

## U.S. Physicians Disciplined For Criminal Activity TABLES (HRG Publication #1782 addendum)

View the text of this publication here: <http://www.citizen.org/publications/release.cfm?ID=7454>

From HEALTH MATRIX Vol. 16:335 Summer 2006. © Health Matrix: Journal of Law-Medicine

**Table 1.** U.S. Criminal Convictions of Physicians, 1990-1999.

Year	No. of entries related to convictions	No. of orders related to convictions	Average no. of orders per entry	Total no. of entries (both conviction- and non-conviction-related) in database <sup>17</sup>	Conviction-related entries as % of total entries <sup>§§18</sup>	No. of physicians associated with conviction-related entries	Number of entries with severe orders (% of conviction-related entries)	Physicians disciplined for criminal activity as % of all physicians	Avg. no. of entries per physician disciplined for criminal activity	Avg. no. of orders per physician disciplined for criminal activity <sup>19</sup>
1990	266	310	1.17	2631	10.11%	248	116 (43.6)	0.0403%	1.07	1.25
1991	254	314	1.24	2391	10.62%	239	137 (53.9)	0.0377%	1.06	1.31
1992	276	348	1.26	2403	11.49%	253	162 (58.7)	0.0387%	1.09	1.38
1993	280	350	1.25	2699	10.37%	249	159 (56.8)	0.0371%	1.12	1.41
1994	347	424	1.22	3465	10.01%	321	221 (63.7)	0.0469%	1.08	1.32
1995	343	416	1.21	3547	9.67%	307	227 (66.2)	0.0426%	1.12	1.36
1996	294	353	1.20	3657	8.04%	263	195 (66.3)	0.0356%	1.12	1.34
1997	300	345	1.15	3421	8.77%	284	169 (56.3)	0.0375%	1.06	1.21
1998	271	321	1.18	3439	7.88%	250	178 (65.7)	0.0321%	1.08	1.28
1999	272	319	1.17	3384	8.04%	246	154 (56.6)	0.0308%	1.11	1.30
<b>Overall<sup>20</sup></b>	<b>2903</b>	<b>3500</b>	<b>1.21</b>	<b>31037</b>	<b>9.35%</b>	<b>2247</b>	<b>1718 (59.2)</b>	<b>0.3188%</b>	<b>1.29</b>	<b>1.56</b>

**Table 2.** Percentage of entries receiving severe orders by offense and year.<sup>21</sup> Linear regression for total percentages over ten-year time period was not significant (p=0.46).

<b>Offense</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>	<b>1994</b>	<b>1995</b>	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>Totals</b>
Rape, sexual assault, sexual misconduct, indecency with a child, public indecency, or any sex-related conviction	77.8	94.1	100.0	87.5	97.0	95.2	100.0	100.0	94.7	88.9	<b>93.6</b>
Murder, manslaughter, or involuntary manslaughter convictions	100.0	100.0	100.0	75.0	100.0	100.0	75.0	100.0	100.0	100.0	<b>93.1</b>
Any prescribing violations as well as any use, possession, or distribution of controlled dangerous substance convictions	36.0	63.8	65.8	58.8	63.0	67.3	77.9	70.8	83.7	72.9	<b>64.0</b>
Medicare, Medicaid or insurance fraud	27.5	19.8	30.9	33.7	36.4	48.5	28.4	33.7	36.9	27.6	<b>32.8</b>
Alcohol, including public drunkenness, driving under the influence (DUI), or any other alcohol-related conviction	100.0	100.0	100.0	100.0	100.0	90.0	100.0	80.0	76.9	71.4	<b>88.1</b>
Practicing without a license	--	--	--	0.0	--	66.7	--	--	100.0	--	<b>60.0</b>
Income tax evasion, failure to file income taxes, or any tax-related conviction	66.7	85.7	100.0	54.5	57.1	83.3	90.0	87.5	69.2	77.8	<b>76.5</b>
Criminal misconduct such as theft, bribery, forgery, disorderly conduct, unspecified fraud	70.0	70.0	70.0	50.0	100.0	88.2	84.2	72.7	84.6	79.2	<b>78.5</b>
Criminal misconduct related to the practice of medicine such as assisting an unlicensed person to practice medicine, fraudulent misrepresentations, conspiracy to receive kickbacks, altering or falsifying medical records and failure to report suspected child abuse	57.1	56.3	60.0	65.2	50.0	53.8	62.5	44.1	56.5	44.0	<b>54.5</b>
Convictions not described above or those left unspecified	61.8	68.8	82.0	82.1	69.6	78.7	82.2	56.6	76.9	70.6	<b>72.8</b>
<b>Overall<sup>21</sup></b>	<b>43.6</b>	<b>53.9</b>	<b>58.7</b>	<b>56.8</b>	<b>63.7</b>	<b>66.2</b>	<b>66.3</b>	<b>56.3</b>	<b>65.7</b>	<b>56.6</b>	<b>59.2</b>

**Table 3.** Most severe disciplinary orders given to physicians with each conviction-related entry. Percent figures in columns 2-8 represent offense-specific row percentages. Percent figures in column 9 are column percentages.

