

Leas'sa Sprehn
13600 North Gate Drive
Silver Spring, MD 20906

and

Eugene Sprehn
13600 North Gate Drive
Silver Spring, MD 20906

Plaintiffs,

v.

Kaiser Foundation Health Plan of the
Mid-Atlantic States, Inc.
2101 East Jefferson Street
Rockville, MD 20852

and

Ilene S. Bloom, P.A.C.
5704 Brewer House Circle, #202
Rockville, MD 20852

Defendants.

* IN THE
* CIRCUIT COURT
* FOR
* MONTGOMERY COUNTY
* Case No.:

Case: 376626
NEW CASE
CV CLERK FEE- 88.00
MD LEGAL SERV 55.00
TOTAL 135.00
Rest MD01 Acpt # 15962
CEK MLW BIK # 965
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COMPLAINT AND PRAYER FOR JURY TRIAL

Plaintiffs, Leas'sa and Eugene Sprehn, individually and as husband and wife by their attorneys Paul J. Weber, and Hyatt & Weber, P.A., bring this action against the Defendants, Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc. and Ilene S. Bloom, P.A.C. and state:

1. Plaintiffs, Leas'sa and Eugene Sprehn are residents of Montgomery County, Maryland.
2. Defendant, Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc. headquarters is located in Montgomery County, Maryland.

3. Defendant, Ilene S. Bloom, P.A.C. is an agent, servant and employee of Kaiser Permanente.
4. The amount of this claim exceeds Thirty Thousand Dollars (\$30,000).
5. The venue for this claim is proper in Montgomery County, Maryland.

COUNT I
MEDICAL NEGLIGENCE

6. In April 2011, Leas'sa Sprehn, having discovered a small raised area on her head and having a family history of melanoma made an appointment to be evaluated in Kaiser Permanente's Dermatology Department by Ilene S. Bloom, P.A.C. for a full body scan.
7. On April 25, 2011 Ilene Bloom, P.A.C. examined Mrs. Sprehn and reassured her that the raised area on her head was likely an old age spot and of no concern. No blood work or biopsies were ordered or performed.
8. On or about December 28, 2011 Mrs. Sprehn discovered a lump in her neck and began experiencing fatigue.
9. On January 9, 2012, Mrs. Sprehn was seen by her primary care provider, Mahammed Manipady, M.D. Dr. Manipady immediately ordered lab work and prescribed a ten (10) day course of antibiotics, and subsequently referred Mrs. Sprehn to Eric Sklarew, M.D., who promptly ordered a needle biopsy of the lump in her neck.
10. On February 5, 2012, Mrs. Sprehn was diagnosed with malignant melanoma stage III and was immediately sent to the Kaiser Permanente's Dermatology Department to identify the source of the melanoma.
11. On February 5, 2012, Mrs. Sprehn was examined by Allen Gaisin, M.D. at Kaiser Permanente where it was immediately determined that the source of the melanoma was

the raised area on Mrs. Sprehn's head that had been examined by Ilene Bloom, P. A.C. on April 25, 2011.

12. On March 6, 2012 Mrs. Sprehn underwent a wide local excision of the scalp melanoma, and a left modified radical posterolateral neck dissection with sacrifice of cranial nerve 11 at Holy Cross Hospital.
13. Mrs. Sprehn was released from Holy Cross Hospital unaware that she lost sensation in neck and shoulder area from dissection of the cranial nerve. Due to pain, Ms. Sprehn placed a hot compress on her neck and shoulder area in an attempt to alleviate the pain. Due to the loss of sensation in the neck and shoulder area, Ms. Sprehn was unable to feel the temperature of the hot compress, and as a result, left it on too long and suffered a severe 3rd degree burn on the shoulder area. Subsequently, Mrs. Sprehn required treatment in the wound care center at Kaiser.
14. In May of 2012, Mrs. Sprehn was accepted into a Melanoma Study at Washington Hospital Center where she began a course of daily chemo therapy with Alpha Interferon infusions.
15. In July 2012, Mrs. Sprehn began tri weekly interferon injections. On July 2, 2012 Mrs. Sprehn was hospitalized at Washington Hospital for shortness of breath and suspected fluid in the lungs. Diagnostic tests confirmed the shortness of breath was not due to fluid in the lungs, rather, it was caused by unilateral diaphragmatic paralysis resulting from the neck resection surgery.
16. In July 2012, Mrs. Sprehn discovered a new lump in her neck. Subsequent diagnostic studies and biopsies confirmed that the cancer had returned. Mrs. Sprehn was discharged from the study at Washington Hospital Center as a result of the recurrence of the cancer.

