

SURGERY CENTER FACES STATE INQUIRY Lauderdale Clinic's Manager Denies Wrongdoing

By Bob LaMendola, Health Writer
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State health officials are looking into a physician's allegation that the Florida Center for Cosmetic Surgery allowed unlicensed assistants to perform surgery, a charge the center sharply denied.

Dr. F. True Lansden, who worked as a surgeon at the center for about a year, told the state secretary of health in an April 28 letter that he saw "non-physicians starting cases without the operating physicians present," along with other actions he called questionable.

"I witnessed a number of disturbing practices, all of which led to my resignation" on Feb. 2, Lansden wrote in the letter to Secretary of Health John Agwunobi.

Lansden also wrote that the center kept a supply of blank prescription slips signed by surgeons that center employees could use to hand out medication, a practice that is not allowed under state law.

Agwunobi wrote back to Lansden on May 6, saying the department had opened an inquiry into the allegations, and, if grounds were found, a detailed investigation would follow. Violations carry penalties for medical centers and surgeons including fines, reprimands or license suspensions.

Lansden has not alleged that any patients were harmed by the practices. State health officials declined to comment on the case.

In response to written questions from the South Florida Sun-Sentinel, the general manager of the Fort Lauderdale-based surgery center issued a brief statement denying any wrongdoing.

"These allegations have no merit," manager Tess Jahnke said in the statement. "The Florida Center has been inspected by the Florida Department of Health's Board of Medicine on a scheduled and unscheduled basis. We have been found in compliance with all requirements.

"In our most recent inspection on June 5 of this year, zero deficiencies were reported, and written comments by the inspector indicate that the Florida Center exceeds state requirements. In another recent random inspection, again, zero deficiencies were reported."

The center is one of the busiest plastic surgery practices in South Florida, having gained wide name recognition and a high volume of patients via regular ads on daytime TV since it opened in 1995.

The center and its owner, Atlanta-based American Plastic Surgery, filed for bankruptcy reorganization in June, citing 14 medical malpractice lawsuits filed in South Florida in the previous 19 months and a loss of business because of negative publicity. Court records show the center has settled 18 suits since 2000.

Two of the center's patients died since November within days of their surgeries. Medical examiners ruled one of the deaths was the result of an accidental overdose of drugs taken after the surgery; the other case is pending.

In an interview, Lansden said he witnessed numerous cases on a regular basis in which surgical assistants, often doctors trained in other countries who were not licensed in Florida, cut incisions and start fat-vacuuming liposuctions before the surgeon arrived.

Lansden, who now practices in Tavernier in the Florida Keys, said he observed the assistants performing a procedure known as infiltration, which involves cutting an incision, inserting a sharp, thin tube inside the skin, and sliding it up and down over the area of the body that will undergo liposuction. The tube spreads medications that numb the area and restrict blood vessels to reduce bleeding during the surgery. Later, the surgeon inserts a thicker tube and sucks out fat and fluids.

Lansden said he never allowed assistants to do any surgical work on his patients, but he saw unlicensed assistants doing so "many times, many times" on other patients in adjacent operating rooms, which he could see through windows.

Lansden said he mentioned his concerns to the center's managers and other surgeons before he resigned.

"I was told several times not to rock the boat," he said. "It was made plain I could either accept it or leave."

A former patient relations employee at the center, Giselle Onofrio, told the Sun-Sentinel that center managers told her they were hiring doctors and nurses from Cuba and other nations to assist in surgery.

Onofrio said the workers, who did not have professional licenses in Florida, were assigned to work in the operating rooms as surgical assistants or scrub technicians.

Florida law prohibits medical assistants from performing any surgical duties. Licensed nurses designated as "first assistants," who have more education than

other, lesser-trained assistants, can perform minor surgical work such as suturing with a physician present. Florida requires foreign-trained professionals to pass exams to become licensed as doctors or nurses here.

A Miami lawyer who is handling a medical malpractice lawsuit against the center said he obtained a copy of Lansden's letter and began investigating the accusations to see whether they apply to his case.

"We're aware of it, we're deeply troubled by it, and we are investigating it," said attorney Stuart Ratzan. He declined to elaborate.

The center's former medical director, Dr. John Pinnella, said in a 2003 deposition in the Alley case that the center hired many foreign doctors to assist in surgery, although he did not address whether they perform surgeries.

Lansden's letter also alleged that the center's managers asked him and other surgeons to sign enough blank prescription slips to supply 10 or 15 patients with postsurgical medications, including painkillers, muscle relaxants and antibiotics.

The center wanted a supply of signed, blank scripts as a convenience for the staffers, who could then just fill in a patient's name and the name of the drug to be given, Lansden said. He said he refused to sign the slips.

Florida does not allow doctors to sign blank prescriptions, on the grounds the practice raises the chance of an error by a nonphysician and risks that the blanks would be stolen.

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