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'Disruptive' physician tells her story to AMA

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By Steve Twedt, Pittsburgh Post-Gazette

CHICAGO -- Dr. Danae Powers spent 90 minutes Thursday telling a group of physicians how she was targeted after she pointed out problems at the State College hospital where she worked as an anesthesiologist until 1998.

Specifically, she had been looking into reports from nurses and other physicians that a senior anesthesiologist was falling asleep during surgeries. She also questioned whether patients were getting adequate pre-operative examinations and whether bad outcomes -- including patient deaths -- were being properly investigated.

In response, Powers said the hospital launched an investigation of her and "made my life miserable." Eventually, Centre Community -- which has since changed its name to Mount Nittany Medical Center -- privatized its anesthesia services, prompting her to leave less than a year after she'd been elected chief of staff.

When Powers opened the floor to questions, a New Jersey doctor said: "I think we should spend five minutes applauding you, rather than asking any questions."

Powers made her remarks at a meeting of [Organized Medical Staff Section](#), a branch of AMA. Her talk was titled, "Disruptive or Determined to Do What's Right? The Case for Courage Under Fire."

Dr. Brian Johnston, an emergency medicine physician in Los Angeles and secretary to the OMSS Governing Council, said "a great number" of

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AMA members had expressed similar concerns about being targeted.

"I don't know that we can say there is a trend, but there are physicians who have mentioned to us that the peer review process was being subverted. That's one reason we asked [Powers] to speak."

Although the 75 to 100 physicians in attendance appeared supportive, Powers' statements have not been without controversy.

In March, Mount Nittany officials protested after Powers and State College colleagues, Dr. Edward Dench and Dr. Terrence Babb, were featured in AMAVoice, an AMA newsletter, about facing retaliation for raising patient care concerns.

Calling the article "a grievous misrepresentation regarding Mount Nittany Medical Center," Senior Vice President for Medical Affairs Dr. Francis Speidel told OMSS the three physicians "have not practiced at this medical center for at least six years, and they were disgruntled when they chose to leave."

The hospital, Speidel said, "has a strong and unwavering commitment to patient safety."

Powers, Dench and Babb also were featured seven months ago in a Post-Gazette series, "The Cost of Courage," which chronicled cases of physicians who faced reprisals from their hospitals for speaking up too loudly, or persistently, on patients' behalf.

Dench, immediate past president of the Pennsylvania Medical Society, has lobbied for independent, statewide peer review that would act like a court of appeals in physician-hospital disputes, an idea that AMA president Dr. Donald Palmisano last week called "an interesting concept."

"One can make a legitimate argument that there should be an appeals mechanism," he said.

AMA's paramount issue is medical liability reform and getting malpractice premiums under control. Still, the largest U.S. physicians organization with a membership of 250,000 members, has recognized growing tensions between hospitals and their medical staffs.

For example, AMA supported the medical staff at San Buenaventura, Calif. Community Hospital, which sued the hospital for trying to change medical staff bylaws unilaterally.

And when a New Hampshire hospital fired its entire medical staff after the staff sued over a hospital-imposed "gag order" to block public discussion of internal disputes, AMA's litigation center filed an amicus brief in support of the staff.

"What we're saying is there should be an independent medical staff," Palmisano said.

As for doctors being subjected to retaliation, Palmisano said he had seen only anecdotal information. But, he added, "We are very sensitive to physicians being selected for reprisals or facing discrimination because they are advocating for quality."

In the months since the Post-Gazette series was published, doctors from across the United States -- from Washington State to Massachusetts -- have called the paper to relate their own stories or to get information on how to protect themselves.

Last week, the state House Health and Human Services Committee approved a bill strengthening Pennsylvania's whistleblower protections for licensed medical workers.

In addition, both the California and Oregon medical associations have launched investigations into hospital peer review abuses. And the 4,000-member Association of American Physicians and Surgeons has formed a committee to come up with a resolution to "condemn the practice of sham peer review and those who participate in it," according to committee chairman Dr. Lawrence Huntoon.

The resolution will be voted on at the group's October national conference in Portland, Ore.

Correction/Clarification: (Published June 14, 2004) A headline on this story in June 13, 2004, editions incorrectly stated that Dr. Danae Powers was dismissed after complaining about patient care problems at a State College hospital. Powers left her position after the hospital privatized its anesthesia services. Powers also still is based in State College. The headline said she was a former State College anesthesiologist.

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