17. In August 2012 Mrs. Sprehn underwent surgery at Kaiser Outpatient Center to remove the recurrence of cancer in her neck.
18. Mrs. Sprehn is under continuing care.
19. Plaintiff adopts Paragraphs 1 through 18 as if stated herein in their entirety.
20. At all times herein relevant Defendant, Ilene Bloom, P.A.C. individually and as employee, and representative of Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc. negligently departed from the standard of care by:
 - a. Failing to evaluate the patient for possible melanoma;
 - b. Failing to take a complete and accurate patient history;
 - c. Failing to order diagnostic test;
 - d. Failing to provide a full skin examination;
 - e. Failing to examine and document each area of skin;
 - f. Failing to consider and perform a melanoma biopsy;
 - g. Failing to obtain a consult;
 - h. Failing to instruct the patient as to how to complete a home skin examination;
 - i. Failing to schedule a follow up evaluation;
 - j. Was otherwise negligent.
21. As a result of the Defendant, Ilene Bloom, P.A.C.'s negligence, Mrs. Sprehn suffered, and will continue to suffer, serious, painful, and permanent injury to her body, mind and emotional wellbeing. A reasonably prudent practitioner operating under the same or similar conditions, would not have failed to provide the important care listed above. Each of the foregoing acts of negligence on the part of Ilene Bloom, P.A.C. was the

proximate cause of the failure to inform Leas'sa Sprehn of the cancerous mass on her head, resulting in the progression and spreading of cancer.

22. Plaintiff, Leas'sa Sprehn, was in no way contributorily negligent and relied upon the expertise of the physicians and staff at Kaiser Permanente.
23. As a direct and proximate result of Ilene Bloom's negligence, Plaintiff, Leas'sa Sprehn, incurred the progression and spreading of cancer without treatment, a worsened life expectancy, mental anguish, emotional pain and suffering, and severe, painful and permanent bodily injury, and other related injuries.

WHEREFORE, Plaintiffs, Leas'sa and Eugene Sprehn demand judgment be entered against Defendants, jointly and severally, in an amount in excess of Thirty Thousand Dollars (\$30,000.00) in compensatory damages.

COUNT II **LOSS OF CONSORTIUM**

Leas'sa Sprehn and Eugene Sprehn, as husband and wife, bring this claim against Ilene Bloom, P.A.C. and Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc., and state:

24. The Plaintiffs incorporate by reference in this count those allegations set forth in each preceding paragraph above, intending each and every allegation hereinabove to be deemed part of this count as if the same were repeated separately. At all times pertinent to this litigation, Leas'sa Sprehn and Eugene Sprehn were husband and wife.
25. As a result of the negligence of the Defendant described above, Leas'sa Sprehn and Eugene Sprehn have suffered damage to their marital relationship.

WHEREFORE, Leas'sa Sprehn and Eugene Sprehn, as husband and wife, make claim herein for loss of consortium in an amount in excess of Thirty Thousand Dollar (\$30,000.00) in compensatory damages.

A handwritten signature in cursive script, reading "Lisa Mannisi", written over a horizontal line.

Paul J. Weber

Lisa Mannisi

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Attorneys for Plaintiffs, Sprehn