"Can I Have The Keys To The Edsel?"

Despite the great success in the vast majority of laser surgeries, the media is taking dead aim at the procedure. With stories about the 31 year old airline captain who permanently lost his license to fly due to impaired night vision, and the Georgia eye surgeon who has instructed his seven officers to discontinue lasik because he cannot guarantee safety, these stories and others are highlighted in media features. Moreover, surgeons are made uncomfortable that a woman in Philadelphia claimed irreverable double vision following lasik and won a $800,000 judgement. Murphy’s law is real, and we must so warn our patients. As the bumper sticker says, "stuff happens!" or something like that. The only liability protection in laser surgery, like all others, is careful, complete and documented informed consent.

Too Many Freaks And Not Enough Side Shows.

The anthrax scare has produced some moronic responses from some well-meaning but dull-witted citizens. A woman in San Antonio called 911 to report a white powdery substance on her donuts. She even carefully packaged them for disposal. A man reported finding a white powder on a diaper changing table and notified the fire department, and a teacher found some white powder in a classroom. The culprits - sugar, talcum and chalk. The U. S. Postal service purchased 4.8 million protective masks to protect their 700,000 workers against inhaling anthrax on the advice of health officials at the Centers for Disease Control and Prevention (CDC). But the Occupational Safety and Health Administration (OSHA) has now ordered that for the health of workers the masks may not be used. OSHA says that no postal worker can use the mask (the same type sold to construction workers at hardware stores) until each person goes through hours of training and passes a test. Will someone please schedule an IQ test for OSHA?

Does His Train Of Thought Have A Caboose?

Attorney General John Ashcroft apparently doesn’t have enough on his plate to keep his attention in these less than tranquil times. He decided to threaten Oregon doctors if they exercise their right to help patients who choose doctor assisted suicide under the Oregon Death With Dignity Act. AG Ashcroft, who couldn’t get elected senator in his own state, has ruled that doctors will lose their right to prescribe controlled substances if they prescribe in the manner described by Oregon law. A suit has been brought, and an injunction has been placed to delay any action under the AG’s decree. The issue is not doctor assisted suicide, but the imposition of a federal government appointee in a matter of a state’s rights. Perhaps AG Ashcroft would serve us better by delving into some of OSHA’s farcical rulings.


Congress has been muddling, stumbling, wafting, bickering and procrastinating about patients’ rights without any agreement. After events of September 11, the issue of patients’ rights has been put on the back burner and will probably fall clear off the stage. Meanwhile, many states have gone ahead with legislation to allow patients to sue HMOs. The first such law was passed in Texas in 1997 and similar laws have now been enacted in Georgia, California, Washington, Arizona, Maine, Oklahoma, Oregon and New Jersey. In signing the law, New Jersey Governor Donald DiFrancesco said, “Health decisions should be made in the doctor’s office, not in boardrooms. Doctors shouldn’t be forced to practice medicine with hesitancy for fear of having needed tests or treatments denied to their patients.” It is a fact that much needed action often takes place at the state level while big money manipulates and delays issues in Washington. An excellent example is the California MICRA statute which is a model for tort reform, but has so far never had a prayer in Washington due to the power of the trial lawyer’s lobby.

Where Are We Going And Why Am I In This Handbasket?

In California, marijuana clubs have been formed to provide medical marijuana at a fair price to those sick with terminal cancer or AIDS, to give some comfort and to keep them off the streets. One club has 900 patients and is a member of the local Chamber of Commerce. The U.S. Justice Department (Ashcroft, again) has mobilized a crack team of enforcers to protect us from this secret society of lawbreakers. These criminals are really hard to recognize because they look so much like ordinary people - which of course, they are! Anyway, the teams have raided the clubs, and uprooted gardens of plants owned by patients. All this despite the fact that voters in eight states (including California) have legalized medical marijuana. A Justice Department spokesman proudly told the New York Times that the raids are proof that “we have not lost our priorities in other areas since Sept. eleventh.” Well now, that’s a relief. Our multitude of protective agencies cannot find a source for the deadly anthrax scattered around our post offices, but they can protect us from our sick and dying patients who might be comfortably stoned. Almost (not quite) makes me wish Janet Reno was back.

It’s Been Great, But I Have To Scream Now.

California, once the medical land of promise, is no longer such a desirable place for physicians. The California Medical Association surveyed their members, and found that an astonishing 40% of respondents say they’ll leave patient care in the state within three years. Another 12% plan to reduce the time spent in patient care. Moreover, two out of three said they would still have chosen medicine as a career, but few want their children to follow in their footsteps. According to the California Medical Association, physician shortages are already apparent in some areas, especially primary care, neurology, orthopedic surgery.

Boldly Going Nowhere.

The most common surgical emergency in the United States is the appendectomy. But diagnosis of this acute abdominal disorder remains a challenge. Mis-diagnosis can take one of two directions; removal of a normal appendix or surgical delay with perforation and peritonitis. In certain populations, children, the elderly and women of reproductive age, the rate of mis-diagnosis may be as high as 40%. A study done at the University of Washington Health Sciences Center and reported in Journal of the American Medical Association was conducted to determine if there has been a decrease in equivocal cases. Contrary to expectation, despite the use of computed tomography, ultrasonography and laparoscopy, neither the incidence of unnecessary surgery, nor the frequency of perforation have been reduced. How about tarot cards or a Ouija board?

There Are Two Classes Of People: The Have-Not The Have-Yachts.

Shirley Press, M.D. head of the pediatric emergency department at Jackson Memorial Hospital in Miami, wandered into the gift shop, bought herself a chocolate bar and plopped down $6 for Florida Lottery tickets. Because her choices had never won before, she let the lottery machine pick numbers for her. Right! The 3-9-10-24-33-35 coughed up by the machine gave the doctor a $56 million jackpot. Typical physician, she didn’t believe it until her attorney confirmed the result. Now, co-workers are rubbing her for luck (and probably kicking up, too) and treating her more like an icon than an ER doc. She elected to take a bulk payment of $28.8 million ($20.8 after IRS) rather than installments, and will donate a large portion to the 9/11 victims families relief fund, buy her mother a new car, and go back to work in the ER. She said she won’t buy any more lottery tickets. “I’m going to let other people win.” Yeah, who needs another lottery with millions in the bank already?

ADDENDA

✦ The only fish that can blink with both of its eyes is the shark.
✦ The good, the chad and the ugly. After yet another count George W. wins Florida again.
✦ It’s holiday season (or maybe after), so go out and spend that discretionary income you once had.
✦ Never date a girl whose wallet contains nude pictures of Yassir Arafat or Sam Donaldson.
✦ 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.