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Former Modesto heart doc wins lawsuit against ex-employers

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A Stanislaus County jury sided with a former Modesto heart surgeon in his lawsuit against two health care organizations and recommended that his former employers pay \$3.46 million in damages.

In a verdict Thursday after a six-week trial in Superior Court, the jury said Valley Heart Associates and Doctors Medical Center subjected Dr. Hannan Chaugle to intolerable working conditions after he tried to improve care for heart surgery patients.

The verdict said Doctors is responsible for 80 percent of the damages. A judge will determine the actual monetary judgment and the case can be appealed. A hearing for considering punitive damages is set for Dec. 6.

Chaugle worked for the Valley Heart group and Doctors from October 2006 until April 2008, when he resigned under duress, his attorney said.

"Dr. Chaugle feels vindicated that patient concerns were found to be a motivating factor for his termination," said Jeffrey Rager, the surgeon's attorney from Southern California.

Hospital officials maintained they took action against Chaugle because he was combative with nurses, threw instruments during tantrums, and brought incessant complaints against hospital staff.

"We are obviously disappointed with the verdict," said Attorney Jeff Polsky, representing Doctors. "The case is still pending, and we think it would be inappropriate to comment further."

Valley Heart's law firm had no comment.

Disputes followed deaths

Valley Heart Associates recruited Chaugle to work in Modesto after a number of surgeons retired or left to practice elsewhere.

His disputes with hospital staff began when two of his patients in the hospital died of cardiac arrest in January 2007, his lawsuit said. He demanded a meeting with nurses, which resulted in finger-pointing between the surgeon and nursing staff.

Over the next year, officials with Valley Heart and Doctors attended 10 meetings to sort out Chaugle's complaints about patient-care issues and staff complaints about him.

On March 21, 2008, after he lodged additional complaints about operating room procedures, the hospital suspended Chaugle's privileges, claiming clinical deficiencies and other issues. The hospital's medical executive committee overturned the suspension two weeks later, Rager said.

Hospital Chief Executive Officer Denny Litos, who retired in July, and Chief of Staff Robert Donovan still intended to take disciplinary action, which would have led to a state Medical Board investigation, leaving Chaugle with no choice but to resign, said the lawsuit filed in December 2008.

According to the lawsuit, Chaugle complained about emergency surgeries being delayed for the convenience of staff and that post-surgical patients were placed in intensive care units with people with infections.

Valley Heart officials maintained they spent countless hours trying to resolve Chaugle's complaints.

Rager said the damages are appropriate because Chaugle had to move his wife and two children for him to work for a smaller hospital in Richland, Wash. His wife had a surgical practice in Modesto.

"Every time he applies for a job, he has to explain what happened at Doctors Medical Center," the attorney said. "It limits his ability to move and practice where he wants."

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