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Tucson, Arizona Friday, 27 June 2003



Pain specialist

Indicted doctor gets peer, patient support

By Carla McClain
ARIZONA DAILY STAR

A Tucson physician is being unfairly targeted in a nationwide "war" against doctors who treat chronic pain patients, charged a group of patients and doctors rallying in her defense Thursday.

The physician, pain specialist Dr. Jeri B. Hassman, has been wrongly accused of illegally prescribing narcotic painkillers, as have dozens of other U.S. pain physicians, the group said.

Hassman - a physiatrist who for years has run the largest pain practice in Tucson - was charged with 66 counts of writing illegal patient prescriptions for powerful narcotics and other addictive drugs, in an indictment issued in March by the U.S. Attorney's Office.

Other charges involved health care fraud against an insurance company.

Hassman has since lost her license to prescribe controlled drugs, but is continuing to operate her sports medicine and pain treatment practice.

"This is just the tip of the iceberg. Throughout the United States, physicians are being threatened, impoverished, delicensed, and imprisoned for prescribing in good faith with the intention of relieving pain," said Dr. Jane Orient, executive director of the Tucson-based Association of American Physicians and Surgeons, who organized the rally for Hassman at Hassman's office.

"If this continues, not one doctor will be willing to prescribe the drugs that patients so desperately need," Orient said.

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This so-called war against pain doctors is being waged by overzealous federal prosecutors and drug agents, said Orient.

The prosecutor in charge of the Hassman case, Beverly Anderson, declined to comment on any aspect of it Thursday, saying the case is still pending. Also declining comment were agents from the U.S. Drug Enforcement Administration.

"We are under strict guidelines not to make any public statement in light of an ongoing investigation," said Tony Ryan, DEA spokesman in Tucson.

In the federal indictment, Hassman is charged with prescribing huge amounts of narcotics to several patients over short periods of time. One patient, for example, got some 1,700 narcotic pills of various kinds - including Percocet, Oxycodone and Dilaudid - in the space of just over three months.

Hassman is now the target of at least three current lawsuits by patients who say she harmed them by overprescribing narcotics for them.

"It was just a combination of too many heavy-duty narcotics, and also the unprofessional way they are given out by her," said Debora McQueen, who sought help for chronic pain from Hassman, and has since filed one of the lawsuits against her.

"My body was not able to handle the amounts, and became toxic. I almost lost my job when that happened."

Most pain specialists are not sensing a federal "war" against them, said Dr. Kutaiba Tabbaa, medical director of the University of Arizona Pain Clinic.

"To my knowledge, most doctors who have been targeted are using these drugs, or selling them or are involved in some illegal way," Tabbaa said. "I have never seen one who was legitimately prescribing drugs and scrupulously documenting the patient's progress indicted on such charges."

On a list of other "unfairly targeted" doctors around the country put out by Orient's group was a Dr. William Hurwitz, a Virginia-based physician who federal documents say is at the center of an organized ring of doctors, pharmacists and patients who sell OxyContin, a much-abused synthetic morphine, on the black market.

But Hassman's patients, and even some who are suing her, have said they do not believe she has deliberately trafficked in illegal amounts of narcotics, but is guilty only of trusting some of her patients too much.

"If a doctor is too empathetic, that is not necessarily a crime," said Dr. Richard Dale, a longtime Tucson surgeon and past president of the Arizona Medical Association, who attended the rally yesterday.

"I think she practices very good medicine. But, yes, there is a distinct possibility addicted patients have taken advantage of her. This is a very

difficult field of treatment."

Several patients spoke emotionally about how Hassman's care restored their ability to function. "Three years ago, I was lying in bed, in pain, fighting infection and thinking of suicide," said Don Hayden, 48, who had suffered severe ankle and leg injuries.

"After countless doctors, I got no relief, until I found Dr. Hassman. She gave me the proper medication, and now I can run my own business. I've returned to society."

At the rally, Hassman said she was not trained to distrust or to "catch" patients.

"The DEA is now forcing doctors to treat anyone who complains of pain as if they are lying," she said.

Calling for cooperation rather than antagonism between doctors and federal drug agents, Hassman said, "If the agents would share information with us about who the abusing patients are, then we could spend our time with the patients who really do need help."

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