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Doctor Fined For Removing Uterus Of Woman He Did Not Know Was Pregnant

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Prominent Waterbury doctor fined after mistakenly removing the uterus of a pregnant patient.

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A prominent Waterbury gynecologist was fined \$5,000 by the state Medical Examining Board Tuesday for mistakenly performing a laparoscopic hysterectomy on a patient he did not know was pregnant, state records show.

In January 2011, Dr. Jonathan Foster, who is also an obstetrician, failed to detect the patient's pregnancy before the operation, according to a consent order he signed in July agreeing to the punishment. He also relied on the patient's statement that she was not pregnant and failed to follow up a urine pregnancy test with a blood test or ultrasound before operating, the order said. State records do not indicate how far along the pregnancy was.

After the incident, Foster completed a course to maintain his certification in his specialty. He did not contest the board's findings. His attorney, Madonna Sacco of Bridgeport, said after the meeting that the patient had two urine pregnancy tests and "neither showed she was pregnant."

"Dr. Foster had a long discussion with the patient. ... She represented that 'I am absolutely not pregnant,'" Sacco said. "We're not blaming her. This was a woman who wanted to move forward with the procedure."

The procedure took place at St. Mary's Hospital in Waterbury, Christopher Stan, a spokesman for the state Department of Public Health, said Monday. A Department of Public Health investigation focused on Foster and did not include an investigation of the hospital, he said.

Sacco said that Foster remains a member in good standing of St. Mary's medical staff. She said he met all of the standards for performing the procedure the hospital had in place in 2011.

Jennifer Clement, a St. Mary's spokeswoman, said the hospital declined to comment on the case because "this is an investigation between the state and the physician."

In the past, St. Mary's officials have said that as a Catholic hospital, its physicians do not perform abortions or tubal ligations.

Foster has been, and remains, an active member in good standing of the Waterbury Hospital medical staff, Patty Charvat, a spokeswoman for Waterbury Hospital, said. He had previously served as chief of obstetrics and gynecology at the hospital until his term expired, she said. She declined to comment on any aspect of Foster's case before the medical board.

The board also approved a consent order Tuesday in which it imposed a \$2,500 fine on Dr. Ionnis Raftopoulos of West Hartford, who was a bariatric surgeon at [St. Francis Hospital and Medical Center](#) in Hartford.

In August 2013, DPH began an investigation when St. Francis alerted state officials that it had temporarily suspended Raftopoulos' privileges there. The suspension was lifted later the same month, records show.

Between January and May of 2013, Raftopoulos' medical assistant had prescribed non-controlled and controlled substances, including Percocet and Oxycodone, to patients, the order states. Medical assistants cannot prescribe drugs. The prescriptions were found to have been appropriate, with no evidence of misuse of the drugs, records show.

In October 2013, Raftopoulos completed an education program on physician prescribing, records show. In signing the consent order Aug. 7, Raftopoulos did not contest the findings. Raftopoulos is now chief of bariatric surgery at Metropolitan Hospital in Athens, Greece, his attorney, Hilary Fisher Nelson of Hartford, said.

In two other cases Tuesday, the board reprimanded a Florida doctor and a New York doctor based on disciplinary action in those two states. State law allows the Connecticut medical board to take action against doctors who hold licenses to practice in Connecticut when they have been disciplined in other states.

The board reprimanded Dr. Anna Maloy of Belleair Beach, Fla., and ordered her to give the state 90 days' notice before returning to practice medicine in Connecticut.

In 2014, Florida officials found that Maloy failed to evaluate an emergency department patient for a pulmonary embolism and failed to adequately assess the patient's symptoms, records show. The female patient died of a pulmonary embolism on March 3, 2011, eight days after Maloy treated her, records show. Florida officials fined Maloy \$12,500.

On Tuesday, the board also reprimanded Dr. Ricky Sayegh, an internist from Yonkers, N.Y., and ordered him to give the state 90 days' notice before returning to practice in Connecticut.

In March, New York officials placed Sayegh's medical license on probation for three years for failing to maintain proper medical records of five patients between 2006 and 2013, records show.

This story was reported under a partnership with the Connecticut Health I-Team (www.c-hit.org).

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