



HEALTH CLAIMS ARBITRATION OFFICE
 State of Maryland
 118 North Howard Street, Suite 610
 Baltimore, MD 21201

91-049

STATEMENT OF CLAIM

HCA NO. _____

CLAIMANT(S)

HEALTH CARE PROVIDER(S)

Sharon Jones
 Name

Sheo P. Sharma, M.D.
 Name

1321 Greenmount Avenue
 Street Address

5602 Baltimore National Pike
 Street Address

Baltimore, Maryland 21202
 City, State, Zip Code

Suite 600, Baltimore, MD 21215
 City, State, Zip Code

Sharon Jones as Mother
 Name

Hillcrest Clinic
 Name

and next friend to
 Street Address
Adrienne Myles

Serve on: Resident Agent
 Street Address
Horace G. Ward, Jr.

Jada Manley
 City, State, Zip Code

7316 Helmsdale Road
 City, State, Zip Code

Rashana Manley
1321 Greenmount Avenue

Bethesda, Maryland

Name
Baltimore, Maryland 21202

Name

Street Address

Street Address

City, State, Zip Code

City, State, Zip Code 1991

- (1) This Claim is filed pursuant to Title 3, Subtitle 2A of the Courts Article. The damages claimed are in excess of \$10,000.00 and the appropriate venue is: Baltimore County.
- (2) The basis of the claim is described on the page(s) attached hereto.
- (3) The resolution of the claim will involve particular expertise in the area of speciality as indicated: Obstetrics and Gynecology & Internal Medicine

WARNING: Each Claimant has been advised that he/she may be held civilly liable for part or all of the Costs resulting from the filing of this claim; this would be an individual and personal responsibility.

ATTORNEY FOR CLAIMANT(S)

CLAIMANT(S)

Joseph H. Thomas, Jr.
 Signature

Sharon Jones; Sharon Manley, as mother and next friend to Adrienne Myles Jada Manley; Rashana Manley

111 S. Calvert St. Suite 1540
 Street Address

1321 Greenmount Avenue

Baltimore, Maryland 21202
 City, State, Zip Code

Baltimore, Maryland 21202

(301) 547-1275
 Telephone Number

Signature of each Claimant

SHARON JONES
1321 Greenmount Avenue
Baltimore, Maryland 21202

* BEFORE THE HEALTH CLAIMS
*

SHARON JONES AS MOTHER
AND NEXT FRIEND TO
Adrienne Myles
Jada Manley
Rashana Manley
1321 Greenmount Avenue
Baltimore, Maryland 21202

* ARBITRATION OFFICE
*
* OF MARYLAND
*

Claimants

* HCA NO: 91-049

vs.

*

SHEO P. SHARMA, M.D.
5602 Baltimore National Pike
Suite 600
Baltimore, Maryland 21215

*
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*
*

and

*

HILLCREST CLINIC
Serve on: Resident Agent
Horace G. Ward, Jr.
7316 Helmsdale Road
Bethesda, Maryland

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* * * * *

STATEMENT OF CLAIM

Sharon Jones, Claimant, by her attorneys, Joseph H. Thomas, Jr., and Associates, bring this cause of action against the Health Care Providers, Sheo P. Sharma, M.D., and Hillcrest Clinic and for cause states:

JURISDICTION

The amount of the claim for injury exceeds, Ten Thousand Dollars (\$10,000.00) and, therefore, the Health Claims Arbitration Office of the State of Maryland has jurisdiction over this claim pursuant to Title 3, Subtitle 2A Annotated Code of Maryland.

VENUE

The Health Care Providers carry on their regular business activities in Baltimore, Maryland and, therefore, venue is properly laid in Baltimore County, Maryland.



RECEIVED

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Count 1

1. The below described incident occurred in the county of Baltimore, State of Maryland, on or about February 2, 1988 at the Hillcrest Clinic, located 5602 Baltimore National Pike, Suite 600, Baltimore, Maryland 21218.

2. Health Care Providers, Sheo P. Sharma, M.D., and Hillcrest Clinic, (hereinafter referred to as "Dr. Sharma and Hillcrest Clinic" respectively) at all times relevant held themselves out as qualified health care providers, qualified to provide appropriate care and treatment, to the Claimant, which would in fact be beneficial to Claimant's health.

