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Kruszewski: Fired 'For Digging Up Dirt'

Psychiatrist Sues Employers, Pharma Companies

According to an article published today in the Philadelphia Daily News,

Dr. Stefan Kruszewski, a prominent Harrisburg psychiatrist who was hired to root out fraud, abuse and waste within the state's Department of Public Welfare, was fired for doing just that.

Kruszewski discovered that four children and one adult who had been prescribed potentially lethal combinations of medications died while under state care. He believes they died from drug toxicity, but he was not permitted to review the autopsy reports.

He also found that thousands of psychiatric patients on Medicaid and receiving inpatient treatment in hospitals across the state were being given bizarre combinations of drugs they did not need or were given the wrong drugs for their conditions.

Kruszewski, who was blasted by his superiors for "digging up dirt" and then fired, has turned whistleblower. He is suing not only his former supervisors and employer but also a number of drug companies including GlaxoSmithKline; Pfizer, Inc.; Johnson & Johnson; Novartis; Astrazeneca and Eli Lilly & Co. PennLive also carries the story.

His allegations are reminiscent of those made by another whistleblower who lost his job in a similar way, Allen Jones, who had investigated pharma corruption in connection with the research and establishment of so-called "treatment algorithms" for the mentally ill in Pennsylvania. The algorithms or prescription guidelines favoured expensive and often useless patented drugs from a number of companies, including Janssen Pharmaceutica, Johnson & Johnson, Eli Lilly, Astrazeneca, Pfizer, Novartis, Janssen-Ortho-McNeil, GlaxoSmithKline, Abbott, Bristol Myers Squibb, Wyeth-Ayerst and Forrest Laboratories. The Pennsylvania guidelines were taken over from the Texas TMAP program, which is where they were first developed with financing from and under the substantial control of the pharma manufacturers. Jones was fired for uncovering the corrupting influence of the drug makers and refusing to shut up about it.

10 July 2004 - The story is also carried by the British Medical Journal: Whistleblower charges medical oversight bureau with corruption

Dr Stefan Kruszewski, a psychiatrist hired by the Bureau of Program Integrity in the Pennsylvania Department of Public Welfare, filed a law suit on 1 July in a federal court in the Middle District of

Pennsylvania, charging that he was fired on 11 July 2003 after he uncovered widespread abuse and fraud in the bureau.

Another angle of this is a major "mental health initiative" to be announced shortly by GW Bush is also based heavily on the Texas TMAP guidelines, which were developed and implemented in the Lone Star State while he was governor. The initiative was announced by Bush's New Freedom Commission on Mental Health and apparently involves wholesale testing of Americans - even school children - for mental illness and the administration of drugs to those found wanting in sanity. What that means, is of course anyone's guess.

Here is the Philadelphia Daily News article on Kruszewski's findings, his firing and his subsequent legal action...

Lawsuit: State fired shrink for exposing abuse

By NICOLE WEISENSEEEGAN

(original article here)

Dr. Stefan Kruszewski, a prominent Harrisburg psychiatrist who was hired to root out fraud, abuse and waste within the state's Department of Public Welfare, was fired for doing just that, he alleges in a federal lawsuit.

During the course of his duties, Kruszewski discovered that four children and one adult who had been prescribed potentially lethal combinations of medications died while under state care, he said. He believes they died from drug toxicity, but he was not permitted to review the autopsy reports, he alleges.

He also found that thousands of psychiatric patients on Medicaid and receiving inpatient treatment in hospitals across the state were being given bizarre combinations of drugs they did not need or were given the wrong drugs for their conditions, he said.

In Philadelphia, employees of one facility, which he would not name but which he recommended be shut down, were going into the community and dragging in heroin and crack addicts, involuntarily committing them and prescribing all sorts of anti-depressants and anti-anxiety medications they didn't need, he said.

"I told my supervisor, 'These medications are killing people. Something's wrong here,' Then they fired me," said Kruszewski, 53, a Harvard Medical School graduate, in an exclusive interview yesterday .

Kruszewski's federal whistleblower lawsuit was filed in Harrisburg on Friday. The defendants are: state Welfare Secretary Estelle Richman; Susan Kozak, Kruszewski's former supervisor; Christopher Gorton, another supervisor who no longer works there; Columbus Medical Services LLC, the company that hired him, and two of its executives; and pharmaceutical companies GlaxoSmithKline; Pfizer, Inc.; Johnson & Johnson; Novartis; Astrazeneca and Eli Lilly & Co. The drugs at issue are Paxil, Neurontin, Geodon, Risperdal, Seroquel, Topamax, Trileptal and Zyprexa.

