



**Politicians Are Like Diapers. They Should Be Changed Regularly And For The Same Reason.**

The Democratic leadership in the Legislature was obviously greased with dollars and heavy lobbying to fulfill the wishes of the optometry practitioners in this state. Allowing virtually no chance for amendments, and very little opportunity for medical testimony, both the House and Senate pushed a very dangerous bill into law. Wisely, the Governor vetoed the bill, but this legislature is obviously determined to embarrass the Republican governor and simply overrode the veto. The concept of politicians defining scope of practice for various professionals is an alarming one. There is no logic in a crazy-quilt group of elected people deciding how, what and if pharmacists, nurses, chiropractors, naturopaths, psychologists and optometrists should be permitted to practice medicine. Why not use common sense, and trust such issues to medical school deans and the Board of Medical Examiners? But wait! That would mean a loss of campaign money.

**\$430 Million In Penalties And Pfizer Didn't Even Blink.**

In the last five years, Pfizer has pocketed a cool \$9 billion revenue on Neurontin alone. The Food and Drug Administration approved the drug for epilepsy and herpes zoster, but once approved, doctors can prescribe a drug however they see fit. Presently, doctors prescribe the drug for an array of unproved conditions, including migraine, pain, and mental illness. In fact, 90% of Neurontin scrips are for off-label uses. Company sales reps and medical personnel have misrepresented the use with a distorted picture of effectiveness, as in migraine where a study showed it had no more effect than a placebo. Now the hammer has come down, and Pfizer will pay about \$430 million in fines; \$240 million for criminal activities, \$152 million for civil fines, and \$38 million to state consumer-protection divisions. Pfizer also had to sign a "corporate integrity" (now, there's an oxymoron!) document that allows for monitoring of marketing plans. Of course, with Neurontin earnings in the multi-billions, Pfizer is feeling no pain, and anyway the company is busy threatening Canadian pharmacies for selling drugs to Americans. What nice people!!

**Practice Healthy, Safe Eating. Always Use Condiments.**

At the Johns Hopkins Bloomberg School of Public Health five nations were studied trying to determine the effectiveness of health care. They were Australia, Canada, England, New Zealand and the U.S.A. England had the lowest suicide rate, but the worst survival rate after breast cancer diagnosis. Canada had the best five-year survival after kidney and liver transplants, but was at the bottom in 30-day survival after a heart attack. The U.S. scored at the top in five-year survival following breast-cancer surgery, tied with Canada for lowest smoking rate, had the lowest incidence of measles, and the best record for cervical cancer screening. Australia had the best rate of breast cancer screening, but the worst survival rate for childhood leukemia. New Zealand got the best score for colorectal cancer screening, but had the highest suicide rate, especially among young people. AMA President Donald Palmisano noted that some factors were not accounted for, such as difference in patient populations, and waiting times for procedures.

**I Love Mankind. It's Just People That I Hate.**

Frightening statistics in population reveal that the world's human population passed the one billion mark in 1804. By 1927, homo sapiens had doubled to 2 billion, and by 1960 we passed 3 billion, and by 1974 it was 4 billion, and 1987 the number came to 5 billion. By 1999, 6 billion humans were rubbing elbows. In less than 40 years, earth's population had doubled! Since I ran this item just five years ago, 400 million souls have been added to the office buildings, airports, suburbs, freeways, Starbucks, inner-cities, condos, Wal-Marts, elevators, ball parks and bathrooms. Is it surprising that you can't find a parking place? Does anyone see a problem here?

**Why Yes. You Did Hear Me Say Oops In The Operating Room.**

It is not a new approach, but the practice of admitting medical mistakes to patients is gaining credibility as a mechanism to reduce the cost of medical liability. At John Hopkins Hospital an 18 month old child died because of failure to treat severe dehydration. The family was enraged and ready for a

blood bath, but within days the Hopkins Children's Center director came to the family, apologized, and accepted full responsibility for the fatal mistake. The result was that the family did not sue, and settled for an unknown amount, much of which was donated to the hospital to spend on improving patient safety. Now, Johns Hopkins Hospital and the Dana-Farber Cancer Institute in Boston are among some prominent medical facilities which encourage their doctors to own up to errors and make appropriate apology. At Vanderbilt University students and residents take mandatory courses in communicating errors and making apologies. Oregon and Colorado have passed laws stating that an apology cannot be used against a doctor in court. Possibly the model demonstration was reported in the Annals of Internal Medicine in 1999 where the Veterans Hospital in Lexington, Kentucky, after some major losses, established a policy to discuss medical errors promptly and completely. The result was a significant reduction in error-related payouts. JCAHO now requires disclosure of serious medical errors, but so far has not recommended any apology. Insurance carriers and trial attorneys remain skeptical.

**Liberty Is Doing As You Please, But With Control Over The Other Fellow.**

Plodding through the legal labyrinth is a class action suit brought on behalf of approximately 200,000 resident physicians, claiming that the National Resident Matching Program violates antitrust laws. The restraint-of-trade lawsuit was filed two years ago, and now a U.S. District Court judge has dismissed the American Medical Association and the American Hospital Association. The suit alleges that the remaining defendants prevent competition for services, artificially depress wages below competitive levels, and conspire to make rules that accredit and govern residency programs. The NRMP, the Association of American Medical Colleges and the Accreditation Council for Graduate Medical Education remain as defendants. If the suit is resolved in favor of the residents, house staff hiring will become a fire drill.

**"So I Lied, And You Trusted Me. Send Me A Check."**

In Texas, a teen age girl went to a physician requesting an abortion. She had no ID (Texas requires parental consent for underage abortion), so she was sent away. She returned with a non-government issued ID card, including social security number, and date of birth stating that she was 18 years old. The pregnancy was terminated, but the card was fraudulent. Now, several years later and married with two children, the woman and her father brought a lawsuit stating that the father wasn't given opportunity "to counsel his daughter ..... and to offer her his guidance and love." The judge chose not to dismiss the complaint, so a jury heard the suit. They awarded no money, and found the girl 90% at fault and the doctor 10%. Counsel for the physician stated, "This was a frivolous lawsuit. You cannot commit fraud and then come to court and sue the people you deceived."

**ADDENDA**

- ❖ A chain saw produces as much ozone pollution as a car going 200 mph.
- ❖ A Purdue University communications professor has warned that many Americans will suffer "cognitive and emotional disruptions" from the loss of "para-social relationships" now that Friends is going off the air.
- ❖ Police in Elko, Nevada, arrested a man for burglary after matching his DNA to the yellow snow left at the crime scene. Police claim the perpetrator relieved himself on the roof-top of a restaurant that had been burglarized. The "evidence" produced enough DNA to link the man to the scene.
- ❖ Wal-mart has more employees than the U.S. military.
- ❖ A day without sunshine is like night.

**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.*