3. That on or about February 2, 1988, Claimant engaged the services of Dr. Sharma and Hillcrest Clinic because she sought termination of a pregnancy.

4. That Dr. Sharma and Hillcrest Clinic, through its agents, servants, and/or employees examined Claimant and decided to provide abortion services.

5. That Dr. Sharma performed the abortion procedure during which Claimant experienced great pain and suffering.

6. That subsequent to the abortion procedure, on or about February 2, 1988, Claimant was admitted to Johns Hopkins Hospital, located in Baltimore, Maryland.

7. At Johns Hopkins Hospital, Claimant underwent an exploratory laparotomy which revealed an extensive uterine perforation with a cervical extension and a bladder perforation.

8. Claimant underwent a total abdominal hysterectomy and repair of the bladder perforation.

9. That complications resulting from the unsafe abortion were life threatening, exposing Claimant to bowel and bladder dysfunctions, infections, repeated surgery and blood transfusions.

10. After twenty days of hospitalization, Claimant was discharged from Johns Hopkins Hospital on or about February 21, 1988.

11. That Claimant's first affirmative knowledge that Dr. Sharma and Hillcrest Clinic had inadequately and grossly provided medical treatment occurred on or about February 3, 1988 and that said inadequate medical treatment was the cause of Claimant sustaining an

extensive uterine perforation with cervical extension and a bladder perforation.

12. At all times, material hereto, Claimant acted in a reasonable, lawful and prudent manner, was exercising due care and in no way contributed to the losses complained of herein.

13. In caring for the Claimant, the Health Care Provider, Dr. Sharma, was charged with the duty to properly and appropriately care for the Claimant, to insure her well being and to insure that no injury or harm would come to her while in his care.

14. Notwithstanding such duty, Health Care Provider, Dr. Sharma, acted wantonly, willfully and recklessly, inflicting injury with utter indifference to Claimant's right to proper assistance and care that a Health Care Provider owes patients.

15. The Health Care Provider, Dr. Sharma breached his aforementioned duty and his acts consisted of, but are not limited to, the following:

- a. failure to appropriately treat the presented condition;
- b. failure to pay attention to the passage of instruments beyond the uterine cavity with resulting perforation of the uterus;
- c. failure to pay attention to the passage of instruments beyond the uterine cavity with resulting perforation of the bladder and
- d. continuation of the abortion procedure after instruments have been inserted into depth beyond the uterine length.

16. That the uterine perforation with cervical extension, bladder perforation and hysterectomy were the direct and proximate result of the aforementioned grossly negligent acts.

17. That as a further direct and proximate result of wanton, willful and recklessly, acts and omissions of Dr. Sharma, Claimant Sharon Jones, sustained painful and permanent injuries to her body for which she was obliged to receive extensive medical care and treatment, incurred substantial medical expenses, suffered severe shock to her nervous system and was otherwise injured and damaged.

18. That Health Care Provider Hillcrest Clinic, through its agents, servants and/or employees held itself

out as a qualified medical facility to provide care and treatment to Claimant, which would in fact be beneficial to Claimant's recovery.

19. That Health Care Provider, Hillcrest Clinic, through its agent, servant, and/or employee, Dr. Sharma, was involved in providing care to Claimant during her visit to its medical facilities on February 2, 1988.

20. That Health Care Provider, Hillcrest Clinic, through its agent, servant, and/or employee, Dr. Sharma, was charged with the duty to properly and appropriately care for Claimant to insure her well being and insure that no injury or harm would come to her while in its care.

21. That notwithstanding, such duty, Health Care Provider, Hillcrest Clinic, through its agent, servant, and/or employee, Dr. Sharma, acted wantonly, willfully, and recklessly inflicting injury with utter indifference to Claimant's right to proper assistance and care that a Health Care Provider owes patients; including but not limited to the following:

- a. failure to appropriately treat the presented condition;
- b. failure to pay attention to the passage of instruments beyond the uterine cavity with resulting perforation of the uterus;
- c. failure to pay attention to the passage of instruments beyond the uterine cavity with resulting perforation of the bladder and
- d. continuation of the abortion procedure after instruments have been inserted into depth beyond the uterine length.

22. That the uterine perforation with cervical extension, bladder perforation and hysterectomy were the direct and proximate result of the aforementioned grossly negligent acts.

