

MD's Cervical Manipulation Causes Woman's Stroke

Editorial Staff

On December 15, 1986, Ms. Diane Saltzberg, a 31-year-old screenwriter, diagnosed with Epstein-Barr fatigue syndrome, went to pediatrician Jeffrey Hawkins, suffering signs of a transient ischemic attack, that included nausea, headache, vertigo, and ataxia.

Dr. Hawkins, who had begun to incorporate a variety of treatment modalities into his practice, including homeopathy, nutrition, and manipulation, treated Ms. Saltzberg some 14 times. On December 15, 1987, while at his office for an injection of homeopathic medicine to treat her chronic fatigue syndrome, she complained of headaches. Dr. Hawkins proceeded to give Ms. Saltzberg a cervical adjustment. Immediately following the adjustment, Ms. Saltzberg had a stroke that left her with permanent physical and cognitive impairment.

On Nov. 1, 1991, after a four week trial in Los Angeles Superior Court and six and one-half days of jury deliberation, Ms. Saltzberg was awarded a \$1,365,366 settlement against Jeffrey Hawkins, M.D. The jury upheld the plaintiff's contention that the cervical adjustment administered to Ms. Saltzberg caused a tear in both vertebral arteries (right artery, 100% blocked, left artery, 80% blocked), resulting in an immediate stroke.

Dr. Hawkins claimed that he was qualified to perform the cervical manipulation because he had attended a 10 week course at a chiropractic college in 1975 and had learned from a variety of chiropractic "mentors." However, records of the chiropractic college in question have no record of Dr. Hawkins' participation as a student or on a post-graduate level. Further, Dr. Hawkins was unable to produce any of the "mentors" to support his assertion of training in manipulation.

Among those who testified on behalf of Ms. Saltzberg was Stephen Foreman, D.C., of Chiropractic Research Associates in Woodland Hills, California. When asked about the case, Dr. Foreman stated: "We feel it is an honor and an obligation to defend the profession's reputation and its patients in matters of this nature. This is a classic example of the inherent dangers of any doctor, no matter their training or specialty, venturing into a new area of treatment without sufficient training and expertise. In our opinion a competent chiropractor would have recognized the dangers in this case and taken the appropriate steps."

Donald E. Karpel, Esq., one of the two attorneys for Ms. Saltzberg, summed up his views about the case: "My feelings strongly were that he (Dr. Hawkins) was a board certified pediatrician who had gotten into a fringe group of medicine, trying to meld eastern and western philosophy of medicine together, and in doing so held himself out as being well-qualified in handling chiropractic manipulations, and turned out not knowing anything about what he was doing. I think it is a classic example of MDs who are unregulated by the medical profession and whose regulations allow these manipulations, in the face of some very severe red lights, causing our clients some very severe problems."

When asked if he saw a lot of cases of an untrained MD trying to perform chiropractic manipulation, Mr. Karpel stated: "Yes, I do. My experience has told me and I have seen situations

where MDs, because they are not regulated and they can legally do it (manipulations), are doing things that I think are ethically wrong. In fact, the defendant's neurologist testified that he felt he was capable of doing a chiropractic manipulation. The chiropractor testifying for the defense (who has done this sort of thing before) said that manipulation is such a simple thing that almost anybody can do it."

Mr. Karpel went on to state: "... I think this (incident) should really be publicized ... we should get the word out that (medical) doctors should stay in their realm. I think that chiropractic adjustments can be very beneficial to certain people where warranted; but certainly in my case (*Saltzberg v. Hawkins, M.D.*), a chiropractic adjustment was contraindicated.

"I think the statistics of a spontaneous stroke following a chiropractic manipulation is something like one in 600,000 done by a qualified chiropractor who has done a proper workup and history. In our case, the MD never took any history whatsoever, never did a physical exam whatsoever. He was treating her essentially with herbs and spices, and then jumped into this cervical rotation of her neck in face of the neurological defect she showed a week before and it was disastrous; it caused a stroke and this woman was on death's bed in intensive care for two weeks.

"I think there is a very strong place for chiropractors, I think they serve a very good purpose, I think they have taken the skill of manipulation to help people, and they have taken the necessary care to make sure it doesn't hurt people."

Editor's Note: An article regarding this trial appeared in the Metro Digest section of the November 8, 1991 issue of the Los Angeles Times. The headline, inaccurately, read: "Patient Wins \$750,000 for Chiropractic Mistake." A correction was published in the following issue. According to the Times, they have received many letters and phone calls concerning the mistake. According to Don Hunt who is one of the people responsible for the Metro Digest section: "It was simply a mistake that was corrected in the next issue."

Of course the phone calls and letters didn't hurt. It is a good thing when the profession responds.

Reference:

1. Orthopedist Cyriax, a practitioner of spinal manipulative therapy, put the estimate for neck injury from cervical adjusting at "about one in ten million manipulations." Cyriax, J: Textbook of Orthopedic Medicine. Vol. I: Diagnosis of Soft Tissue Lesions. London: Balliere Tindall; 1982.

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