

**Testimony
of
Sherrie Campbell**

Presented to the

**Subcommittee on Health
Committee on Energy and Commerce
United States House of Representatives**

“Current Issues Related to Medical Liability Reform”

February 10, 2005

Thank you Chairman Deal, Ranking Member Brown and Members of the Committee for the opportunity to share my story.

My name is Sherrie Campbell, and I live in Watkinsville, Georgia, outside of Athens, Georgia. I am honored to be here today to speak with you about an issue that has directly affected me and my family, the loss of my ob-gyn. Women and ob-gyns have special relationships. He or she is the person in whom a woman entrusts so many of her healthcare needs, and, in some cases, even her chances for survival. It is a unique and often long-term relationship, one that can last through many stages of a woman's life, including the most joyous occasions.

On January 15, 2004, I was sitting in an examination room waiting on my ob-gyn, who has been my doctor for the last ten years. I was actually searching for a good time to schedule a tubal ligation because I had turned forty a couple of weeks earlier. However, I was in for a shock, as my ob-gyn, Dr. Cindy Mercer, breezed in, saying, “Good news,

your pregnancy test is positive.” Those seven words, especially the last one, gave me the biggest surprise of my life.

After the initial shock, my husband and I settled in to the fact that we were going to have our second child. As a result of my advanced maternal age, I was advised to begin the process of having extra tests conducted to ensure everything was proceeding normally. During my first ultrasound, Dr. Mercer joined Amy, the ultrasound tech, and me, to be sure everything looked okay. I was glad to see Lee Ann and Angela, the OB nurses in the office again after they had taken such good care of me during my first pregnancy. I trusted these women with my health and my baby’s life. I initially resisted taking the blood test to check for Downs Syndrome, knowing that we wanted whatever baby we were given, but the spina bifida test is done at the same time, and I wanted to give the baby a chance if there were any problems. Given my age, I was also sent to the prenatal specialist in Athens. The blood test showed I had a 1 in 35 chance of having a handicapped child, and the worry was never far from the surface.

In the meantime, my husband’s and my own stress level was high. He had just changed jobs and we were in the midst of changing insurers, and I had a sluggish first trimester. Despite this, I was so looking forward to my next monthly OB visit because it was with Dr. Mercer. I had read about the difficulty obstetric doctors were having trying to find insurance, and in some cases paying six-figure insurance premiums, and I remember talking to her about it. I asked her if they were feeling the same kind of pressure. Dr. Mercer said that she did not know how long they would be able to keep delivering babies as recently, one of the seven doctors that delivers babies at the Athens

Women's Clinic, where Dr. Mercer works, had been sued. As a result of that one suit, the Clinic had already been forced to stop its indigent care services because their insurance premiums had risen so drastically they could no longer afford to provide free care.

I was very worried about Dr. Mercer and the other doctors, and so I called back early the next week to verify that she would be able to deliver my baby, due in September. Sadly, I was told no. I was just stunned. I was halfway through a pregnancy with my choice of doctors whom I trusted, revered even, and suddenly I was lost. I could not believe that Dr. Mercer, with whom I had entrusted my healthcare with for 10 years, would not be able to help me through my pregnancy. As I mentioned, being advanced in age for this delivery made it even more important to me that I have access to a physician that knew and understood my fears and concerns. Without Dr. Mercer I was unsure who would help me if the pregnancy turned difficult.

Now, the race was on. It takes at least one month to get in with a new OB/GYN in the Athens area because there are so few doctors, and I knew I didn't have a prayer of getting in to see another doctor quickly. And, I had to find a new doctor before all those other pregnant women found out the same news. A friend of mine had told me about her good experience with the Women's Center of Athens, and I immediately called for an appointment. Apparently, I was one of the first to call because they took me. My friend who had recommended the Women's Center is a woman of influence at the University of Georgia. She told me she'd make a phone call to get me in if they wouldn't see me. I

spoke with another friend, the wife of an influential health care provider in Athens, who also told me that she'd make a phone call to get me in to see someone else.

Is this good medicine? Does it now take networking to get in to see a doctor? And what about the women who don't have the same friends I do? What about the women who are new to the area? Unfortunately, I wasn't thinking about them at the time. I did what it took to find the best care for my family. And that is what we all want.

