

SPSO decision report

Case: 201508213, Lothian NHS Board
Sector: health
Subject: clinical treatment / diagnosis
Outcome: some upheld, recommendations

Summary

Mr C complained to us about the care and treatment his wife (Mrs A) had received from the board. Mrs A had been diagnosed with functional disease (where the functioning of the body is disturbed in the absence of any disease). Her condition deteriorated significantly and she died. A post mortem was carried out and it was found that she had motor neurone disease (a rare condition that progressively damages parts of the nervous system). Mr C complained to us about the care and treatment provided to Mrs A and about the failure to diagnose motor neurone disease.

We took independent advice from a consultant neurologist and a general medical adviser. We found that the initial diagnosis of functional disease had been reasonable and the care and treatment Mrs A had received in relation to this had been excellent. However, when Mrs A then displayed other symptoms that were not typical of functional weakness, staff failed to reasonably investigate these symptoms. It was likely the further tests would have led to a diagnosis of motor neurone disease, although this could not be proved. In view of this, we upheld Mr C's complaints that the board did not provide reasonable care and treatment to his wife and that they failed to diagnose motor neurone disease.

Mr C also complained that the board failed to arrange a package of home care for Mrs A. We found that the actions of staff had been reasonable given Mrs A's initial diagnosis. The correspondence from the board had set out the type of support she would require in the future. We could not say definitively that a diagnosis of motor neurone disease would have been made had the relevant tests been carried out. On balance we did not uphold this aspect of the complaint.

Finally, Mr C complained about the board's handling of his complaint. We did not find failings by the board in relation to the issues Mr C had raised and we did not uphold this aspect of his complaint.

Recommendations

We recommended that the board:

- issue a written apology to Mr C for the failings identified;
- ensure that relevant staff are aware of the latest National Institute for Health and Care Excellence guidance, 'Motor neurone disease: assessment and management', which was published in 2016; and
- ensure that relevant staff are aware of the motor neurone disease red flag diagnosis tool.