

# **Physicians' Arrest on Receiving Commission on Referring Laboratory Tests**

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## **Introduction**

Indeed it is sad and at the same time heartening to see the arrest of some physicians in USA on receiving "commission" (bribe) for sending tests to a radiology laboratory. Sad it is because the crime is committed by highly intelligent and highly educated class of people! Heartening because it was considered a crime! Believe it or not this heinous crime is so rampant in certain countries that it is taken as absolutely "normal" or "halal" or kosher!. Some physicians even fight shamelessly for the commission.

For directing a patient for a test to a particular laboratory can fetch handsome amount of money!!! For doing no service and hard work, one can get easy and lazy money!!! Money that is paid to corrupt doctors of course comes from pockets of the patients. The recipients are not poor and deprived but rather one of the most affluent members of the society, while patients may at times be very pitiable. I once carried out an inquiry into affairs of a Neurophysician who had established his private CT scan center and started sending patients for CT from a tertiary care hospital in Islamabad. He bribed both Emergency Room physicians and ambulance drivers. Patients with simple headaches requiring no CT scan were sent there. Only Allah knows how many of these patients developed complications due to high dose radiation. Of course as usual despite all solid observations and recommendations no action was taken against the culprit instead I received threats of law suits by the culprit while still the report was not made public!

It is indeed quite shameful to read Pakistani physicians in the list of the arrested culprits. Just a few months back some Pakistani cricketers were found guilty in match fixing saga. If we read these two events carefully then we may find the answer to the root cause of the current troubles for Pakistanis in all affairs and matters. This is a moral failure and collapse. All hostile forces are bent to defame and destroy

those who can stop this downhill slide. Before we make further comments on this human tragedy please read the entire story yourself as it was published in Medscape News by Laird Harrison who is a freelance writer for Medscape. "December 17, 2011 – In November, internist Maryam Jafari, MD, allegedly accepted a white envelope stuffed with \$420 in cash from a man claiming to represent a diagnostic imaging company. At the same meeting, prosecutors say, Dr. Jafari also received a tally of all the patients she had referred to the imaging company in exchange for a total of \$2385 in kickbacks. "I will try to keep you very busy," Dr. Jafari said, according to a complaint filed by the US Attorney for New Jersey. The company, Orange Community MRI, in Orange, New Jersey, stayed busy indeed, say prosecutors, who arranged for police to arrest 13 physicians and a nurse practitioner on December 13, charging them all with accepting bribes in exchange for referring patients. Police arrested Orange Community MRI Executive Director Chirag Patel, as well, for allegedly paying a total of \$51,500 in kickbacks to physicians. In an interview with *Medscape Medical News*, Joseph Mancano, an attorney representing Orange Community MRI, said the company itself has not been charged. "The charges against these individuals were just brought up, and we're still looking at them," he said. Dr. Jafari and most of the other accused physicians could not be reached or did not return calls from *Medscape Medical News*. All of them have been released on bail. An attorney representing John Green, MD, said the West Orange, New Jersey, gastroenterologist was innocent of charges he accepted \$1750 in exchange for referring about 8 patients for magnetic resonance imaging (MRI), and about 5 for computed tomography (CAT). "He has not been involved in any criminal activity so far as we are concerned," said attorney John Plaisted. "He stands innocent of any charges that were filed and he will pursue his remedies in court if necessary." It is rare that medical kickback cases go to trial, according to Donald White, a

spokesperson for the US Office of the Inspector General. Most are settled out of court. "There are a lot of safe-harbor exceptions that have been built into the law over the years," he said. "It's also intent-based, and it gets very complicated. It's hard to prove in court."

"Still, prosecutors have devoted considerable resources to the case. Investigators recruited witnesses to record conversations with the physicians and Patel. More than 65 federal and local agents and officers were involved in the arrests, which US Attorney Paul Fishman announced in a press conference. According to a press release issued by Fishman's office, the imaging company began making illegal kickback payments as early as 2010. At the end of each calendar month, prosecutors allege, individuals at the imaging company printed patient reports detailing how many diagnostic tests were referred by each of the defendants. How much the physicians were paid varied from one physician to another, and also depended on the type of imaging used and the insurance the patients had, the complaints say."

"Selling test referrals for cash are illegal," Fishman said in the press release. "Patients have every right to expect their doctors will recommend medical service providers because they do the best job, not because they provide the best bribes."

The disease of materialism requires constant cleansing of hearts. The patients of this disease are however highly intelligent and at times highly "educated"; they not only indulge in these crimes but also defame and

punish those who try to cure them and the society. The prime example is the Prophets of Allah (Messengers of the God) who suffered at the hands of such people. Some were killed and while others were targets of attempt to murder such as Jesus (peace be upon him).

Dr. Aafia Siddique is example of our days when she tried to cure America of this disease she was abducted, tortured, kept in jail for several years and then sent to 86 years rigorous imprisonment by "court of law" for no proven sin or crime! Her three children age 6 months to 4 year were also subjected to worst torture; the youngest still missing. Through wicked and corrupt media and manipulated courts such is the price you pay at times! But then we know this life is not even a day as compared to eternal life and this life and all its luxuries are very temporary. Indeed those are in utter loss who sells their eternal life for this short, temporary life. Our salute is to those who constantly try to improve themselves and try to purify the society from such diseases. Doctors need to be inculcated with high moral and ethical values from the very beginning of their professional education and training. This we are trying in our new Medical College in Muzaffarbad where there is strong emphasis on distinguishing between ethical and unethical medical practices from the very beginning so that tomorrow these leaders in health sciences my guide the profession to the right path.