Alice Lloyd
212 Hilltop Road
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Members of the North Carolina General Assembly
Raleigh, North Carolina

Re: Medical Malpractice – Senate Bill 9 and House Bill 809

To the Honorable Members of the General Assembly:

Some of you may already know me. I have come to Raleigh twice to meet with some of you personally, and I testified before the Senate Select Committee on July 9, 2003. Below left is a picture of me about six years ago (I was in a friend's wedding). Below right is a picture of how I look today after all the amputations.

I am a mother and a grandmother. I live in Morganton with my mother, who helps take care of me. Both of my legs have been amputated above the knees, my left hand has been amputated above the wrist, and all that is left of my right hand is a thumb. All this happened because of preventable medical errors.

Back in September, 1998, I was a school teacher (3-5 year olds) at Presbyterian Learning Center at the Presbyterian Church in downtown Morganton (see picture on last page). I was a teacher because I love kids. One day I began to feel sick. I felt dizzy and nauseated and had a fever of about 103 degrees. I went to a primary care walk in clinic where I had been seen before months earlier. I was examined and sent home with some pills. I threw up all night long and my mother took me to the emergency room the next day. Unfortunately, those who examined and treated me failed to recognize that my symptoms and lab results were classic signs of a blood infection (they call it sepsis). It was only after I had been at the hospital for over 16 hours that they finally gave me the antibiotics that were needed to kill the bacteria in my blood. Unfortunately, by then it was too late and the damage had been done. Because of clotting in my blood vessels, parts of my body did not have blood and died. They later had to cut off the parts of my body that were dead.

Surgery cannot bring back my legs, hand or fingers. They have given me a myo-electric arm for my left arm, but it is awkward and does not really help much. They have made a prosthetic hand for my right hand (see picture at right), which fits sort of like a glove. I call it my pretty hand because it looks sort of normal. They made me some legs (see pictures below) that I can put on only with assistance. Walking is very difficult, but I am determined to keep trying. I am going up to Pittsburgh soon to get some better legs made and I hope they will make it easier. Mostly, though, I get around in a motorized wheelchair. Still, things happen. This past summer I was going down the street and a bolt came loose and one of the small wheels fell off. No one was there to help me and it began to rain. I was stranded for almost two hours before someone came along.

I try to be independent, but it is hard. Some things I simply cannot do. I hate to be a burden on my mother. She loves me so much and has been there when I needed her. But she is in her 70s and has epilepsy. Most of my friends don't come to see me any more. Most children are scared of me and don't run up to me to play like they used to. I'm the same person, but they can't see that.

I miss being independent. I miss being able to walk. I miss being able to touch and feel things with my fingers, hands and feet. Sometimes it feels like my legs and hands are still there, but I know that they are not. People treat me differently in public. I now realize that I will always be seen as disfigured and handicapped and many people treat me as though I am mentally handicapped as well. Of course, my brain was not affected by the blood infection. I'm the same old Alice, just like before. I'm just looked at and treated like someone much more needy and simple.

I understand that there has been legislation proposed in the General Assembly that would put a limit or cap on the amount someone like me could seek in court. I don't understand why anyone would propose this. It seems that it penalizes the people who have been hurt the most. It seems to me that you all should not be taking away the rights of patients who have been hurt by preventable medical errors – like I was. Instead, shouldn’t the focus be on patient safety and better care?

We trust regular people to vote for our representatives in government and we trust them to go to war and give their lives if necessary. We trust them to decide who will get the death penalty. Why can’t we trust them to decide how much someone has been hurt? As I understand it, if the person who has been hurt cannot prove in court that the doctor or hospital was at fault, then there is no recovery. If they can prove that in court, then it seems to me that the same jury that decided that can also decide how much they have been hurt. It seems to me that the best people to determine how much someone has been hurt are the jurors who have listened to all of the evidence and all of the witnesses. Every case is different. This is not the place for one-size-fits-all justice.

Please remember me (and other unfortunate people like me) when you consider changing the law. I don’t think that we should be blamed or bear the burden for the mistakes of others. Surely there is some other way to solve the problem.

If you think that my presence in Raleigh would help, or if you know of someone who I should meet with, please let me know.

Putting my faith and trust in you, I am

Sincerely yours,

Alice Lloyd