The lawsuit makes a number of stunning accusations against the state and the companies, alleging that they had abused Pennsylvania's involuntary-commitment law, overmedicated patients, distorted statistics, violated regulations and advisories, including Food and Drug Administration rules, and intentionally exaggerated and misrepresented the effects of the drugs on "innocent persons, simply to make money."

The defendants either did not return phone calls requesting comment or said they had not yet seen the lawsuit so they could not comment on it.

Kruszewski said he has documented all his findings.

"The evidence I have is absolutely black and white," he said. "Copies of the documents have been made and are in safekeeping in multiple places." Former state auditor general Don Bailey, Kruszewski's attorney, also represents Allen Jones, a former investigator for state Inspector General Donald L. Patterson, whose agency is supposed to ferret out corruption within other state agencies.

Jones began digging into the financial link between pharmaceutical companies and state health officials and said he soon discovered that drug companies were influencing those officials with trips, perks, lavish meals, transportation to and from first-class accommodations in major cities, he said. Some officials were given \$2,000 honorariums by the drug companies for speaking in their official capacities at drug-company sponsored events, he said.

Jones' boss pulled him off the probe but said he could continue it on his own time. Jones was fired last month after speaking to the media about his findings. He has two lawsuits pending against the state.

Jones said yesterday that he met Kruszewski only recently, through Bailey.

"It is very interesting that Stefan Kruszewski and I came upon different tentacles of the same beast within the PA mental health system and were both fired for trying to expose the corruption," he said. "Meanwhile, the corrupted officials are still in their jobs."

Jones said he had warned the inspector general, in writing, that deaths of innocent people were a statistical certainty.

"He refused to consider my concerns," Jones said. "I believe the office of inspector general and the governor himself share in the moral responsibility for the deaths and injuries Stefan has uncovered."

Kate Philips, Gov. Rendell's spokeswoman, declined to comment, citing the pending litigation. Amy Wasserleben, Inspector General Patterson's spokeswoman, could not be reached for comment.

Bailey, Kruszewski and Jones' attorney said a clear pattern was emerging of lawmakers and state officials' allowing financial kickbacks from pharmaceutical companies to influence their decisionmaking.

"[Jones'] supervisor told him, 'Drug companies not only write checks to hospitals, they write checks to politicians...They write checks to both sides of the aisle,' " Bailey said, adding that the supervisor had admitted making those comments in his deposition for one of Jones' lawsuits.

"There's billions and billions of dollars involved here, and we are talking about the most insidious profiteering imaginable," Bailey said. "If we cannot find an honest federal prosecutor to convene a grand jury to look into some of these things, like the deaths, then we are in a crisis."

Kruszewski was hired on Oct. 9, 2001, by the Columbus organization in King of Prussia to do work for the state Department of Public Welfare. He was paid \$15,000 per month. Half his job was conducting medical reviews and appeals for the department. The other half was working as a medical-psychiatric consultant for the department's Bureau of Program Integrity. Its mission is to ensure that the state's medical-assistance program is protected from provider "fraud, waste and abuse," the lawsuit notes.

"I was told [by Kozak, Kruszewski's former supervisor] never to look at the medications in judging quality of care," Kruszewski said. "The trouble is you can't do your job and ignore the medications."

The first disturbing trend he noticed was that an overwhelming number of psychiatric patients were being prescribed Neurontin, an anti-seizure drug, to treat illnesses like anxiety, depression, psychosis and impotence, he said. The FDA has not approved using that drug for mental illnesses, he said.

The more he dug, the more disturbing cases he found, he said, including that of a mentally retarded 15-year-old girl who was being treated for being defiant and for sexual promiscuity. She was on 11 medications, including five anti-psychotic ones, but did not have a psychiatric disorder, he said, and was so overmedicated she had trouble getting out of bed or standing by herself.

"I said, 'This is more than just craziness. This is criminal,' " he said. "This makes no sense. You couldn't pay enough to get any psychiatrist in the country to say this is reasonable medication."

Last July 10, he brought this case and others to his supervisors, Kozak and Gorton. They blasted him for "digging up dirt" then fired him the next day, saying he'd verbally harassed and physically intimidated Kozak, he said.