

# Rhytidectomy litigation usually resolved in defendant's favor

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(HealthDay)—Most cases of rhytidectomy malpractice litigation are

resolved in the defendant's favor, according to research published online Feb. 9 in *JAMA Facial Plastic Surgery*.

Aron Kandinov, from the Wayne State University School of Medicine in Detroit, and colleagues obtained [jury verdict](#) and settlement reports relating to rhytidectomy malpractice litigations. After removing duplicate and nonrelevant cases, 89 cases were included in the analysis and reviewed for outcomes, defendant specialty, and payments.

The researchers found that 60 percent of cases were resolved in the defendant's favor and the remaining 40 percent were resolved with a settlement or a plaintiff verdict payment (mean payment, \$1.4 million). Compared with cases involving defendants with ear, nose, and throat specialty, a greater proportion of cases involving plastic surgeon defendants were resolved with payment (36 versus 24 percent). In litigation, the most common allegations were intraoperative negligence, poor cosmesis or disfigurement, inadequate informed consent, additional procedures required, postoperative negligence, and facial nerve injury (69, 64, 34, 16, 14, and 11 percent, respectively). Seven percent of cases involved alleged negligence relating to a "lifestyle lift" procedure.

"These factors reinforce the importance of a comprehensive, preoperative informed consent process in which the specific potential risks and outcomes are presented by the surgeon to the patient to limit or avoid postsurgical allegations," the authors write.

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