When I returned to Athens Women's Clinic to pick up my records to take to the Women's Center of Athens, I spoke to Katie, the receptionist, who was about to lose her job. And Amy, the ultrasound tech, who sat with me during the first tests, told me that she was scared and worried about her family's finances because she too was about to be laid off. The Clinic's OB nurse Lee Ann was laid off too, and she is now working in a hospital. I began to realize that no matter how much I felt I'd been abandoned, these women's lives were rocked even harder than mine.

I wanted to help my friends but I also had to worry about my pregnancy. When I finally met with my new doctor it was recommended that I schedule a Caesarian-section for my delivery. I couldn't decide if I needed one, or if the doctor needed to be sure he wouldn't get sued. I don't begrudge him that. It certainly doesn't help me and the rest of the women in Athens if he gets sued and is forced to leave too. Thankfully, I was fortunate to find Dr. Halbach, a wonderful ob-gyn who could help me deliver.

Just after midnight on September 7, a week before my scheduled surgery, and during the hurricane, I left the bed to lie on our sofa and time what I thought were Braxton-Hicks contractions. I found I was mistaken when my water broke around 2:30. I was relieved beyond measure that Dr. Halbach was on call that night, and delivered our beautiful, healthy, baby girl, Claire Amelia.

As I spent my three days in the hospital recovering from surgery, I asked the nurses and doctors plenty of questions. I was surprised at how many C-sections were being performed; I later found out that one out of every two deliveries in Athens are C-sections. The national average is 26%, according to a *Wall Street Journal* article I read recently.

My story doesn't end here. I had my follow-up appointment with Dr. Halbach and wished everyone there farewell because I wanted to continue to see the gynecologist of my choice. A week later, I developed a breast infection, which is an unpleasant experience for a nursing mother. Who was I supposed to call? I chose the obstetrician at the Women's Center of Athens, the group that had helped me deliver Claire Amelia in my time of need and they were gracious as always. About a month ago, however, Claire stopped nursing abruptly and I experienced the familiar pain of another infection. The hormones that go along with nursing are strong and I tearfully called the obstetrician's office again. I was told the nurse would be on the phone for a while and they didn't have any appointments open. And then the receptionist asked, "Are you still our patient?" For some reason, perhaps hormones, I was devastated by that question. No one wanted to take care of me. I made an appointment for the next day, knowing that would be too late

as my milk supply was dropping rapidly. Eventually, I was able to get an appointment with a gynecologist back at the Athens Women's Clinic, my original doctor's office. Although they could not deliver my baby, at least I still had the opportunity to see them for my other health needs. Some women aren't so lucky. Many ob-gyns have actually retired, or left one state for another. I am thankful Dr. Mercer has decided not to leave Athens.

When Dr. Mercer and her group were forced to drop obstetrics, women in Athens lost one-third of the ob-gyns in town. The remaining obstetricians in Athens are working extremely hard and very long hours to take care of us. There aren't that many ob-gyns left. I don't know how many will even take high-risk patients these days. I'm glad that my advanced maternal age did not prevent me from getting the care I needed. I know too that doctors are testing us beyond the norm, just to be safe. Is that good medicine? Is every doctor doing it? How does that affect our health insurance costs?

These doctors aren't faceless, deep-pocketed, cosmic healers. In Athens, we have a community. Our oncologists cry with us, our obstetricians cuddle our babies, our pediatricians' children go to Mother's Morning Out with our children, they go to dinner with us, they are our clients, they worship with us, they are our friends. I know that sometimes things can go wrong during delivery, and sometimes mistakes are made. But we must weigh the effects of the current system on all women. If there are no doctors, who will deliver our babies? What will happen when Claire and my son, Thomas are ready to start their families? If they choose to stay in the Athens area, who will deliver their babies twenty years from now? Will we depend solely on emergency room

doctors? We have a country where a woman can choose to have a baby underwater if she wants. Why can't I choose the doctor I want? Who is so intent on making it impossible for them to practice?

We have the finest health care in the world, and our doctors cannot practice out of fear. Members of the Committee, I came here to ask your help. We need some help to give our doctors freedom to take care of us. Women in my community wonder where they are going to go for health care.

I don't know the answers, but I'm here begging for your help because you have the resources to see the big picture. I appreciate your attention and your hard work to solve this difficult problem.