Flawed Procedures
A Doctor's Tale Shows Weaknesses In Medical Vetting

Despite Erratic Education, Trail of Suits, Dr. King Got Job at HCA Hospital

Then He Started Operating

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Staff Reporter of THE WALL STREET JOURNAL
September 21, 2005; Page A1

HURRICANE, W.Va. -- John Anderson King joined the staff of Putnam General Hospital here in November 2002. In seven months, the orthopedic surgeon performed about 500 operations, mainly on patients' spines, arms and legs.

During a routine review of the doctor's work, the hospital became concerned about some of his surgeries. In May 2003, Putnam, which is owned by the giant hospital chain HCA Inc., suspended his privileges, pending an internal investigation.

Edgar M. Dawson, a Los Angeles surgeon brought in for a peer review, called Dr. King a "snake-oil salesman" who was "not competent to practice medicine," according to a lawsuit Dr. King later filed against the surgeon in federal court in Los Angeles. In August 2003, before the hospital completed its inquiry, Dr. King resigned and turned in his West Virginia medical license.

Putnam and Dr. King's patients are still reeling from the surgeon's brief tenure. More than 100 malpractice suits have been filed against Dr. King and the hospital, according to state court records in Putnam County, W.Va. Dozens of patients blame chronic back pain on allegedly unnecessary surgeries, court records show. None of the suits has been resolved.

One 90-year-old man died in 2003 from complications allegedly related to a back operation Dr. King is accused of recommending, despite the patient's age. A 38-year-old woman had her leg amputated in 2003 after an allegedly unsuccessful foot operation. State-court suits filed on behalf of the woman and the man's estate are pending. The suits accuse Dr. King of malpractice and the hospital of negligence in recruiting and employing him.
Many of the suits allege that Putnam overlooked warning signs, such as Dr. King's stop-and-start education, discrepancies in his résumé, and his involvement in past lawsuits, some of which he filed against employers when they tried to get rid of him.

How Dr. King, 47, came to practice at Putnam General provides a glimpse of how doctors with dubious histories can move from hospital to hospital, keeping their problems under wraps. In this extreme case, federal and medical-industry databases turned out to contain faulty or incomplete information about Dr. King. Past employers didn't share all that they knew about him.

"This is one of the problems that has haunted medicine for years," said Paul Schyve, senior vice president at the nonprofit Joint Commission on Accreditation of Healthcare Organizations. "Often the hospital is glad the problem has ended without it having to take action for fear they may get sued."

Mark Foust, a spokesman for HCA, said neither his company nor Putnam was responsible for any of the West Virginia suits. Putnam followed standard procedures in recruiting and supervising Dr. King, he added. Based in Nashville, Tenn., HCA is the country's largest for-profit hospital chain with 190 hospitals in 23 states.

Dr. King hasn't responded substantively in court to any of the West Virginia suits. When contacted with a Tennessee area code, he hung up. The next day, the number was disconnected. In recent legal papers, he has listed an address in Orlando, Fla. He still has medical licenses in Tennessee, Florida states.

**Uneven Path**

**Aug. 15, 1957:** John Anderson King is born in Birmingham, Ala.

**1976-1980:** Attends Birmingham Southern College.

**1980-1984:** Studies osteopathy at the University of New England College of Osteopathic Medicine in Biddeford, Maine.

**July 1984-June 1985:** Holds a rotating internship at Cuyahoga Falls General Hospital in Cuyahoga Falls, Ohio.

**July 1985-October 1985:** Drops out of his anesthesiology residency at the Medical College of Georgia in Augusta, Ga.

**January 1986-June 1986:** Drops out of anesthesiology residency at Nonnsmouth Medical Center in Long Branch, N.J.

**July 1986-January 1987:** Holds an anesthesiology residency at Western Reserve Care Systems in Youngstown, Ohio.

**1989:** Resigns from Walker Regional Medical Center in Jasper, Ala., after his privileges are suspended.

**November 1990-February 1992:** Is an OB-GYN resident at Albert Einstein Medical Center in Philadelphia. Does not complete residency.

**May 1993-May 1995:** Is an orthopedic resident at Hillcrest Health Center in Oklahoma City. Terminates residency after two years.

**1995-1997:** Holds orthopedic residency at Lincoln Medical and Mental Health Center in Bronx, N.Y.

**1997-1999:** Works at Jackson Hospital in Marianna, Fla.

**2000-2002:** Works at Doctors Hospital in Groves, Texas.

**November 2002-August 2003:** Works at Putnam General Hospital in Hurricane, W. Va.

Sources: West Virginia state-court records

only to fall into the red again in 2003.

HCA expects its hospitals to be profitable, spokesman Mr. Foust said. But Dr. King's hiring was based on patient need, not Putnam's finances, he added.

Putnam's standard background check on Dr. King found nothing problematic, Mr. Foust said, and when the hospital became aware of problems, it launched the inquiry that led to his suspension and resignation.

