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How a botched liposuction led to a lawsuit prompting questions about Colorado's lack of oversight for plastic surgery centers

Nurse at center of case was found with anesthetics stashed in purse

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Allegations that a botched liposuction sent a patient into heart failure has raised questions about why Colorado allows plastic-surgery centers to operate without state oversight, and whether health officials are putting patients in peril by failing to root out sloppy handling of powerful painkillers and anesthetics.

The lawsuit names as a defendant Elizabeth Lamot Campbell, who provided anesthetic services for several area plastic surgeons.

In a separate, ongoing case, Campbell has admitted to the federal Drug Enforcement Administration and the Lone Tree Police Department that she stored unsecured drugs in a bag in her car and on a shelf in her garage, court documents show. Many of those drugs had expired. She also told the DEA and police that she may have administered expired drugs to patients, often failed to refrigerate drugs as required and regularly had drugs handed off to her in parking lots.



Courtesy photo

Melinda Van Abbema

Authorities were tipped off to Campbell after she returned a purse to a retailer at Park Meadows Mall in May, law enforcement records show. Inside the purse, the clerk found a needle in its package and bottles of the anesthetics Midazolam and Propofol, the same drug linked to the overdose death of Michael Jackson.

In May, Campbell entered into an agreement with the Colorado Nursing Board to suspend her license to practice as a nurse while the board investigates her handling of drugs. Lone Tree police say they still are investigating her.

A lawsuit claims that Campbell provided deficient care to Melinda Van Abbema, 57, a teacher who lives in Golden, during a 2015 liposuction and tummy tuck at the Zwiebel Center for Plastic Surgery and Skin Care in Highlands Ranch. The lawsuit also names as a defendant the plastic surgeon, Dr. Paul Zwiebel.

Zwiebel and Campbell deny the claims and maintain in court documents that they provided Van Abbema proper care. They said in court filings that the surgery that prompted the lawsuit was a rare instance in which emergency personnel had to be called in for assistance.

Zwiebel's lawyer, Bruce Montoya, said his client knew nothing about Campbell's issues with storing medication until she informed him that the state was taking action against her nursing license. Montoya added that, contrary to claims in the lawsuit, the complications in Van Abbema's surgery weren't related to medication storage issues.

“This is the first time in Dr. Zwiebel’s 33 years of practice that a patient has experienced complications like this in his office,” Montoya said.

Campbell’s lawyers did not return telephone messages seeking comment.

Discoveries in the case highlight why the state should close a gap in how health care facilities in Colorado are regulated, said Hollynd Hoskins, the lawyer suing on behalf of Van Abbema. Plastic-surgery centers are not subject to state licensing requirements — and any inspections — that are required of other health care facilities in Colorado such as ambulatory surgical centers.

“The state is allowing a number of surgical facilities throughout Colorado to be exempt from regulations and avoid oversight requirements and licensing requirements that are very crucial for patient safety and the safe, secure storage and administration of controlled substances,” Hoskins said. “This is a very dangerous interpretation and truly a dangerous exemption. Really this needs to be immediately changed. It’s a crazy loophole.”

At least 20 states require the accreditation or licensing of offices where doctors perform surgeries, including plastic-surgery centers, according to the American Association for the Accreditation of Ambulatory Surgery Facilities. In 2012, Washington became one of the states that license plastic-surgery centers. In such states, health officials inspect the facilities and track adverse medical events and complaints.

“There was a recognition that there needed to be specific licensing for these types of facilities as more and more of them develop,” said Gordon MacCracken, public information officer with the Washington Department of Public Health. “If they plan to do general anesthesia or provide surgical services, they need to be licensed.”

Plastic-surgery centers escape state regulations in Colorado because they don’t “operate exclusively for the purpose of providing surgical services,” Hoskins said. While surgeries are conducted at those centers, they also offer nonsurgical services, such as Botox injections. Furthermore, Colorado does not consider liposuction procedures as needing strong oversight by the state unless they remove more than 5 percent of body weight.

“It is up to the physician to determine the scope of the services provided and whether or not they fall under office based vs. facility level care,” said Lorraine Dixon-Jones, a spokeswoman for the Colorado Department of Public Health and Environment.

Nurses and doctors at plastic-surgery centers in Colorado are required to hold licenses to practice.

Recent public health scares at hospitals have focused attention on the extreme danger that drug diversions can pose to the public.

Former surgical technologist Rocky Allen was sentenced to 7 1/2 years in prison for stealing a fentanyl syringe intended for an elderly woman about to undergo surgery in January 2015 at Swedish Medical Center. His theft prompted a nationwide health scare when it was revealed he was HIV positive and had been fired from at least five health care facilities in California, Arizona and Washington before Swedish hired him in August 2015.

Cosmetic surgery scandals also have produced headlines in Colorado. Last year, authorities arrested a 36-year-old Denver surgical assistant who was posing as a plastic surgeon and had opened up his own cosmetic surgery clinic. Carlos Hernandez Fernandez pleaded guilty to illegal impersonation and other charges in connection with his painful and shoddy tummy tucks, face-lifts and other medical procedures on women, often conducted without proper anesthesia. He was sentenced to six years in prison.

Zwiebel's Highlands Ranch center promises on its website that it can "deliver the shape, look and confidence you need." That website also touts that the center is certified by the American Association for Accreditation of Ambulatory Surgery Facilities, an accreditation the website says "ensures you receive the highest possible level of safety and comfort."

Instead of receiving the body she desired, Van Abbema maintains in the lawsuit that she underwent a nightmare at the Zwiebel center that almost claimed her life. The care at the clinic was so deficient that she probably was administered unsafe drugs by Campbell on Dec. 17, 2015, causing her to go into acute respiratory and heart failure, she claims.

Campbell had administered anesthetics to Van Abbema during the surgery, the lawsuit states. Shortly after emerging from the surgery for liposuction and a tummy tuck, Van Abbema began coughing up pink, frothy sputum, she alleges in the suit, filed in Arapahoe District Court. Campbell then administered Decadron after the surgery, a drug often used to treat breathing problems, the complaint alleges.

Van Abbema reported to the nurses that she felt like she was crawling out of her skin after receiving the Decadron. She then went into severe respiratory and cardiac failure, according to court records. She ended up getting rushed by ambulance to Littleton Adventist Hospital, where she was in intensive care for 39 days. She had to undergo a tracheotomy as surgeons struggled to keep her alive. The wounds from her liposuction reopened, causing infections and requiring numerous followup surgeries, the lawsuit claims. She now struggles with ongoing lung complications due to the lack of oxygen she experienced when she went into cardiac and respiratory failure, according to her complaint.

[\(Click to see graphic photo of the wounds\)](#)

This isn't the first time Campbell has been sued in connection with her care at a plastic surgery center. She was sued in 2010 for allegedly administering at another center a toxic dose of anesthesia that permanently damaged the spinal nerves of a woman receiving a liposuction, according to that lawsuit. The woman claimed she went into heart failure and had to be hospitalized. Campbell ended up settling the claims against her in that lawsuit for an undisclosed amount, according to court documents filed in that case. Zwiebel has been sued four times, all of which ended up in settlements, according to state records.

EDITOR'S NOTE: The story was updated at 11:47 a.m. on Aug. 15 to include comments from Dr. Zwiebel's attorney. At 12:42 p.m., the story was updated to correct the spelling of Campbell's name on first reference.

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