

Doctors who spoke out

Sunday, October 26, 2003

All over the nation, physicians who have spoken out about dangerous hospital practices or poor performance by colleagues have been punished. Here are a few examples.

Dr. John Paul Schulze, Corpus Christi, Texas

Schulze, a longtime family practice doctor, criticized Humana Health Care in 1996 for its decision to have its own doctors care for all patients once they were admitted to Humana hospitals. He refused to use the so-called hospitalists, and was then dropped from the plan. Humana cited a malpractice case he had settled years before as its reason. After Schulze sued, a jury awarded him \$19.95 million, later reduced to \$14 million, and said Humana had acted with malice and committed fraud. Schulze later reached an undisclosed settlement with the for-profit firm. Humana denies to this day that Schulze was targeted because of his criticisms.

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After Anadarko Municipal Hospital administrators failed to act on Flynn's report of a colleague abandoning a patient in 1993, he reported them to state and federal authorities, who threatened to remove the hospital's operating license. The hospital then denied admitting privileges for Flynn, and it took him seven years to win reinstatement to the hospital staff. "They put me through hell," Flynn said of hospital officials. "You speak up against the system, you just put yourself up as a target. I'm not sorry I did it. It's just that it took something from me that I'll never get back, emotionally and physically." The hospital is now under new ownership.

Dr. Gil Mileikowsky, Encino, Calif.

Mileikowsky, a board-certified obstetrician-gynecologist, questioned his hospital's failure to review certain cases he believed demonstrated substandard care, including one where a colleague removed the wrong fallopian tube. He also agreed to testify as an expert witness for a family suing the hospital for malpractice. Within days, the hospital suspended Mileikowsky's privileges without a hearing, saying he had "exhibited a pattern of disruptive, threatening and non-cooperative behavior." Nearly two years later, two hearings have been started, then stopped, in disagreements over whether Mileikowsky would be allowed to question his accusers, among other things. "How did I work in hospitals for 14 years without ever a suggestion of anything like this, then, all of a sudden, this pops up?" Mileikowsky asked. The hospital declined to comment.

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Rules of fair play don't always apply

In going up against hospitals, physicians find the deck is stacked against them

Monday, October 27, 2003

By Steve Twedt, Post-Gazette Staff Writer

Dr. Gil Mileikowsky, an obstetrician-gynecologist and fertility specialist, was abruptly suspended from an Encino, Calif., hospital nearly three years ago after he agreed to testify on behalf of a woman whose fallopian tubes had been removed without her consent.

Today, Mileikowsky, 52, still is waiting to get a full administrative hearing on possible restoration of his credentials. Two earlier hearings ended in disputes over procedural matters. He hasn't delivered a baby since December 2000.

Dr. David Gearhart was fired in 1998 for breach of contract, one month after he appeared on a St. Louis television program and criticized his hospital's decision to eliminate eight nurse surgical assistants.

Gearhart, 58, was dismissed even though his

