

Medical Quality Assurance Commission  
 PO Box 1099  
 Olympia, WA 98504-1099  
 360.236.4700

**MD**

## Washington State Medical Quality Assurance Commission Applicant's Professional Liability Action History

Applicant's name: Denise Marie Bayuszik Today's date: 12/07/2007

Please submit a separate form for each past or current professional liability claim or lawsuit which has been filed against you. (Photocopy this page as needed.) Only a legible and signed narrative which addresses all of the following details will be accepted.

- 1) Provide a detailed summary of the events of the case. Include the date of occurrence, your specific involvement, and the patient's clinical outcome. Please submit additional pages of narrative if necessary.

Date of occurrence: 11/24/2003 Details: \_\_\_\_\_

Deborah Powell

\*Case No 24-C-07-001655

see following page

- 2) Date suit or claim was filed: 3/7/07 Name and address of insurance carrier that handled the claim:

Medical Protective Company

Attn: Kimberly Burkoss PO Box 15020 Fort Wayne, IN 46885

- 3) Your status in the legal action (primary defendant, codefendant, other): Primary Defendant

- 4) Current status of suit or other action: OPEN

- 5) Date of settlement, judgment, or dismissal: N/A

- 6) If the case was settled out-of-court, or with a judgment, settlement amount attributed to you, please disclose the amount.

**(You must enclose a copy of final disposition of case—this includes dismissals.) \$ \_\_\_\_\_**

I verify the information contained in this form is correct and complete to the best of my knowledge:

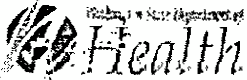
Denise Bayuszik 12/21/07  
 Signature Date

INFORMATION MALPRACTICE CLAIM

Plaintiff: 3 - Healthcare Information Rea...  
Date of Occurrence: 11/24/2003  
Date Claim made: 3/7/2007

Allegation: Missed diagnosis of ureteral damage at time of surgery.

Details: 3 - Healthcare Infor... underwent supracervical hysterectomy and Left Oophorectomy on 11/24/03 for a large left ovarian cyst that turned out to be a cystadenoma. There were multiple adhesions from a previous right oophorectomy in 1989(at a different medical center, where she had a bowel injury with that surgery) Enterolysis was necessary to perform the hysterectomy. The Left Ureter was indeed seen to be peristalsing and felt to be uninjured. She was discharged 11/27/07 but was readmitted on 12/2/07 to another hospital for abdominal pain, and was being evaluated for ileus and/or bowel obstruction. A collection of intraperitoneal fluid was found, and this was initially thought to be a seroma, but eventually diagnosed as a collection of urine. A consulting Urologist was able to place ureteral stint, and she also required a Nephrostomy Tube in her left ureter. Eventually the area healed and no other surgery was needed.



Washington State Department of  
**Health**  
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- 1) Provide a detailed summary of the events of the case. Include the date of occurrence, your specific involvement, and the patient's clinical outcome. Please submit additional pages of narrative if necessary.

Date of occurrence: March 30, 1994 Details: L. Harrigan  
Balt case # 95-109

See next page

- 2) Date suit or claim was filed: 3/2/95 Name and address of insurance carrier that handled the claim:

Union Memorial Hospital Self Insurance  
Gondell, ReVier, Leach & Gray, W/Oro South St. Baltimore 21202

- 3) Your status in the legal action (primary defendant, codefendant, other): PRIMARY DEFENDANT

4) Current status of suit or other action: Settled out of court

5) Date of settlement, judgment, or dismissal: Oct 1996

- 6) If the case was settled out-of-court, or with a judgment, settlement amount attributed to you, please disclose the amount.

(You must enclose a copy of final disposition of case—this includes dismissals.) \$ 250,000

I verify the information contained in this form is correct and complete to the best of my knowledge:

Signature Denise Bayuszik

Date 12/21/07

Information concerning Malpractice Liability Claim

Date Initiated: March 2, 1995  
Date Occurrence: March 30, 1994  
Jurisdiction: Baltimore City Circuit Court  
Plaintiff [3 - Healthcare Information Readily Id...] and Patrick M. Harrigan  
Defendants: Denise Bayuszik, M.D.

Facts/Allegations of Suit:

[3 - Healthcare Information Rea...] 44yo, had a history of menorrhagia and abdominal pain. She underwent a Total Vaginal Hysterectomy on March 30, 1994 by Dr. Bayuszik. Subsequently she developed severe infection with abscesses, necessitating drainage and re-exploration. Bilateral Tubo-ovarian abscesses were found, but it was felt to involve part of the bowel, so a partial right colon resection was done by a general surgeon consulted, with a reanastomosis. A stint in the left ureter was also necessary. Pathology confirmed inflammation surrounding the colon but no perforation noted. The patient had a prolonged hospital stay, and also required several subsequent admissions to repair a fistula that formed at the reanastomosis site.

The plaintiffs alleged that an inappropriate procedure was performed and that there was inappropriate post-operative follow-up with delayed diagnosis and treatment.