discovered at the time of extraction. This condition is reported in the death certificate issued on the 20th of October 2010, as having triggered the process of asphyxiation suffered by V2. Further to this, due to the mismanagement and subsequent loss of the medical and clinical records of V1, it can be seen that the right to equality, the protection of health and the right to life held by both V1 and V2 were violated by AR1. As a result, the National Commission has issued the Recommendation 37/2011.