23. That as a direct and proximate result of the wanton, willful and recklessly negligent acts and omissions of Hillcrest Clinic, through its agent, servant and/or employee, Dr. Sharma, Claimant Sharon Jones sustained painful and permanent injuries to her body for which she was obliged to receive extensive medical care and treatment, incurred substantial medical expenses, suffered severe shock to her nervous system and was otherwise damaged.

24. At all times, material hereto, Claimant acted in a

reasonable, lawful and prudent manner, was exercising due care and in no way contributed to the losses complained of herein.

WHEREFORE, Claimant Sharon Jones brings this action against the named Health Care Providers and seeks damages in excess of Ten Thousand Dollars (\$10,000).

COUNT 2

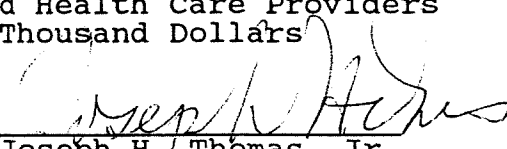
Claimant Sharon Jones, as mother and next friend to Jada Manley, Rashana Manley, and Adrienne Myles, by their attorneys, Joseph H. Thomas, Jr., and Associates, bring this cause of action against the Health Care Providers, Sheo P. Sharma, M.D., and Hillcrest Clinic and for cause states:

1. Claimants repeat and reallege all of the allegations of paragraphs one (1) through twenty-three (23) of the first cause of action, incorporating the same herein by reference as freely as if said allegations were repeated at length herein and further state:

2. That as a further direct and proximate result of the Health Care Providers' aforesaid wanton, willful and grossly negligent acts and omissions, the Claimants have been caused to suffer loss of society, companionship, support, comfort, affection, and attention and advice.

3. All of the above is a direct and proximate result of the reckless, careless and grossly negligent acts of Dr. Sharma and Hillcrest Clinic without any want of care on the part of the Claimants contributing thereto.

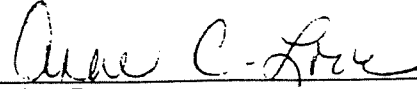
WHEREFORE, Claimant Sharon Jones as mother and next friend to Adrienne Myles, Jada Manley, and Rashana Manley bring this action against the named Health Care Providers and seek damages in excess of Ten Thousand Dollars (\$10,000).



Joseph H. Thomas, Jr.
Joseph H. Thomas, Jr.
and Associates
1540 Legg Mason Tower
111 S. Calvert Street
Baltimore, MD 21202
(301) 547-1275

Attorneys for Claimants

ORDERED, that the claimant will pay two-thirds (2/3) of the total costs assessed and the health care providers will pay one-third (1/3) of the total costs assessed.



Anne C. Love
Panel Chair

cc: Kevin M. Murphy, Esq.
Shadonna E. Hale, Esq.
Carr, Goodson & Lee, P.C.
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Washington, D.C. 20006

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118 North Howard Street
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STATE OF MARYLAND
HEALTH CLAIMS ARBITRATION OFFICE

ARBITRATION PANEL DETERMINATION

CASE NAME: Jones v. Sharma, et al.

MAY 12 1992

CASE NUMBER: 91-049

HEARING DATE: April 27 - April 29, 1992

HEALTH CLAIMS
ARBITRATION OFFICE

According to the Health Claims Arbitration Act, Section 3-2A05(e) and 3-2A-05 (f), the arbitration panel shall first determine the issue of liability with respect to a claim referred to it. If the arbitration panel determines the health care provider(s) not liable to the claimant or claimants, the Award shall be in favor of the health care provider(s), (finding #1). If the arbitration panel determines health care provider(s) liable to the claimant or claimants it then shall consider, assess, and apportion appropriate damages against one or more of the health care providers that it has found to be liable (finding #2).

In all cases, Finding #3 shall be a specific assessment of the responsibility for costs against one or more of the parties.

1. LIABILITY: No liability

2. DAMAGES:

- a. Past medical expenses \$ _____
- b. Future medical expenses _____
- c. Past loss of earnings _____
- d. Future loss of earnings _____
- e. Noneconomic damages _____
- f. Other Damages (explain) _____

TOTAL: \$ _____

3. COSTS: Claimant to pay two-thirds (2/3) Health
Care Provider to pay one-third (1/3)

Anne C. Rose
Chairman's Signature

4/29/92
Decision Date

scored for WRT by Rob
DAB

