

The 8th Conference on Health Care of the Chinese in North America

Unlicensed Physicians and False Advertisements: The New York City Experience of a Growing Public Health Menace



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Abstract

As a direct result of the publishing of *Medical Menace* on June 2-5, 1996, members of the media and the government have recently paid a tremendously significant amount of attention to the medical charlatans preying and inflicting serious harm on the New York City Chinese immigrant community. The four-part, Daily News special series by Molly Gordy exposed the medical hucksters as a growing public health menace, posing as doctors and providing dangerous treatment under clearly unsafe conditions, sometimes even operations that they were obviously incapable and unequipped to perform. The articles contained horrible stories of human wreckage including a face disfigured, a finger lost, and a spine destroyed; they detailed chilling accounts of brain damage caused by a herbal tonic laced with poison, a nearly fatal botched abortion and a convicted felon once accused of sex abuse pressing spurious treatment on a woman.

Within days, the government reacted to the information presented in the articles. The Office of Consumer Affairs issued 27 fines and the Health Department and District Attorney, receiving over 100 complaints as a result of the Daily News exposure, opened 65 investigations. State Senator Roy Goodman held a special hearing on June 27, 1996 to collect information for possible legislation that would make the practice of medicine without a license a D felony, thus requiring a minimal sentence of one year in prison and financial compensation up to \$100,000 to be paid to the victims. The proposal will also allow district attorneys to handle these cases, which are currently under the jurisdiction of state attorneys.

These actions were truly appreciated. Witnessed and alarmed by the increasing range of victims suffering from the hands of unlicensed practitioners, the Chinese American Medical Society (CAMS) had already sent delegates to the NY State Education Department licensing division almost a year and a half before these articles were written. These representatives met with the supervising investigator on January 26, 1995 and presented case studies of victims and false newspaper advertisements. At the time, the state explained that it could not help since state resources are limited and it lacked the staff to address this issue.

The problem addressed in *Medical Menace* is not unique to NY City or to the Chinese immigrant population; it is a universal problem involving all immigrant communities, areas filled with vulnerable people who need skilled medical care and are easy prey to false "cures." We urge you, our colleagues in other cities, to study the NYC experience. We hope that the articles will help you to make this serious problem known to the government, the media and, most importantly, the general public and to motivate improvement of your

communities through the elimination of the intentional victimization of immigrants and other susceptible individuals.

The board of CAMS would like to stress that they are concerned about the welfare of the Chinese community. Their involvement is not an attack on alternative medicine or acupuncture. They object to people practicing -Western Medicine without a license, those who have never received any medical training but pose -as doctors, prey on only unsuspecting victims, and cause these individuals not only financial loss but also their health and their lives.

Recently there has been a lot of media and government attention on medical charlatans preying on the New York City Chinese immigrant community and inflicting serious harm on the patients. This is largely in response to the four part Daily News special series by Molly Gordy printed on June 2-5, 1996. The articles exposed presented the medical hucksters as a growing public health menace who pose as doctors and provide unsafe treatment including surgery under dangerous conditions. There were horrible stories of human wreckage including a face disfigured, finger lost and spine destroyed; nightmare of a nearly fatal botched abortion; convicted felon once accused of sex abuse pressing spurious treatment on a woman; brain damage by herbal tonic laced with poison.

Witnessed and alarmed by the increasing range of victims suffering from the hands of unlicensed practitioners, the Chinese American Medical Society (CAMS) had sent a delegate to the NY State Education Department licensing division and met with the supervising investigator on January 26, 1995. False and exaggerated newspaper advertisements and case studies of victims were presented. The state could not help for lack of staff. The board of CAMS is concerned about the welfare of the Chinese community. Their involvement is not an attack on alternative medicine or acupuncture, They are objecting those people who practice western medicine without a license, those who have never received any medical training but posed as doctors and prey on only unsuspecting victims not only causing financial loss but health and their lives.

As a result of the articles, within days the Office of Consumer Affairs has issued 27 fines, and the Health Department and District Attorney have received more than 100 complaints and opened 65 investigations. State Senator Roy Goodman on June 27, 1996 held a special hearing to introduce legislation to make it a D felony for those who practice medicine without a license with a minimal sentence of one year in prison and financial compensation up to \$100,000 to be paid to the victims. The procedure is made easier because the district attorney will be able to prosecute them instead of state attorney.

This problem is not unique in NY City. It is a universal problem involving all immigrant communities preying on vulnerable patients who need skill medical care. We urge our colleagues in other cities to study the NYC experience, Hope you will find it helpful and able to motivate the media, government and community's cooperation to educate your community, punish those who intentionally victimized the gullible public so that the community's health can be improved.