

13<sup>th</sup> March 2011

Queensland Health

The Chief Executive Officer

GPO Box 48 Brisbane, Queensland 4001

RE: MEDICAL NEGLIGENCE CASE. 20<sup>TH</sup> JANUARY 2000

LOCATION: LOGAN HOSPITAL – TRANSFERRED TO THE MATER HOSPITAL 22.1.00

INCIDENT: ACCIDENTAL PLACEMENT OF 400mls 3% GASTROGRAFFIN INTO LEFT LOWER LOBE OF LUNG WHILST SUFFERING PRE-EXISTING PANCREATITIS.

Dear Sir/Madam,

On the 24<sup>th</sup> October 2010 a letter was sent to you detailing my pain & suffering and financial losses.

I also asked you to consider a financial settlement. To date no reply has been received.

In case you didn't receive my letter I have attached another copy.

I would appreciate a prompt response by 31<sup>st</sup> March 2011, otherwise I will be taking my story to the media.

I await your reply.

Terry Lindsay

91 Cawdell Drive

Albion Park NSW 2527

0434 230703

Enquiries to: Ms Susan Hefferan  
District Solicitor  
Metro South Health Service  
District  
Telephone: (07) 3299 8380  
Facsimile: (07) 3299 8888  
File Ref: DG062289

08 APR 2011

Mr Terry Lindsay  
91 Cawdell Drive  
ALBION PARK NSW 2527

Dear Mr Lindsay

I refer to your letter dated 13 March 2011, with which you enclosed a copy of your letter dated 24 October 2010, regarding your request for compensation in relation to your medical negligence claim arising from the treatment you received at the Logan Hospital on 20 January 2000. You have advised that you have received no reply to your earlier letter. I am advised by my correspondence staff that there is no record of receipt of this letter but I thank you for enclosing a further copy for my attention.

With regards to your request for compensation, I am informed that your complaint was investigated and conciliated by the Health Rights Commission (HRC). As you are aware, information disclosed in conciliation proceedings is confidential. However, I am informed that the HRC obtained expert medical opinion to assist the conciliation, copies of which were provided to you, and closed your complaint on 4 February 2003. The HRC took no action against the Logan Hospital as a result of its investigation or conciliation of your complaint. I am also informed that the then Medical Superintendent of the Logan Hospital offered to meet with you to discuss your complaint following conciliation, but you declined.

I am further informed that you also brought a legal claim against the State of Queensland (Logan Hospital) in late 2002. I am informed that the issues of quantum and liability of your claim were thoroughly investigated through this process. I am informed that you obtained numerous expert medical opinions, which were disclosed to the State of Queensland's lawyers, and that these reports do not support your present assertions regarding liability. Documents relating to your income earnings were also disclosed through this process. I am informed that based on this information, the State of Queensland denied liability and your claim for compensation was rejected at that time. I am also informed that the lawyers acting for the State of Queensland closed their file in late 2004 as you had not pursued your claim.

Given that your claim has been thoroughly investigated and I understand, given the time that has elapsed, may now proceed only if the District Court so orders, I am unable to entertain your request for compensation further.

Office  
19<sup>th</sup> Floor  
Queensland Health Building  
147 - 163 Charlotte Street  
BRISBANE QLD 4000

Postal  
GPO Box 48  
BRISBANE QLD 4001

Phone  
(07) 3234 1553

Fax  
(07) 3234 1482