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REPORT LISTS 6,900 DOCTORS SANCTIONED BY STATES, FEDERAL GOV'T;
PROVIDES STATE-BY-STATE CONSUMER GUIDE ON MEDICAL DISCIPLINE

Blasts Failure in System, Outlines Reforms for 50 States, D.C.

WASHINGTON, D.C. -- The Public Citizen Health Research Group made public today a nationwide roster of doctors disciplined by states and the federal government, for the first time giving medical consumers direct access to a compendium of doctors whose care is questionable.

The report, "6892 Questionable Doctors," lists 9,500 disciplinary actions against 6,055 physicians and 837 dentists, chiropractors and podiatrists. The actions were taken by 41 states and the District of Columbia, as well as the federal Department of Health and Human Services, the Medicare Peer Review Organizations and the Drug Enforcement Administration.

"If your doctor is among the 6,892 on this list, you ought at least to question the quality of his or her care," said Dr. Sidney M. Wolfe, director of the Public Citizen Health Research Group. "At the very minimum, you should find out why."

Most states are doing a grossly inadequate job in protecting the public from medical incompetence, misconduct and abuse, the report found. While more than 100,000 Americans are killed or

injured each year as a result of medical negligence, the report says, only 2,600 formal disciplinary actions are taken by states annually against doctors, and fewer than one-half of one percent of the nation's doctors face any state sanctions each year.

"Far too often, despite their clear duty to protect the public, state medical boards see their primary responsibility as protecting so-called 'impaired physicians' from public exposure," said Nicole Simmons, a Public Citizen staff researcher who wrote the report. "And more and more, the definition of 'impaired' covers doctors who may be drunk on the job, strung out on drugs, insane, or habitual sex offenders."

Years often go by before a consumer complaint results in a doctor being sanctioned, according to Simmons, and the sanction too often is a mere slap on the wrist. "Most disciplined doctors are never removed from practice," she said.

Despite some improvements in the system, doctors can often cross state lines with impunity, and some states are unwilling or unable to act on information provided by other states, according to the report. Yet fully 20 percent of the disciplinary actions taken were based on action by another state or agency, it says.

Among the recommendations the report makes:

- o Congress should require cooperation between state medical boards, the Medicare PROs, state Medicaid agencies and the Drug Enforcement Administration in catching and sanctioning malfeasant physicians.

- o The government's National Practitioner Data Bank, scheduled to start collecting information on questionable doctors in September, should be opened to the public. Its contents are now confidential.

- o The Drug Enforcement Administration should tell the public and pharmacists which doctors' prescription licenses it has pulled or restricted.

- o States should strengthen their medical practice statutes, restructure their medical boards, and dramatically increase both funding and staffing.

- o Medical boards should be required to make all their disciplinary actions public, and widely distribute lists of actions to consumers.

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Public Citizen is a nonprofit, consumer advocacy organization founded by Ralph Nader in 1971. The Public Citizen Health Research Group was co-founded by Nader and Dr. Sidney M. Wolfe in 1972.

Our study of the nation's medical quality control system led us to conclude that:

- o Too little discipline is still being done. Fewer than one-half of one percent of the nation's doctors face any state sanctions each year.
- o 2,600 total disciplinary actions a year, the number state medical boards took in 1987, is a pittance compared to the 150,000-300,000 Americans who are injured or killed each year as a result of medical negligence.
- o The number of state disciplinary actions against physicians, which rose by 170 percent from 1982 to 1987, appears not to have increased significantly since 1987. It may have decreased.
- o Some states still take an average of two years or more to investigate complaints of doctor incompetence or misconduct. Complaints based on murder convictions can get shoved to the bottom of the pile, beneath minor fee disputes.
- o Far too few state medical board disciplinary actions -- 8.9 percent -- are for medical negligence or incompetence.

This country's system for ensuring medical quality needs to be made much stronger. We recommend that:

- o States should strengthen their medical practice statutes, restructure their medical boards, and dramatically increase both funding and staffing. They should start programs to audit and weed out bad doctors, to prevent patient injuries rather than reacting to them.
- o Congress should require cooperation and routine data-sharing between state medical boards, Medicare Peer Review Organizations, state Medicaid agencies and the Drug Enforcement Administration in catching and sanctioning physicians guilty of incompetence or misconduct.
- o The National Practitioner Data Bank, scheduled to start collecting information on questionable doctors in September, should be opened to the public.
- o The Drug Enforcement Administration should tell the public and pharmacists which doctors' controlled substances prescription licenses it has pulled or restricted.
- o State medical boards should be required to promptly make all their disciplinary actions public, and to regularly widely distribute lists of actions to consumers.

STATEMENT BY SIDNEY M. WOLFE, M.D.
DIRECTOR, PUBLIC CITIZEN HEALTH RESEARCH GROUP
6892 QUESTIONABLE DOCTORS DISCIPLINED BY STATES OR THE FEDERAL GOVERNMENT

For the past 19 years, the Public Citizen Health Research Group has monitored the health care system in this country. We have paid particular attention to a serious and curious problem which confronts the public: People can find out much more about the safety of products such as cars than they can about doctors or prescription drugs. Through administrative appeals, litigation in Federal Courts, our own research efforts, and books and reports we have published, we have made at least a small contribution to the growing amount of publicly available information about doctors, drugs and other aspects of the health care system. We have also urged people to get more information so that, in Jefferson's words, they will have more power.

