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DEADLY MEDICAL CASE

Toenail treatment leads to woman's death

Doctor admits to failing to monitor 78-year-old's liver despite warning.

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When Ok Hui Smith sought out medical care for a discolored toenail, a McDonough doctor prescribed her the drug Nizoral.

Four months later, the 78-year old woman was hospitalized for liver failure. Three weeks after that, on Jan. 23, 2014, with her family at her bedside, she was pronounced dead. Smith is survived by her husband, seven children, 17 grandchildren and one great-grandchild.

It turned out that Smith's doctor had put her on a drug known to cause potentially lethal liver toxicity, and he failed to monitor her liver function during the 4½ months Smith was taking it, Dave Krugler, one of the family's lawyers, said.

Just weeks before Smith's doctor's visit in August 2013, the U.S. Food and Drug Administration issued a warning to health care professionals about Nizoral, saying it could cause liver damage. The FDA also said patients who were taking the drug should be periodically checked for possible problems.

"Either the doctor wasn't aware of the warnings or just didn't follow them," Krugler said.

This week, Smith's husband settled his medical malpractice case against McDonough



Ok Hui Smith, of McDonough, who'd been married 50 years and who had seven children, 17 grandchildren and one great-grandchild. She died in January 2014. **FAMILY PHOTO**

Primary Care and Dr. William Van Laar for \$4.9 million, Krugler said. The settlement comes less than a month after a federal jury in Atlanta awarded \$4.7 million for Ok Hui Smith's wrongful death, pain and suffering, and funeral and medical expenses.

(A federal judge later increased that award by \$200,000 to account for prejudgment interest.)

"This was a clear case of malpractice and the consequences for the Smith family were devastating," said Krugler, an Atlanta

ABOUT THE DRUG

■ Nizoral, or ketoconazole, oral tablets have been used to treat skin and nail fungal infections.

■ In July 2013, the FDA said Nizoral should not be a first-line treatment for any fungal infection because it may cause liver damage.

■ In May 2016, the FDA said health care professionals should avoid prescribing Nizoral because of severe side effects.

attorney. "Patients should be able to rely on their doctors, and to lose one's life over a discolored nail is simply indefensible. ... We're pleased that we were able to get the Smith family justice at the end of the day."

The case finally settled when the doctor's and clinic's insurer, MAG Mutual Insurance Co., agreed to pay the \$4.9 million, even though there was only \$2 million in insurance coverage, Krugler said.

Lawyers for the doctor and McDonough Primary Care did not return phone calls and emails seeking comment. In July 2015, almost a year before the trial, the doctor and his practice filed a court motion in which they admitted being liable for what happened to Smith. For this reason, the trial was over how much in damages the defendants should pay.

The federal jury deliberated 90 minutes before reaching its decision, Krugler said.

Ok Hui Smith met her husband, Thomas Smith, in 1960 while he was serving in the U.S. Army in South Korea. Three years later, they were married at the U.S. Embassy in Seoul. The couple would later move their family to posts across the U.S., eventually settling in the metro area when Thomas Smith was stationed at Fort McPherson.

After Smith retired from the military in 1989, Ok Hui Smith tended to the family's garden, doted on her children and grandchildren and began her own custom-made bathing suit business.

She was admitted to the hospital on Jan. 3, 2014, after complaining for weeks of feeling ill. She had been coughing up mucus, looked jaundiced and had had no appetite for months, court records said. She was soon diagnosed with acute liver failure.

"Ok Hui was a very strong-willed, beautiful lady who was loved and admired by all who knew her," said Thomas Smith, who celebrated their 50th wedding anniversary with her six months before she died.



Ok Hui and Thomas Smith in a photo taken decades ago when Thomas Smith served in the U.S. Army.
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