IT'S NOT WHETHER YOU WIN OR LOSE, BUT HOW YOU PLACE THE BLAME.

An unhappy software developer in Texas claims he was a victim of bad eye surgery, and created a website LastIFraud.com to spread his story. Disgruntled patients have a new mechanism for expressing their unhappiness with medical care. Angry persons can post messages on the internet, and inform the electronic world. In Florida two dentists filed a lawsuit against a woman who created a website called DentalFraudInFlorida.com. They wanted to shut down the website, but later withdrew the suit. DR. Oogle, Inc., in San Francisco runs a website that accepts anonymous reviews on 19,000 dentists, and does not screen them except for obscenity. Patient advocates claim that people have First Amendment rights, and that such websites are no different from gossiping over the back fence. Not! In fact, the potential to do great harm to a doctor or medical facility is enormous, and the internet is one more minefield virtually beyond control.

SHORT OF DOCTORS? CALL RENT-A-DOC AT 1-800-LOCUMS!

Is a locum tenens physician an employee or an independent contractor? The question is much more than rhetorical because it involves issues of taxation, benefits and other considerations. In California, the Employee Development Department is insisting that organizations who direct locum tenens physicians are employers, and must pay taxes on the physician’s earnings. The department has assessed Staff Care, a Texas firm which has helped place physicians with the California Correction Department, $2.6 million in taxes and penalties. The company has said no way! They assert that these doctors are independent contractors. They pay their own taxes, and there are several IRS rulings to support that argument. Still, the issue is being pursued by the state of California, and the consequences are large. If locum tenens brokers are found responsible as employers, they will withdraw from the California market, making it very difficult to find doctors to fill those roles. Moreover, other states would likely follow suit, and perhaps completely destroy the industry. But then, when did tax departments ever care about destroying businesses?

MY MAN IS IN THE WHITE HOUSE. I AM HEAVILY ARMED AND HAVE A BIBLE.

Eighty years after the trial, the ghost of John Scopes has returned in Pennsylvania. The landmark Scopes “monkey trial” centered around the teaching of a scientific truth, the evolution of species, which had been banned by Tennessee law in favor of teaching biblical creation. The jury found the teacher guilty, but their decision was over-turned by the Tennessee Supreme Court. The law disappeared from the books, as similar ones did in 15 other states as well. But, religious zealots are determined, and the issue has risen again with a different hat on in Harrisburg, Pennsylvania, where the teaching of “intelligent design” (see biblical creation) is about to go on trial again. The truly sad part of this episode is the anti-science posture which seems to be pervading current thought and action in the present administration. Besides the attack on Darwinism, issues such as stem-cell research, the refusal to support or even allow birth control education, the limiting of OTC sale of a morning-after pill, are all religion-based decisions to trump medical science. Government by theocracy is bad; see Amendment One.

WHY DO YOU ASK? THE ANSWER IS OBVIOUS.

Some wise person once said that the thing one accepts as absolute without question, is almost certainly false. For generations, physicians have been taught and accepted as fact that stomach ulcers are caused by stress. Medications, bland diet, and stress relief were the order of the day, and every following day. But like 48 human chromosomes, the peptic ulcer is a falsehood. It remained for two physicians isolated out on the west end of Australia to challenge the physician, and find that “peptic” ulcers are actually septic ulcers, and caused by bacteria. The Nobel prize for medicine has been awarded to Robin Warren and Barry Marshall of Perth, Australia, who theorized almost twenty years ago, and subsequently proved, that infection with Helicobacter pylori is the cause of stomach ulcer and can be cured with a course of antibiotics. Using Koch’s postulates, Dr. Warren infected himself, produced a typical ulcer, then also cured himself with antibiotics. So, there remains some hope that the world may learn that the brown pelican is not endangered, that DDT is harmless to humans and does not cause soft eggshells, and that any falsehood repeated ad infinitum will be accepted as fact.

YOU CAN READ THIS PARAGRAPH, BUT I MAY HAVE TO KILL YOU.

The Patriot Act of 2001 was created as an antiterrorist law. One portion of that law allows the FBI to issue National Security Letters (NSLs). Without a subpoena and without a grand jury hearing, the FBI can demand records, (including medical records) which must be provided. An additional provision is that the recipient of the letter is prohibited from informing anyone that such an event ever occurred. U.S. District Judge Janet Hall ruled against this government gag rule in a law suit brought by “John Doe” and the ACLU. She stated that the law has “the practical effect of silencing individuals with a constitutionally protected interest in speech and whose voices are particularly important in an ongoing national debate about the intrusion of governmental authority into individual lives.” The Justice Department is appealing her decision.

WE HAVE ENOUGH YOUTH. HOW ABOUT A FOUNTAIN OF SMART?

Sexual mores in the United States and Canada have changed immeasurably in the last 60 years. A study done at San Diego State University published in the Review of General Psychology recorded striking changes in sexual behavior over the past 60 years. The greatest change was found among young women who now begin sexual activity at age 15, while 60 years ago, it was age 19. Moreover, young women are far less prudish than previous generations, and oral sex which was considered abhorrent if not criminal, is now not merely acceptable, but frequently preferable. Feelings of guilt about sex are disappearing as 79% of young women find premarital sex acceptable, compared with 13% in the 1940s. Termed the “me” generation by the research team, young people are now seemingly more interested in pleasure than their parents or grandparents.

NO QUESTION! THE CAR IS ALREADY SMARTER THAN THE DRIVER.

The electronic age is now ready to render your automobile “keyless.” The fancy key car is headed for the museum of curious devices we used in a previous life. Cadillac has a keyless-entry system standard on CTS models which will compete with the BMW-3 series, the Lexus IS, the Audi A4, and Infiniti G35. This means that in these models the car door will lock when you walk away from it, unlock when you return to the parking spot, and start when you press a fancy button on the dash or steering post. The clutch and the hand choke are long gone, the gear shift is almost vestigial, window cranks are ancient history, the lights need no switch, a voice from the unknown will tell you when you make a wrong turn or have a flat tire, and now the key is disappearing. It only remains to replace the loose nut behind the wheel.

THE ENEMY IS SIMPLE SELFISHNESS AND COMPULSIVE GREED.

According to Medical Economics, Tower Health, a California HMO which has departed the medical scene had top executives who are now charged with grand theft, perjury, MediCal fraud, and filing false corporate financial reports. According to an investigation by the attorney general’s office, Dr. Robert Cohen former CEO and John Morreale former CFO, diverted more than $10 million in funds intended for physicians and MediCal reimbursements, into their own pockets. They face a maximum of 17½ years in state prison. The Enron, World Com, Healthsouth, and MCI greed disease seems to be everywhere. Thanks Doc. This really helps our public image!

THERE’S NOT MUCH ON HER MIND, BUT LOTS WRITTEN ON HER BODY.

Cher announced that she plans to pose in the nude in a men’s magazine for her sixtieth birthday next May 2006, apparently as a birthday card for the ED club. Wow! I am sure all us geezers will be rushing to the newsstand for that! Her plan is to strip on a beach in Hawaii for a “steamy” production to preserve her body on film. Of course, she will need her reading glasses to check her tattoos, and to airbrush out the scar lines and wrinkles around the silicone.

ADENDA

• The two eyes of a bird often outweigh the brain, thus the phrase “bird brain.”
• At age sixteen, Michelle Wie is already the world’s richest female athlete.
• Discourage inbreeding. Ban country music!

ALOHA AND KEEP THE FAITH — rts

Contents of this column do not necessarily reflect the opinion or position of the Hawaii Ophthalmological Society and the Hawaii Medical Association. Editorial comment is strictly that of the writer.