

The Courier-Mail

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Dr Death guilty in US

Check overlooked overseas blunders

Hedley Thomas

THE surgeon dubbed Dr Death by colleagues at Bundaberg Base Hospital had been found guilty of "gross negligence" in the US and forced to hand in his practising licence less than two years before coming to Australia.

A Google search of public registers by *The Courier-Mail* revealed yesterday that Dr Jayant Patel, an Indian-trained practitioner, had been cited over serious problems with his surgery in New York State and Oregon.

Queensland Medical Board executive officer Jim O'Dempsey last night confirmed it was the same Dr Patel who had been admitted to practise here.

He said he was shocked at Dr Patel's background and the failure of the regulatory body to detect it. Mr O'Dempsey said a comprehensive audit of the qualifications of about 2000 overseas-trained doctors in Queensland would start today.

Doctors and nurses at Bundaberg Hospital have blamed Dr Patel's incompetence for the deaths and serious injuries of dozens of patients since he arrived to practise in early 2003.

Staff had complained to their supervisors and hospital management since May 2003 about Dr Patel and the harm he had caused but nothing was done to stop the majority of his work until Nationals MP Rob Messenger revealed concerns in State Parliament.

Dozens of patients have been maimed on the operating table and some have died of shocking and avoidable complications and infections in the two years in which Dr Patel continued at the hospital before fleeing Australia at Easter.

But Chief Health Officer Gerry Fitzgerald of Queensland Health, which hired Dr Patel as a \$200,000-a-year director of surgery at the regional hospital, was unaware until being told by *The Courier-Mail* of his background.

In an April 2003 filing with the Board for Professional Medical Conduct in New York State, Dr Patel did not contest the charge of having been disciplined by the Oregon State Board of Medical Examiners "for negligence involving surgical patients".

He had been ordered in Oregon in September 2000 to cease performing any surgery involving "the pancreas, any resection of the liver and any constructions of ileoanal pouches".

He also was required "to obtain a second opinion on complicated surgical cases, based on gross negligence and negligence on more than one occasion".

But after his troubles in Oregon, Dr Patel was caught trying to practise in New York State even though he had been barred because of the disciplinary action against him.

He plea-bargained "for an agreement to allow me to surrender my licence as a physician in the State



If ever there existed a textbook example of how medicine can go disastrously wrong, of how government bureaucracies are painfully slow to respond to issues of concerns over life and death, of how medical staff risking their own jobs to save more people from lifelong pain or mortality are discredited by speaking out, and of how our regulatory body is unable to even verify the professional skills and clinical expertise of doctors, this is it

- Hedley Thomas, Page 13

of New York and request that the Board issue this surrender order".

He said that he did not contest his "negligence on more than one occasion and gross negligence".

Mr O'Dempsey last night defended the Medical Board's handling of the matter and accused Dr Patel of falsifying his clinical records, and deleting a crucial part of a certificate of good standing.

"The Medical Board is extremely concerned about this one-off incident," he said. "We are so concerned that I have instructed my staff to commence a full review of every current overseas trained doctor registrant to ensure that their certificates of good standing are accurate."

Mr O'Dempsey denied the Medical Board's checking system was fundamentally flawed, saying it was "one incident of what would appear to be fraudulent activity by a doctor and an error in processing here".

He alerted Health Minister Gordon Nuttall's office yesterday about Dr Patel's gross negligence during surgery in Oregon. Mr O'Dempsey said he began looking at Dr Patel's file last Friday after *The Courier-Mail's* report on how nurses had hidden patients from the surgeon they called Dr Death.

He noticed that the certificate of good standing from Oregon health authorities had a reference to an attachment, which was not included. This attachment related to the disciplinary action discovered by *The Courier-Mail* yesterday.

The revelations have reinforced the warnings of senior doctors about lax standards applying to checking the clinical expertise and credentials of overseas-trained doctors who are imported to areas of need in Australia.

Heart patients at risk, Page 4
Editorial, Page 14



SEARCH for answers... Mark Bramich with Des Bramich's wife Tessie.

Picture: John Wilson

Grief for man who didn't have a chance



SUDDEN death in hospital... Des Bramich.

MARK Bramich misses his father Des, 56, terribly. They worked together in an earthmoving business, lived nearby in the picturesque Wide Bay coastal town of Agnes Water and shared many good times fishing.