Offense	Revocation (%)	Surrender	Suspension	Emergency suspension	Probation	Restriction	No serious action or not indicated	Total Entries	Physicians <sup>22</sup>
Rape, sexual assault, sexual misconduct, indecency with a child, public indecency or any sex-related conviction	69 (40.4%)	22 (12.9%)	29 (17.0%)	16 (9.4%)	22 (12.9%)	2 (1.2%)	11 (6.4%)	171 (5.9%)	153 (6.8%)
Murder, manslaughter, or involuntary manslaughter convictions	20 (69.0%)	2 (6.9%)	3 (10.3%)	1 (3.4%)	1 (3.4%)	0 (0.0%)	2 (6.9%)	29 (1.0%)	25 (1.1%)
Any prescribing violations as well as any use, possession, or distribution of controlled dangerous substance convictions	161 (19.3%)	36 (4.3%)	178 (21.3%)	73 (8.7%)	84 (10.0%)	2 (0.2%)	301 (36.2%)	835 (28.8%)	649 (28.9%)
Medicare, Medicaid and insurance fraud	94 (11.1%)	39 (4.6%)	77 (9.1%)	11 (1.3%)	56 (6.6%)	2 (0.2%)	571 (67.2%)	850 (29.3%)	730 (32.5%)
Alcohol, including public drunkenness, driving under the influence (DUI), or any other alcohol-related conviction	10 (14.9%)	5 (7.5%)	10 (14.9%)	5 (7.5%)	29 (43.3%)	0 (0.0%)	8 (11.9%)	67 (2.3%)	60 (2.7%)
Practicing without a license	0 (0.0%)	0 (0.0%)	1 (20.0%)	0 (0.0%)	2 (40.0%)	0 (0.0%)	2 (40.0%)	5 (0.2%)	5 (0.2%)
Income tax evasion, failure to file income taxes, or any tax-related conviction	14 (16.5%)	6 (7.1%)	20 (23.5%)	5 (5.9%)	20 (23.5%)	0 (0.0%)	20 (23.5%)	85 (2.9%)	74 (3.3%)
Criminal misconduct such as theft, bribery, forgery, disorderly conduct, unspecified fraud	40 (27.8%)	10 (6.9%)	38 (26.4%)	0 (0.0%)	25 (17.4%)	0 (0.0%)	31 (21.5%)	144 (5.0%)	138 (6.1%)
Criminal misconduct related to the practice of medicine such as assisting an unlicensed person to practice medicine, fraudulent misrepresentations, conspiracy to receive kickbacks, altering or falsifying medical records and failure to report suspected child abuse	26 (10.7%)	15 (6.2%)	44 (18.2%)	12 (5.0%)	33 (13.6%)	2 (0.8%)	110 (45.5%)	242 (8.3%)	235 (10.5%)
Convictions not described above or those left unspecified	127 (26.7%)	24 (5.1%)	89 (18.7%)	26 (5.5%)	77 (16.2%)	3 (0.6%)	129 (27.2%)	475 (16.4%)	440 (19.6%)
<b>Totals</b>	<b>561 (19.3%)</b>	<b>159 (5.5%)</b>	<b>489 (16.8%)</b>	<b>149 (5.1%)</b>	<b>349 (12.0%)</b>	<b>11 (0.4%)</b>	<b>1185 (40.9%)</b>	<b>2903 (100%)</b>	<b>2247<sup>23</sup></b>

**Table 4.** Number of conviction-related entries by offense and patient or health system involvement. Percent figures in columns 2-4 indicate row percentages.

