

# **SEMMELWEIS SOCIETY INTERNATIONAL**

For Immediate Release

May 23, 2005

## **DOCTORS ALERT CONGRESS TO CRISIS OF INTEGRITY IN MEDICINE**

Ziad Akl, MD, FACP, Chairman of the Congressional Forum on Health  
Integrity

Contact: zeeakl@pol.net

### **DUE PROCESS SAVES LIVES AND BILLIONS OF DOLLARS.**

In May 1847, Ignaz Semmelweis revolutionized medicine with the discovery that simple washing of hands prevents childbirth infections, only to be ostracized by his peers who thought the idea was ludicrous. On the 158th anniversary of this discovery, doctors stormed Capitol Hill to announce the need to cleanse the profession of the corrupt practices of Corporate Medicine and for-profit managed care entities.

"Due process saves lives. Due process saves billions of dollars," intoned conference Chairman Ziad Akl. More than 40 bipartisan doctors gathered from all over the country together with ethicists and public interest advocates to alert Congress to the threat of bad-faith peer-review (BFPR). "All over America today, Doctors' careers are being ended unfairly by colleagues and hospital administrators using BFPR. Under the guise of immunity provided to it by the Health Care Quality Improvement Act of 1986, Corporate Medicine uses BFPR to stifle competition and silence whistleblower doctors who push for high quality healthcare", declared Akl, who had organized the forum of doctors outraged by unethical practices of Hospitals, HMOs and colleagues.

Keynote speakers included Tom Devine, legal director of the Government Accountability Project, who lauded the group for their determined fight for good faith in medicine. Seven speakers gave shocking specific examples and statistics of the harms of BFPR, including:

1. Stifled competition between medical providers and enormous increases in costs.

2. Terrible abuses of patients, and decreases in quality and safety in medical care.
3. Shocking cover up of embarrassing scandals and patient care abuses.
4. Discrimination against minority physicians and decreases in quality of minority care.
5. Silencing of whistleblowers who attempted to expose incredible corruption at the nation's largest for-profit hospital chains.

The consensus of the speakers was that a large proportion, possibly as high as 70%-90% of peer reviews have little to do with the furtherance of quality health care. "This system is shockingly bad, counter-productive to good patient care and fundamentally unfair to physicians," Semmelweis President C. William Hinnant, MD, JD, described. "The system has been so corrupted that the best doctors are often reviewed by retaliating doctors who either cannot compete or are biased based on financial ties to hospitals or Corporate Medicine. This is a system that needs to be changed to mandate due process and assure that physicians can voice quality concerns without fear of reprisal."

Citizen coalition leader Ron Marshall from Atlanta described how key protection systems, including JCAHO, have failed. Marshall and other witnesses described in graphic detail how horrible abuses of patients have been covered up by hospitals who use BFPR to silence critics and to avoid embarrassment. "Peer review is a system that is supposed to protect patients," Marshall stated, "Instead, the abuse and corruption of BFPR leads to poor quality, cover-ups, patient abuse, and especially low quality health care for the underinsured. Citizens deserve better. This cannot stand!"

"Doctors are constantly threatened by the sword of BFPR", Semmelweis founder, Dr. Verner Waite, continued. "Most peer-reviews of physicians have nothing to do with actual merit and are performed with bad faith. Thousands of cases have been documented, and this is now a more pressing issue than the perceived medical malpractice crisis."

"Medicine is under attack," Semmelweis Vice-President Ralph Bard, MD, JD noted; "HMO directors have declared that the Hippocratic Oath is dead, and that doctors are now technicians who work for managers. This cannot stand. Ethics, safety, integrity and quality patient care go hand in hand."

Bard noted the Dallas Poliner v. Texas Health System case in which a jury awarded a \$366 M verdict against a hospital that attempted BFPR to destroy a doctor's career and decrease competition and quality of medicine, along with

the admitted \$2 Billion dollar fraud of HCA. Testimony from Dr. Linda Peeno was referenced regarding deaths at Humana. Ron Marshall described that BFPR was used in Atlanta to cover-up widespread political corruption leading to indictment of a former Georgia Senate majority leader on 142 felonies.

"What more does Congress need?" Marshall noted, "How much more corruption before there is change? How many more billions, how many more thousands of patients will die? Every patient has a sacred life. Congress decided to get out of bed to help one patient, Terry Schiavo, but what about helping millions of others? We call on the media to expose how bad-faith peer-review has crushed taxpayers, qualified, well-intentioned physicians, and patients."

State Boards of Medicine have refused to consider the practice of bad-faith peer-review unethical, while taking actions against physicians for minutiae, concluded Akl.

All Semmelweis members urged Congress and HHS to enforce current law, and consider strengthening due process and integrity by revising the Health Care Quality Improvement Act of 1986. As Marshall noted, "The rule of law must be restored. Due process, civil rights, and quality care monitoring in good faith are the law."

Just as Ignaz Semmelweis urged clean hands in medicine, sunlight is the best disinfectant for the body politic.

The Semmelweis Society has assembled the most comprehensive document on bad-faith peer-review to date. It can be reviewed at [www.semmelweis.org](http://www.semmelweis.org)