

Letter to the editor

Healthcare workers, be afraid, be very afraid,

I have just been thru (and it's not done by any stretch of the imagination) one of the most horrifying and totally ridiculous events that could ever exist. My crime: Not complying with the West Virginia Commissioner of Public Health.

What began as what I believed to be a simple investigation regarding a patient who contracted bacterial meningitis has developed into false allegations as well as misleading press releases by 2 states accusing me of using multiple needles and syringes on my patients.

These allegations and misleading statements simply because I did not cooperate with a Public Health commissioner who was going to have her way one way or another regardless of the fact that her statements would bring fear and distrust on me and my clinic with subsequent suspension of my medical license (later reinstated, cancellation of my MedMal policy, and endless patient chart requests as well as class action law suits.

The 2 different site visits by the WVBPH reported that "clinical procedures excellent", yet their press releases sent out 9 months later painted me as an ogre and backstreet deviant. How can a clinician who was investigated and given high praise for his and his staff's work one day, and have such a scandalous press release 9 months later leading to mass uproar and panic? Was this a true epidemic, outbreak?, or a crisis created by a state official hell bent on getting information even though it breached HIPAA and common medical logic and decency? Would the out roar of public fear outweigh the benefits of her misleading and false press release?

If this clinic and physician was so "dangerous" why wasn't the clinic closed immediately and his license under scrutiny by the West Virginia Osteopathic medical board right then and there?

Who is the dangerous physician here, the clinic operator, or the State Commissioner who allowed the clinic to continue to operate and be closed 9 months later? "Where was the threat"? Or "was there a threat and if so was it real or being created"?

The fact that everyone was ambushed with this press release led to demands to suspend this physician and after trial by the press, his state Osteopathic medical board temporarily suspended him since its always safer to stop an alleged "bad doctor" from practicing even though he'd been treating patients for 9 months after the incident. The board was also ambushed by the Commissioner of the Bureau of Public Health, surely she had no bias and wanted to protect the public, or did she? She had allowed him to practice following the initial investigation except now she was upset at him and his attorney who refused sending her additional patient charts (the clinic had already sent 1608 patient charts and no "outbreak" had been found). Instead of contacting the doctor's medical board in April (when the doctor and his lawyer refused to release records unnecessarily), she is bound by law to complain to his board but did not. Instead she waited approximately 5 months and at that point contacted other agencies including the Ohio Public Health dept and was planning on ambushing the doctor as well as his licensing board. The Osteopathic medical board was not notified until 2 days prior to the press releases by Ohio and West Virginia. Surely the Commissioner thought that by "ambushing" the physician she would get her way and; (1), get those additional records, (2) scare the public against the doctor and create a lynch mob, and (3) get the medical board to castrate the doctor by suspending his license. Well, she was right up to a point.

The medical board unfortunately sided with the Commissioner as she, like them is appointed by the governor and this was a situation between 2 state offices. Luckily thru the court system, the case was heard by a judge (a layman without any medical experience) who justly gave the doctor a TRO based on the fact that he could not understand how if the doctor continued to practice, the public would be harmed especially from events of over 9 months ago and by a Public Health Bureau who stated “clinical procedures excellent”.

So, is this a case of a doctor creating an epidemic or a state Commissioner abusing her power and outstretching her position for personal ego? Shouldn't public officials be held accountable for their position and responsibility to the public just as individual healthcare workers are?

I think so

Sincerely

Roland F. Chalifoux Jr., DO