**Colorful Boasting**
Described by patients as affable, Dr. King allegedly told some that he had once worked at the prestigious Cleveland Clinic. He hadn't. Patient James Cable of Charleston said that Dr. King told him he had competed in the Olympics in "kung fu." The doctor hasn't been in the Olympics, and kung fu isn't an Olympic event.

Mr. Cable, 70, has alleged in a suit filed in state court in Putnam County that Dr. King performed unnecessary rotator-cuff surgery in March 2003 rather than trying other therapy.

Putnam's revenue from orthopedics rose sharply after Dr. King arrived. Government records show charges for orthopedic cases covered by Medicare increased to $4.6 million in 2003 from $1.6 million in 2002. Apart from Dr. King, there was one other orthopedic surgeon on staff during this period. Government Medicare covers only older patients, so the hospital's total orthopedic revenue was likely higher.

Putnam retained Comprehensive Healthcare Staffing of Norwalk, Conn., in October 2002 to recruit an orthopedic surgeon. After interviewing Dr. King on Oct. 9, 2002, the consulting firm sent a form to Putnam that included a handwritten note stating that his "hot button = $." Eight days later, Putnam signed Dr. King to a one-year contract with compensation of $420,000 and a signing bonus of $35,000. Comprehensive Healthcare said in a statement that it "received no indications of problems" with Dr. King's qualifications and that Putnam "retains responsibility" for assessing him.

Hand Operation

Cora Linville went to Putnam's emergency room in December 2002 for pain in her hand. "I'll fix your hand," Dr. King told her. "It reminds me of my mother's. I just operated on her three months ago for the same thing." Repeated by telephone in Birmingham, Ala., Dr. King's mother hung up.

Ms. Linville, then 68, said Dr. King noticed that her medical file mentioned back pain. After doing hand surgery, he visited her at home, urging that she have a back operation, she said. In a malpractice lawsuit, Ms. Linville alleged that she would lose control of her bladder and be in a wheelchair within six months. The suit also claims that the back surgery was "unnecessary."

Dr. King did surgery to remove three disks from her back in January 2003, she said. He performed operation in April for a spine fracture. Ms. Linville then developed a heart infection, which she said was attributed to the earlier surgery. She had two heart valves replaced in May 2005, performed in Cleveland. Ms. Linville said that since the operations by Dr. King, she has had trouble with her suit, she alleges that the hospital hired him negligently.

Katherine Rutledge, a nursing assistant at Putnam, injured her left ankle climbing out of her husband's truck in December 2002. Then 38, she went to the emergency room, where another doctor placed her foot in a brace. By late February 2003, her foot had a sore that wasn't healing properly. She said that Dr. King examined her at the hospital and said her bones were "mush." He urged an immediate operation to reinforce her bone with a caulk material. He did the surgery that day, she said.

Her foot became infected, and Dr. King performed a second procedure in April 2003 to remove the Rutledge said. Leonard A. Fichter, then Putnam's chief of surgery, got involved in the case and concluded that additional surgery wouldn't be necessary, according to a letter he wrote to Ms. Rutledge's lawyer in June 2004. But while Dr. Fichter was out of town for a few days, Dr. King told Ms. Rutledge's husband, Barry, that infection was spreading, and her leg needed to be amputated or she could die, according to a suit filed by Ms. Rutledge in Putnam County. Dr. King did the amputation in May 2003.

When Dr. Fichter returned and found that Ms. Rutledge's leg had been sawed off below the knee, he dismissed the surgery, she said. Dr. Fichter declined to comment, but his attorney confirmed this account.

While recovering from all this, Ms. Rutledge developed a blood clot in her other leg. Dr. Fichter amputated her leg in August 2003. Ms. Rutledge has three children, ages 11 to 25, and a disabled husband. She said her hospital job. "This has ruined our lives," she said. Her suit alleges malpractice by Dr. King and the hospital.

Faulty Information
Some key information about Dr. King available to potential patients wasn't accurate. Putnam General advertised him on its Web site in 2003 as a medical doctor in orthopedic surgery. But he doesn't have an M.D. Instead, he is a doctor of osteopathy, an alternative school of medicine that emphasizes the relationship of illness to and-skeletal system. Osteopaths can function as full-fledged physicians and can do surgery.

The physician-information Web site of the American Medical Association listed Dr. King as having graduated from the Meharry Medical College in Nashville. That, too, is wrong. He graduated from the University College of Osteopathic Medicine in Biddeford, Maine. The AMA couldn't explain the discrepancy.

Dr. King isn't certified by one of the 24 national medical boards that offer credentials in specialty fields and are recognized by the American Board of Medical Specialties. About 90% of doctors have such a certification, but as is the case with some smaller hospitals, Putnam doesn't require it.

In doing its background check, Putnam consulted the AMA site and other physician databases, according to Mr. Foust. Dr. King provided documentation of his training and employment. But the industry practice is for hospitals to verify such information on their own. In the case of Dr. King, seemingly obvious red flags didn't stop Putnam from recruiting him.