In a recent report by the Congressional Office of Technology Assessment (OTA) entitled, QUALITY OF MEDICAL CARE: INFORMATION FOR CONSUMERS, state doctor disciplinary actions were studied as an indicator of quality. It was found that "For those consumers who believe that quality in providing medical care is affected by a physician's character and not confined to the physician's technical skills, formal disciplinary actions taken by a State medical board would be fairly good indicators of poor-quality care." The report concluded, however, that such information "is not well publicized in most states". Moreover, the recently created National Practitioner Data Bank, which will include these state actions excludes public access.

The book which we are publishing today, 6892 QUESTIONABLE DOCTORS DISCIPLINED BY STATES OR THE FEDERAL GOVERNMENT, makes public for the first time a nationwide compendium of physicians whose provision of medical care is, at the very least, questionable. Its publication affirms the public's right to know about this group of practitioners in whose hands they entrust their care. This kind of information is long overdue.

But there are at least three reasons why this list should be much longer than it is. One is that more states should have divulged information on their own disciplinary actions (10 states did not). Second, most states should have provided data for more years. Third, most states should be doing much more discipline of physicians. Given that an estimated 80,000 patients a year are killed in American hospitals as a result of negligence, the 1495 serious disciplinary actions in 1987, the highest total ever, seems dangerously low.

Since the stakes for patients are possible loss of life or serious impairment of health, the grossly inadequate policing of American doctors and the difficulty in finding out about even the relatively small number of physicians who are disciplined is a national disaster which needs to be promptly addressed.

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Press Guidelines For using "6892 Questionable Doctors"

- The State-by-State Listings section of this report contains specific information on your state's medical board, and recommendations to improve your state's medical discipline process.
- The Disciplinary Action section for your state includes:
 - Doctors disciplined by your state medical board, as specified in the text commentary on your state.
 - Doctors who have addresses in your state, who were disciplined by other states' medical boards or by Medicare or the federal Drug Enforcement Administration.
 - Doctors whose names are similar to those in the first two categories. Our computer program for generating the state-by-state listings could not distinguish between two doctors with slightly different first names. A few doctors who are listed in your state's listings may therefore not be residents of your state.
- The offenses for which doctors listed in this report were disciplined range from simple advertising violations to murder convictions, and the disciplinary actions range from license revocations to reprimands. We ask that if you reproduce the names from this report, that you reproduce the entire listing for each doctor.
- If you plan to focus your coverage on individual doctors listed in this report, please request the full disciplinary files from the appropriate agency. Much of the information listed here is of necessity sketchy.
- Please note in your coverage that states did not provide us with full information on license reinstatements or judicial appeals, in which a disciplinary action may have been overturned.

6892 QUESTIONABLE DOCTORS
Disciplined by States or the Federal Government

A Public Citizen Health Research Group Report, June 1990

2 inches thick, 1300 pages, and 7 pounds: The first nationwide listing of disciplined doctors made available to the public

Contains: State-by-State recommendations for improvement in our system of controlling medical quality, addresses and phone numbers of the state medical boards and complaint hotlines, and names of doctors sanctioned alphabetically by state.

Protect yourself! Find out which doctors in your state have been sanctioned and why.

Copies of this report are available for:

\$40 for individuals, consumer groups and government agencies

\$110 for businesses, doctors, and lawyers

(Cost includes postage and handling)

Copies of report excerpts are available for:

\$10 for the national summary plus listings for one state

\$5 for each additional state listing

I would like to order _____ copies of 6892 Questionable Doctors

I would like to order the national summary plus listings for the following state(s): _____

Enclosed is my check for \$ _____

Name: _____

Company: _____

Address: _____

City: _____ State: _____ Zip: _____

Send order to:

Public Citizen Health Research Group
Department QD
2000 P Street NW
Washington, DC 20036
(202) 872-0320

STATEMENT BY NICOLE SIMMONS
RESEARCHER
PUBLIC CITIZEN HEALTH RESEARCH GROUP
ON 6892 QUESTIONABLE DOCTORS

JUNE 28, 1990

A license to practice medicine is a hard-won privilege. It is a privilege to hear our innermost thoughts, to see us naked, to cut us open, and to provide us with dangerous drugs. Yet for too long, the government agencies chartered to protect us from those no longer fit to hold that privilege have fallen down on the job.

Most state medical boards and other regulatory agencies have either failed to catch doctors guilty of incompetence, drunkenness or patient abuse, or have let them get away with slaps on the wrist.

For just as long, doctors and their ostensible gate-keepers have failed to realize that we need to protect ourselves. They have either refused to provide information on those shoddy doctors they have spotted, or have made it awfully hard to get.

Here, for the first time, Public Citizen presents a nationwide compendium of 6,892 questionable doctors, including 6,055 physicians, who have been disciplined a total of 9,510 times by state and federal government agencies.

It is based solely on information provided by 40 states, the District of Columbia, the federal Department of Health and Human Services and the Drug Enforcement Administration -- information which is ostensibly publicly available, but which is often difficult for the public to get.

Included in the list of disciplined doctors were 601 instances of overprescribing or misprescribing of drugs, 369 criminal convictions, 338 instances of alcohol or drug abuse, 328 cases of substandard care or negligence and 106 instances of sexual abuse of a patient. And those are just the cases where we know why a doctor was disciplined.

We advise patients: Check to see if your doctor is in our listings, and if he or she is here, find out why.