

Answers to questions marked "yes":

8: My prior medical licenses in Ohio and Pennsylvania were not renewed secondary to having moved out of the state and no longer practicing in those locations at the time that they were due for renewal.

10: Case Name: Alger v. UR/SMH, Pressman, Droz, Ozcan, Thornburg, Hackney, Wang and Laniewski

Case #: 10-7912

Court: State of New York Supreme Court 545 Hall of Justice, Rochester NY 14614

Date filed: 6/22/2010

Summary: On 11/18/2009, this 37 year-old G5P1 underwent elective labor induction and termination of pregnancy at 22.6 weeks gestation secondary to FISH being reported as male gender and ultrasound studies that were interpreted initially as female gender and subsequently as ambiguous fetal genitalia. After delivery, full fetal karyotype showed a normal female and investigation showed a clerical transcription error in the initial FISH report. After the abortion procedure, plaintiff underwent a D&S for retained products of conception. Plaintiff alleges that she has diminished fertility due to the abortion and D&S procedures. Depositions are now complete. Trial is scheduled for September 2012.

I (Dr. Hackney) was not involved in the alleged diagnostic error, the FISH report or the decision making that led to the patient's decision to discontinue her pregnancy. My involvement is with the allegations that my performance of the D&S procedure was related to the subsequent identification of a hydrosalpinx and peri-tubal adhesions. Of note, the patient did not have any surgical complications at the time of the procedure itself or intrauterine adhesions, and thus the argument will be presented that the association between the intrauterine procedure and subsequent pathology outside of the uterus is not plausible.

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