

**Insufficient information given about  
possible complications of lipo-infiltration  
(99HDC00541 2 June 2000)**

*Plastic and reconstructive surgeon ~ Standard of care ~ Written and verbal information about risks ~ Informed consent ~ Rights 6(1)(b), 7(1)*

A 43-year-old woman complained that a plastic and reconstructive surgeon persuaded her that lower eyelid lipo-infiltration was needed in addition to the upper eyelid rejuvenation she had requested. The woman was unhappy with the outcome, as she had persistent asymmetry of the upper right eyelid fold and lumpiness of the left infra-orbital region. She maintained that had the surgeon informed her of the possible complications of lipo-infiltration she would not have agreed to the procedure.

The surgeon performed a second operation to correct the asymmetry and revise the upper eyelid fold. However, the woman remained unhappy and “wanted her old face back”. She felt that the surgeon should take responsibility for the problems with her surgery and wanted him to pay the second hospital and anaesthetic bills as well as the cost of any future corrective surgery.

The Commissioner reasoned that the surgeon was properly qualified to undertake the lipo-infiltration procedure, which is a recognised and acceptable technique to achieve the effect the woman desired, and that he had used an appropriate technique aimed at reducing the recognised complications of fat injections. However, the surgeon breached Rights 6(1)(b) and 7(1) in that he failed to:

- 1 adequately inform the woman of the possible complications of lipo-infiltration — the surgeon had given the woman a copy of an article that outlined complications associated with lipo-infiltration, but it was difficult information for a lay person to absorb, and the surgeon should have discussed it with the woman; and
- 2 fully explain that while smoking may contribute to a reduction in blood supply, leading to necrosis, the lumpiness experienced by the woman could also have been caused by other factors — although the woman signed a consent form acknowledging that the risks had been explained to her, the surgeon did not meet his obligation to ensure that she was fully informed about the potential complications of the procedure.

The Commissioner recommended that the surgeon refund the woman’s initial surgical costs and in future ensure that patients are fully informed about the risks associated with lipo-infiltration.