



## Despite Federal Law, Many Hospitals Aren't Reporting Disciplinary Actions

*Written On April 26, 2010 By **Bob Kraft***

The consumer organization [Public Citizen](#) has issued a report stating that hospitals and medical boards, contrary to the federal law of the past 20 years, are not reporting all the doctors they discipline for medical incompetence, unprofessional conduct, substandard care, etc. These reports are supposed to be made to the National Practitioner Data Bank. Here are excerpts from a newspaper article about the Public Citizen report and about the law itself:

It was designed to protect the public from bad doctors, particularly those who move to another hospital or another state to try to hide their mistakes. The Data Bank allows hospitals and other medical organizations to see a doctor's disciplinary record before hiring him or her — with a single, simple check instead of having to contact medical boards in every state. State medical boards, which license doctors, also use the Data Bank to launch investigations into unscrupulous physicians.

Congress had our backs when it passed the law 24 years ago. But many hospitals don't appear to be following the law, says the nonprofit consumer group Public Citizen. Researchers there found that 49 percent of hospitals in the United States hadn't

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reported a single doctor to the Data Bank from when it began, in 1990, until the end of 2007.

Here's a sampling of what Public Citizen found:

- Some hospitals decided to stop suspending their doctors altogether, so they don't have to report them to the Data Bank. Instead, they discipline doctors by giving them a leave of absence or making them take classes.
- Other hospitals skirt the law by suspending doctors for fewer than 30 days. The law says only doctors suspended for more than 30 days must be reported.
- At least one hospital, Redding Medical Center in Redding, Calif., didn't report doctors who'd performed hundreds of unnecessary valve and bypass surgeries – uncovered in a federal investigation — because of the “prestige” of one of the doctors involved and the amount of money those surgeries brought the hospital.
- Other groups say the number of doctors reported to the Data Bank should be much higher. They have good reason for believing that. According to one study by the Office of the Inspector General, for example, state medical boards took action against about 8,000 physicians over a three-year period. During that time, only 3,154 doctors were reported to the Data Bank.

Of course, there's much more information and detail in the report — and in the law. But the bottom line is this: Many hospitals are either not suspending doctors or they're suspending them and not reporting that to the Data Bank. If they're not reporting the suspensions, they're not following federal law. On top of that, they're not being punished for breaking that law.