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to AG.Minister, premier, bcc: loriekean1963, bcc: Azool, bcc: Beatrice, bcc: Bentley, bcc: Don, bcc: Faith, bcc: Kathleen, bcc: Michael-James, bcc: Rita, bcc: Robert, bcc: Wyatt

Dear Premier Horgan, and Attorney General Eby,

Further to my last letter requesting a meeting between the Premier, the Attorney General, and our group, the Wrongful Death Law Reform Society, a new death has come to my attention.

Tonight I spoke with a bereaved mother, Lorie Kean of Nanaimo, and she told me about her 16-year-old daughter's death almost two years ago in circumstances very similar to the death of my daughter Heidi Klompas 20 years ago.

Both girls received severe long bone fractures in car accidents. Both girls had their surgeries delayed by incompetent orthopaedic surgeons who believed no harm would come of delaying the realignment and surgical repair of the fractures. This is contrary to international standards in orthopaedic surgery, as cited in my book, *Heidi Dawn Klompas: Missed opportunities*. The general rule is that to avoid fat embolism syndrome, long bone fractures must be realigned and repaired as soon as possible. The longer the delay, the more likely the fatty tissue from the exposed bone marrow will enter the blood stream and hit the brain, which causes catastrophic damage leading to seizures, brain swelling and death.

Both girls, aged 16 and 17, developed fat embolism syndrome, had seizures, went into comas, and died three and a half weeks later. This second death, that of 16 year-old Lindsey Kean, was wholly unnecessary.

The blame lies partly on the government of B.C. First, for over ten years the Liberal party refused to change the Family Compensation Act, which prohibits parents from suing doctors and hospitals for the wrongful deaths of their children. And now we have the NDP and Green Party in power, and it is time to make the change to a Wrongful Death Accountability Act, which will allow bereaved family members to sue those who cause a wrongful death of a child, a senior, or a person living with a disability.

Why does this matter so much? Right now, when a surgeon makes a mistake which results in death, there are no mechanisms in place, legally or otherwise, to hold them accountable. In Heidi's case, there was a Coroner's Investigation and a Children's Commission investigation into her death; both entities concluded she died from medical errors. But then nothing was done to make changes; no re-training was required, no internal hospital inquiries, nothing. The danger here is that doctors and surgeons are destined to repeat the same deadly mistakes if they are not required to acknowledge them and then to learn from them. How is this helping anyone?

If we had been able to sue the two hospitals and the handful of doctors who made the mistakes leading to Heidi's death, the hospitals would have ensured that their doctors' skills and knowledge were updated in order to avoid another lawsuit. They would have been forced to learn from these mistakes. And I would hope that all hospitals in B.C. would also learn from these mistakes. Lindsey Kean need not have died had Nanaimo General Hospital been required to update to the international standard for orthopaedic practices regarding lone bone fractures and fat embolism syndrome.

The right to sue a hospital and some doctors for a coroner-verified wrongful death should not be seen as vindictive, or costly to insurance agencies, but as rightfully holding wrong-doers accountable. This is a moral decision, not a monetary one.

Attached is our draft of the Wrongful Death Accountability Act. Please read it and try to understand how important, how moral is this change to a fair law.

Again, I ask for a meeting with you both, as soon as possible. This new law will not affect all that many people, but it will effect changes that will prevent needless deaths from similar circumstances.

Respectfully Yours,  
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