

Matthew Cockerham  
3 Worthdale Court  
Winston-Salem, NC 27103

Members of the NC General Assembly  
Raleigh, North Carolina

Re: Medical Malpractice

To the Honorable Members of the NC General Assembly:

I am a husband, father and grandfather and I live in Winston-Salem. Because of errors by nurses in a hospital, I can no longer walk without assistance and I cannot control my bladder and bowels.

I may have already met with you in Raleigh. I came to Raleigh back in May and talked with a number of legislators. I was supposed to testify before the Senate Select Committee on July 9, 2003, but I had to cancel the trip because of continuing medical problems. Because of problems the night before, I was afraid that I might have a bowel accident during the trip or during the hearing.

In December, 1997, I had surgery on my back. After the surgery, when I was moved to the floor of the hospital, I could not feel my legs and I had burning sensations. The nurses just told me that was normal. It continued all night and I told everyone who would listen. They never called the doctor. When the doctor examined me the next morning he asked how I was doing. I told him that I was the same that I had been since after surgery – that I could not feel my legs. He was shocked and scheduled me for emergency surgery.

Here's what had happened. After the surgery, the bleeding continued in the area of my back surgery and caused what



they called an epidural hematoma, which was a collection of blood inside the spinal canal. Pressure built up from the bleeding, putting pressure on the nerves around my spinal cord. These are the nerves that go to my bowels, bladder and legs. During the emergency surgery, the doctor removed the hematoma and the pressure. But it was too late. If he had known earlier, he could have operated earlier and I would not be in the condition I am today. Experts criticized the nurses for their failure to inform the doctor of what was happening. My case settled after mediation and did not go to trial.

Today, I am unable to get around or walk independently. I cannot control my bladder or bowels. Every day, usually about 4-5 times a day, I have to insert a catheter into myself and drain my bladder. This causes frequent urinary tract infections, and I have to go to the doctor for antibiotics. I have a program that I have to follow every day for emptying my bowels. It involves rubber gloves, suppositories and K-Y jelly.

I have no feeling in my groin or seat. This has caused me to lose all expectations of a normal marital life with my wife. She is now my primary caregiver. But I am unable to give back to her. She has to sleep in a separate bed because of my inability to control my bowels. I also am not able to suppress any gas in my bowels. I have had accidents in bed, at church, in the car, and other places. Many times, I would prefer to simply stay at home because of the fear of having another embarrassing accident. The numbness in my seat is permanent and feels like I've been sitting on a bucket for a long time. The numb feelings never go away.

Because I cannot walk without assistance, my leg muscles have become much smaller than they used to be, which makes it even harder. My legs used to be pretty strong, but now they look just like skin and bones. I have to wear support stockings under my pants, to help with circulation. I also wear plastic cups in my shoes to help





when I use a walker. Much of my leg is numb and just feels dead. Although I can use a walker around the house, it is tiring. Often I will use a wheelchair when I am out of the house. Whether I use the walker or the wheelchair, I am severely handicapped and will always be seen by others that way.

I take a number of medications every day, including narcotics for the pain. Some days are better than others. I get these sharp pains that sometimes cause spasms and make my leg jump. Other times, I have a constant pain that I cannot get rid of, even with the medicine.

I understand that there have been proposals in the General Assembly that would change the law, making it harder for people who have been hurt by doctors to find justice – things like putting limits on what someone like me could seek in court. I ask that you please study these things before making any changes, to be sure that there is a problem and to be sure that the changes will help solve the problem. From what I read in the news, the problem with medical malpractice is medical malpractice. And there seems to be a lot of it. The problem is not the lawyers. And it's not the patients who have been hurt by the doctors. It seems to me that everyone should be treated the same, whether they are truck drivers, lawyers, doctors, nurses, construction workers, engineers, or whatever. We all should be held responsible when we hurt somebody. Nobody should get special status above the law. Can't we trust regular folks on the jury to do what is right. That's what we do in all other cases. I always thought that the right to a jury trial was one of the things that led to the founding of America. We should take care to preserve the rights of the people.

Before you change the law, please think about me and other people like me who have been hurt because of medical mistakes.

Thank you for your consideration.



Sincerely,

Matthew Cockerham