The Weathervane

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In a weird turn of coat, the LASIK expert who testified on behalf of the plaintiff in a recent $4 million malpractice case in Arizona, called the defendant’s attorney and asked if the case could be reopened. He decided that he now wants to testify on behalf of the defendant doctor. So, what’s going on here? Is there some new scientific or clinical information not previously known, or more likely, is the doctor afraid of becoming a pariah and being shunned by his colleagues? It is appropriate and important for a medical expert to testify when a physician commits a grave error and deserves the force of our legal system for his behavior. In contrast, to join a legal team for a substantial fee, and provide the testimony the plaintiff attorney wants, is prostituting one’s profession. Does this “expert” want to have it both ways?

A Lot Can Be Said For Favoring Race Prejudice.

In what should turn out to be a definite positive turn of political events, Senator Bill Frist, a surgeon from Tennessee, is the new majority leader of the Senate of the United States. In an almost unbelievable faux pas, the previous majority leader, Trent Lott of Mississippi, revealed his underlying race prejudice when he spoke in praise of retiring, superannuated, 100 year old Strom Thurmond. Senator Lott, with irretrievable candor, said that his state proudly voted for Thurmond when he ran for president leading the “Dixiecrats” in a failed effort to maintain segregation at the 1948 Democratic national convention. In a thoughtless display of bigotry, Lott said our nation would have avoided racial problems if Thurmond had won. President Bush, and much of the nation were outraged. Out goes Trent Lott, and in comes Bill Frist. Opportunities for appropriate action on medical issues should go up by quantum leaps.


Frustrated with the unreadable handwriting, and finding that many of the medical errors were a direct result of doctor’s illegible script, the director of medical affairs at Children’s Hospital in Omaha, Nebraska, decided to take action. He phoned the local retired school superintendent about the problem, and asked for help. After the laughter subsided, the ex-superintendent recommended a retired elementary school teacher who was hired to give private lessons in penmanship to the offending physicians. The result of this remedial exercise was beneficial to all, as the doctor with the worst handwriting was given an award by the nurses as “born again penman.”

Justice Delayed Is Justice Denied.

The National Practitioner Data Bank (NPDB) issued a report on the extraordinary delays between the occurrence of a malpractice incident and when payment arrives. Minnesota is the most efficient at 2.99 years and California right behind at 3.03 years. The national average is 4.09 years, and Hawaii rates as one of the shorter delays at 3.42 years. On the other hand, New Yorkers must wait an outrageous 6.28 years and Rhode Island 6.03 years before any compensation. Meanwhile, the patient has additional attorney’s fees, ongoing economic struggles, and emotional stress, assuming the injured person remains alive. The opportunity for improving this absurd problem is MICRA, the California law which encourages swift payment and California’s fast-track court system. Of course, some might argue that a system which only returns 28 cents of the premium dollar to the patient, and takes an average of four years to do that, is pretty lousy at the outset.

Never Get A Disease You Can’t Afford.

The Holland cruise line has a large problem. The Amsterdam, a 1270 passenger cruise ship was contaminated with the Norwalk gastrointestinal virus, a highly infectious disease that produces vomiting and diarrhea for two or three days. More than 500 travelers have been violently ill in successive voyages. The virus spreads by contact, and poor hygiene makes for easy transfer. Bio-Recovery Corporation, a bio-hazard clean up company, is trying mightily to eliminate the virus, but it clings to everything from doorknobs to linens. Workers are scrubbing the ship with Virkon, a chemical that kills the virus. Casino playing cards are discarded after each use, chips and slot machine coins are baked in an oven every night, ships’ officers do not greet passengers with hand shakes, sick passengers are confined to their quarters and flown back home at the next port of call. Want to go on a cruise? Wash your hands, and then wash them again.

Actually We Need Nut Cases. Look Where The Same Ones Have Landed Us.

The absurd single payer bill offered voters in the state of Oregon was voted down by an overwhelming five or six to one. The bill was drafted by John Partridge M.D., an 82 year old retired physician, and was defined so broadly it would have included almost every doctor and doctor-pretender found in the yellow pages. Coverage would have included the first dollar. The medical care taxes proposed would have exceeded the entire state budget, so the bill was doomed from the start. Dr. Partridge must have fallen out of his pear tree when he dreamed this up.

We Have Created A Failing System. Let Us Expand It!

According to the Washington, D.C. based Center for Studying Health System Change, healthcare spending rose by 10% in 2001, the first double digit rise in over a decade. Outpatient hospital care made up 37% of the increase, while physician services accounted for 28%, and prescription drugs contributed 21% of the overall jump. At the same time payroll costs to hospitals increased by 8.6% in 2001, which is double the figure for 2000. Moreover, as we all know, nurses are currently on strike in Honolulu and other parts of the country, and physicians’ malpractice premiums are going up everywhere, some in huge jumps. The big fear in all this escalating scenario, is that Congress may decide a single federal managing agency is the answer. Al Gore (you remember him) has now come out for a single payer medical system. Since the government has spliced together a system so weird it’s doomed to failure, now they must step in to solve the problem.

The Doctor Will Be With You Just As Soon As He Shoots Up.

In California (where else?) a man is suing the state Board for rejecting his application to practice medicine under the Americans with Disability Act. An independent medical examiner determined that the applicant was mentally ill and suffered from depression and drug dependency. The Board, which is empowered to protect the public, denied a medical license for the man, and he sued under an ADA claim of discrimination. The U.S. District Court dismissed the suit, but the ninth circuit Court of Appeals reversed that decision, and now the state Supreme Court will decide the issue. According to Ralph Nader, organized medicine does nothing to weed out the incompetent, drug addicted or otherwise unfit physician, and on the other hand our judicial system says we must allow for various kinds of nincompoops. It’s a weird world.

Where Can I Throw Up Secretly?

In Palm Beach County Florida, a jury decided that a student was not at all responsible even though the student stole the gun and the bullets, pulled the trigger and killed the teacher. Instead, the jury found that the gun distributor, the original gun owner and the school board were responsible for the death. What? How could they leave out the school psychologist?

It Is True; Geldings Have Less Fun.

In Cape Town, South Africa, a plastic Rudolph the red-nosed reindeer displayed at a mall, had been hung with two golden Christmas balls between his hind legs. There were complaints, so the mall manager “castrated” Rudy, explaining that usually the display is sexless, but this time someone had decided to make him more interesting.

ADDENDA

❖ South African health minister Manto Tshabalala-Msimang at the World AIDS Conference claimed that AIDS is not caused by a virus, but by a conspiracy between white people, aliens and the illuminati.

❖ Tschaikovsky reportedly committed suicide by drinking cholera contaminated water.

❖ Bisexuality immediately doubles your chances for a date Saturday night.

❖ Who was the first person to look at a cow and think I’ll pull on these dangly things and drink whatever comes out?

Aloha and keep the faith — russ

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.