Offense	Involves Patients	Involves Health System Only <sup>24</sup>	Neither	Totals
Rape, sexual assault, sexual misconduct, indecency with a child, public indecency or any sex-related conviction	69 (40.4%)	4 (2.3%)	98 (57.3%)	<b>171</b>
Murder, manslaughter, or involuntary manslaughter convictions	4 (13.8%)	0 (0.0%)	25 (86.2%)	<b>29</b>
Any prescribing violations as well as any use, possession, or distribution of controlled dangerous substance convictions	835 (100.0%)	0 (0.0%)	0 (0.0%)	<b>835</b>
Medicare, Medicaid or insurance fraud	0 (0.0%)	850 (100.0%)	0 (0.0%)	<b>850</b>
Alcohol, including public drunkenness, driving under the influence (DUI), or any other alcohol-related conviction	15 (22.4%)	4 (6.0%)	48 (71.6%)	<b>67</b>
Practicing without a license	5 (100.0%)	0 (0.0%)	0 (0.0%)	<b>5</b>
Income tax evasion, failure to file income taxes, or any tax-related conviction	5 (5.9%)	2 (2.4%)	78 (91.8%)	<b>85</b>
Criminal misconduct such as theft, bribery, forgery, disorderly conduct, unspecified fraud	9 (6.3%)	18 (12.5%)	117 (81.3%)	<b>144</b>
Criminal misconduct related to the practice of medicine such as assisting an unlicensed person to practice medicine, fraudulent misrepresentations, conspiracy to receive kickbacks, altering or falsifying medical records and failure to report suspected child abuse	242 (100.0%)	0 (0.0%)	0 (0.0%)	<b>242</b>
Convictions not described above or those left unspecified	84 (17.7%)	75 (15.8%)	316 (66.5%)	<b>475</b>
<b>Totals</b>	<b>1268 (43.7%)</b>	<b>953 (32.8%)</b>	<b>682 (23.5%)</b>	<b>2903</b>

Reproduced by permission. No further reproduction, copy or transmission of this publication may be made without prior written permission of Health Matrix: Journal of Law-Medicine. For further information, please visit [http://law.case.edu/student\\_life/journals/health\\_matrix/](http://law.case.edu/student_life/journals/health_matrix/).

## Table References

For a complete list of article references, see the HRG publication at: <http://www.citizen.org/publications/release.cfm?ID=7454>

<sup>17</sup>  $p < .01$  for linear regression of total entries on year.

<sup>18</sup>  $p < .005$  for chi-square test of actual % conviction-related entries compared to expected total.

<sup>19</sup> Data for total number of physicians obtained from the following sources: Gene Roback et al., Am. Med. Ass'n, Physician Characteristics and Distribution in the U.S. 8 (1990 ed. 1990); Gene Roback et al., Am. Med. Ass'n, Physician Characteristics and Distribution in the U.S. 8 (1992 ed. 1992); Gene Roback et al., Am. Med. Ass'n, Physician Characteristics and Distribution in the U.S. 8 (1993 ed. 1993); Gene Roback et al., Am. Med. Ass'n, Physician Characteristics and Distribution in the U.S. 10 (1994 ed. 1994); Lillian Randolph et al., Am. Med. Ass'n, Physician Characteristics and Distribution in the U.S. 10 (1995-96 ed. 1996); Lillian Randolph et al., Am. Med. Ass'n, Physician Characteristics and Distribution in the US 10 (1996-1997 ed. 1997); Lillian Randolph, Am. Med. Ass'n, Physician Characteristics and Distribution in the US 9 (1997-1998 ed. 1998); Thomas Pasko & Bradley Seidman, Am. Med. Ass'n, Physician Characteristics and Distribution in the US 9 (1999 ed. 1999); Thomas Pasko et al., Am. Med. Ass'n, Physician Characteristics and Distribution in the US 323 (2000-2001 ed. 2000); Thomas Pasko & Bradley Seidman, Am. Med. Ass'n, Physician Characteristics and Distribution in the US 316 (2002-2003 ed. 2002). For 1991, we used the average of 1990 and 1992. To calculate the average number of physicians between 1990 and 1999, we added yearly totals and divided by 10.

<sup>20</sup> Because one physician may have an action taken against them more than once in each year and in more than one year, number of physicians in this row are based on unduplicated physicians for the ten-year period.

<sup>21</sup> Linear regression for total percentages over ten-year time period was not significant ( $p=0.46$ ).

<sup>22</sup> Since a physician may be found in more than one disciplinary entry, physicians are categorized in this column by the most severe order received.

<sup>23</sup> This total does not equal the sum of the column because one physician may be associated with more than one entry.

<sup>24</sup> As described in the Methods section, this column only includes those entries that do not involve patients.