The AMA listed Dr. King as having trained as a resident at five different institutions in three disparate specialties: orthopedic surgery, obstetrics and gynecology, and anesthesiology. Records show that from 1985 to 1987, he dropped out of two residency programs in anesthesiology before completing a third. This pattern alone is unusual and could suggest a problem.

HCA's Mr. Foust says that Putnam didn't examine Dr. King's anesthesiology and obstetrics-and-gynecology training because the hospital wasn't hiring him to work in those areas.

Just a few months before Putnam hired Dr. King, the Joint Commission on Accreditation of Health Organizations surveyed the hospital and concluded that its approach to checking doctors' credentials was "deficient." The hospital was required to make improvements, and the commission said it was in compliance by the following year, 2003.

After the anesthesiology residencies, he took a job in that field in 1989 at Walker Regional Medical Center in Jasper, Ala. The center soon suspended his privileges after he allegedly falsified patient records, according to copies of letters that an attorney for Dr. King wrote to Walker in June 1989. The letters have been brought on behalf of former patients. Dr. King's attorney, William N. Clark, declined to comment, citing confidentiality.

Dr. King denied any unprofessional or unethical conduct at Walker but offered to resign if the suspension was rescinded, according to the letters. Walker then lifted the suspension, and he resigned.

Mr. Foust said Putnam wasn't aware of these events. A spokeswoman for Walker, which has been taken over by the Baptist Health System, said that it has no record of the dispute.

Mobile Resident

From 1990 through 1992, Dr. King trained as an obstetrics-and-gynecology resident at Albert Einstein Medical Center in Philadelphia. Putnam obtained a letter from Einstein dated Oct. 30, 2002, saying that he completed the program, without explaining the circumstances, court records show.

In May 1993, he moved to an orthopedic residency at Hillcrest Health Center in Oklahoma City. Putnam received confirmation from Hillcrest that Dr. King completed the first two years of a four-year program. But in March 1995, citing his marginal performance, according to Curry & Tolliver, the Charleston law firm representing many of the King patients, Hillcrest terminated Dr. King.

In fact, Hillcrest terminated Dr. King in March 1995, citing his marginal performance, according to a suit Dr. King filed in March 1997 in federal court in Oklahoma City. He accused the health center of poor training and fraudulent billing. To settle the suit, Hillcrest agreed to pay Dr. King $40,000 and allow him to resign.

http://online.wsj.com/article/0,,SB112725894530046754,00.html?mod=mostpop 9/21/2005
HCA's Mr. Foust said that Putnam wasn't aware of the suit or settlement. He added that the letter from Hillcrest and a certificate indicating Dr. King had been at the Oklahoma City facility for two years outweigh discrepancies with other documents. He noted that Dr. King's affiliation with Hillcrest was included on the AMA Web site. A spokeswoman for Hillcrest declined to comment, citing privacy issues.

From 1995 through 1997, Dr. King "performed the duties" of an orthopedic resident at Lincoln Medical and Mental Health Center in New York's Bronx borough, according to a certificate he provided to Putnam. Dr. P. Insler, then chairman of orthopedic-residency training at Lincoln, said in an interview that Dr. King was not an approved resident, meaning that he didn't get formal credit for the educational program.

Dr. Insler said that he raised questions with his board about giving Dr. King the certificate, but Lincoln was appropriate. Despite the questions he said he raised, Dr. Insler provided Dr. King with a positive letter of recommendation. He said Putnam didn't ask him about the prospect before offering him a contract.

Putnam did contact Lincoln, which confirmed that Dr. King was there from October 1995 to March 1997, court records show. But in answer to the question of whether the residency had been completed, the Bronx center wrote "n/a," short for "not applicable." Even so, Mr. Foust said that Putnam relied on the certificate, the Insler recommendation and the AMA site.

In the late 1990s, Dr. King worked at Jackson County Hospital in Marianna, Fla., where he was arrested and charged with theft. The Florida hospital alleged that he removed two log books from the operating room according to a January 1999 criminal complaint in Jackson Country Circuit Court. Dr. King pleaded not guilty and resolved the case without a conviction by paying a $225 fine and serving six months probation.

HCA's Mr. Foust said that Putnam wasn't aware of the criminal case. The hospital, like many others, doesn't do criminal-record checks or drug tests as part of its physician-hiring process.

While in Florida, Dr. King was named in four malpractice suits. The cases were eventually settled and received payments ranging from $137,400 to $250,000 each, according to West Virginia court records. Those settlements weren't listed in the National Practitioner Data Bank, a federal system that compiles information on physicians who have been disciplined or sued for malpractice.

Even though he has surrendered his license in West Virginia, Dr. King sued Putnam in federal court in Huntington, W.Va., in June 2005, alleging that his suspension was improper. He accused the hospital of retaliating against him for refusing to use less expensive orthopedic surgery products. HCA's Mr. Foust said the suit has no merit.

In July, HCA announced a $330 million deal to sell Putnam and four other hospitals to LifePoint Health. HCA said the small, rural facilities didn't fit well with its overall business strategy.

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