

Ultrasound results and follow-up (13HDC00031, 20 March 2014)

General practitioner ~ Medical centre ~ Ultrasound ~ Follow-up ~ Information provided ~ Melanoma ~ Rights 4(1), 6(1)

A man attended his medical centre and had a consultation with his general practitioner (GP). The GP removed a mole from the man's right thigh. The subsequent histology report showed that the mole was "an atypical compound neavus (amounting to in situ melanoma)" with no evidence of invasive malignancy. An atypical compound naevus is a mole with unusual features that is benign. Melanoma in situ is a superficial type of melanoma (a type of skin cancer arising from the malignant growth of pigment cells called melanocytes), wherein the melanoma cells are confined to the epidermis.

Two years later the man saw the GP about a lump in his right groin. The GP ordered an ultrasound of the lump. The subsequent ultrasound report stated that the lump was probably a reactive lymph node and that options for further management would include a fine needle aspiration biopsy at that time or a follow-up ultrasound scan in four weeks' time.

The man then had a follow-up consultation with the GP. The GP told the man that the lump was benign and to return if he had any concerns. The GP did not inform the man about the equivocal nature of the ultrasound report, including the suggested options for further follow-up. In addition, the GP did not organise any structured follow-up.

Five months later the lump had grown and become painful. The man saw another GP at the general practice, and was subsequently diagnosed with metastatic melanoma.

It was held that a reasonable consumer in the man's circumstances would have expected to be told about the equivocal nature of the ultrasound report. By failing to provide that information, the GP breached Right 6(1). In failing to adequately consider differential diagnoses and organise structured follow-up following the ultrasound report, the GP did not provide services with appropriate care and skill and so breached Right 4(1).

Adverse comment was made about the standard of the GP's documentation, and he was reminded of the importance of accurate and comprehensive record-keeping.

It was held that the medical centre did not breach the Code, and was not vicariously liable for the GP's breaches.