But what cuts him up most is the thought that his father died unnecessarily at the Bundaberg Base Hospital last year.

"The nurses were all crying - they could see that something was not right," he said.

Medical staff interviewed by *The Courier-Mail* this week are adamant that Des Bramich was not given a chance of survival by the director of surgery, Jayant Patel, who is accused of standing

in the way of the injured man's emergency aerial transfer to Brisbane.

In a confidential written complaint, nurse Toni Hoffman told Queensland Health district manager Peter Leck the intervention Dr Patel made was "the worst (staff) had ever seen".

The complaint states that after the death, another doctor who was the local representative of the Australian Medical Association came to see Ms Hoffman and said: "There is widespread concern but at the moment no one is willing to stick their neck out."

Des Bramich was with son Mark trying to repair a friend's caravan

when it fell on him last July, crushing his chest.

But after he was rushed to Bundaberg Base Hospital his condition was stable.

The next day his condition suddenly worsened. Family were told to come to his bedside urgently. A retrieval team in Brisbane was told to fly north immediately. But Dr Patel, who strongly resented transferring patients to the bigger hospitals with their wider expertise and better resources, blocked and slowed down the process.

By the time the retrieval team arrived, Mark's father was dead.

- Hedley Thomas



FRIGHTENED... Detective Sgt Darren Robinson.

Police braced for last stand

Michael Madigan

FRIGHTENED police handed out guns and phoned their loved ones as they prepared for a last bloody stand against an angry crowd of 400 Palm Islanders during last November's riots.

The dramatic story of how 17 police handled the Palm Island riot was revealed in full for the first time yesterday in a Townsville courtroom.

Police escaped from the besieged police complex just 30 seconds before it began going up in flames, the court was told.

Only moments before they had debated locking themselves in their own watch-house but then decided they didn't want to be burned alive.

They assembled what weapons and ammunition they had and ensured as many officers as possible were armed.

Warning shots were to be fired at the crowd, but if ignored police agreed to "do what you have to do".

A former CIB detective on Palm Island, Detective Sergeant Darren Robinson, took the stand at a committal hearing involving 23 Palm Islanders yesterday to give the first formal police version on the events of November 26, when Palm Island exploded into violence following the death in custody of local man Murray Doornagee.

Sgt Robinson said tensions had been growing after a meeting outside the council chambers where the death of Doornagee was discussed.

Sgt Robinson said that soon after the meeting a local man, Lex Wotton, who faces five charges including arson and serious assault, appeared near the police complex wielding a Stilson wrench.

"I knew there was going to be a violent confrontation," he said.

"I knew it was on." Wotton was "extremely pissed off", Sgt Robinson told the court.

Continued Page 4

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Inquiry pokes around hotel

CLAIMS THAT \$500,000 of taxpayers' money was awarded to accommodate poker machines at a north Queensland pub is being probed.

An inquiry into alleged government pork-barralling will focus on the Atherton Hotel, in the electorate of Kennedy, which was heavily targeted by the Nationals at the last election.

It is alleged the hotel was granted money to build a hall which could have housed pokies.

Full report, Page 3

City in leagues of its own

BRISBANE is the football capital of Australia, as the city's Broncos and Lions are the most popular clubs in the National Rugby League and Australian Football League, research shows.

The Broncos are the best-supported football team in Australia and have almost three times as many fans as the next most heavily supported NRL side, Newcastle, according to a nationwide Roy Morgan Research survey of 24,516 people during 2004.

The Lions overtook Sydney, found in a 2003 poll to be the most supported AFL



DEHARD support... Broncos fans at Suncorp Stadium.

club, to become the most popular AFL outfit.

North Queensland Cowboys have the fastest-growing supporter base of any NRL club, with 290,000 Australians

calling themselves Cowboys fans. Their supporter base has grown 142 per cent since 2001 and places the Cowboys as the ninth most popular of the 16 NRL clubs.

The Broncos supporter base was found to be 1,531,000, more than a million ahead of second most popular NRL club Newcastle, which has 519,000 fans.

The Lions "pride" of supporters has expanded by 161,000 since 2003 to total 1,492,000, surpassing that of Sydney Swans (1,335,000).

- Paul Malone
AFL and NRL, Pages 45, 51, 52

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