

Falsifying Records To Hide Unnecessary Surgeries?

It has been reported that a Pathologist at the prestigious Johns Hopkins Hospital has **pressured colleagues to falsify reports**, to protect a surgeon from charges of unnecessary surgery. ¹

The report cites sources who reportedly obtained their knowledge from a report by the national organization that reviews hospital accreditation (Joint Commission).

An unusual feature of the story is that **the Pathologist (Jonathan Epstein MD) is married to the surgeon (Hillary Epstein, M.D.)** he was allegedly “running interference” to protect. This story raises disturbing issues of whether a physician elevated personal relationships above patient safety –and violated fundamental medical ethics.

We have seen **notes we believe were “massaged” to protect colleagues**. But rarely (if ever) have we seen such a direct relationship between the parties involved. So, while the specific circumstances alleged (if true) are unusual, we would say this story raises issues of importance to many cases and patients. We would identify a few, key details from the story.

Key Take Aways:

1. **Bullying Allegations:** The heart of the controversy revolves around the Pathologist’s alleged intimidation tactics. Sources claim that he would bully peers and junior staff to agree with his wife's diagnoses. This behavior raises numerous questions about the potential compromise of patient care and the overall work environment at the hospital.
2. **Unnecessary Surgery:** The most distressing single claim that the surgeon’s spouse unnecessarily removed a patient's bladder. This would be removal of a major organ, with distressing implications for the patient's quality of life. It was reported that the surgeon’s plan for surgery was disputed by others. One questions whether adequate systems were in place to confirm need for surgery --before irrevocable surgery took place.
3. **Johns Hopkins Hospital's Stance:** As an internationally-recognized institution, Johns Hopkins is clearly conscious of the implications of this report: for its quality of care and reputation. It has, reportedly, launched an internal investigation to determine the truth behind these claims. The hospital states it has an “unwavering commitment” to maintaining patient care and safety.
4. **Implications for the Involved Physicians:** If these allegations are found true, the involved doctors could face dire professional repercussions, including potential legal

¹ <https://nypost.com/2023/10/23/news/johns-hopkins-doctor-allegedly-bullied-staff-to-match-his-wifes-diagnoses-improperly-removed-bladder-report/>

actions and the revocation of medical licensure. If true (intentional deception in medical records) this may be one of the rare cases in which actual criminal liability might be applied in the context of medical care.

Final Thoughts: Doctors have tremendous responsibilities, including the responsibility not to place personal interests over patient safety. They have great power to help (or harm) depending how they exercise that responsibility.

The husband-wife relationship of the doctors in this reported case is unusual. That said, it is our belief that many doctors (particularly when practicing in the same hospital or practice) often regard each other as “colleagues” –and sometimes feel the desire to protect their colleagues against charges of malpractice. While a sense of loyalty among doctors is normal and often healthy, we are still mindful of our role to hold doctors to standards of good medicine.

This sometimes requires us to **read notes of doctors with a healthy skepticism**. Sometimes the notes are accurate and motivated solely by needs of the medical care. But sometimes, unfortunately, they seem to be influenced by a desire to protect the reputation of a colleague.

--Laurence M. Deutsch (11/17/23)