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MD Accused of Sexual Abuse Agrees to Lifting of License; [San Diego County Edition]

NORA ZAMICHOW. *Los Angeles Times (pre-1997 Fulltext)*. Los Angeles, Calif.: Apr 9, 1992. pg. 1

Abstract (Summary)

"If there was a second complaint (against [Lall]), this should have never happened to me," said LeeAnn Heck, 30, who was the fourth Kaiser patient to complain of sexual misconduct. She saw Lall for a thyroid and shoulder problem on Jan. 25, 1989.

Kaiser officials countered that they responded promptly, investigating each complaint as they balanced the need to be fair to Lall as well as to patients. Further, they point out, the first complaint occurred in 1986, and there were no others until two years later, when three were lodged in a six-month period from late 1988 to early 1989. At the conclusion of their investigation, officials suspended Lall, who had worked at Kaiser since 1984.

After each complaint was reported to Kaiser, [Andrew M. Golden] discussed them with Lall, according to court records. Heck said she was told by the attorney general's office that Lall had been instructed not to examine female patients without a nurse present.

Full Text (1130 words)

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A former Kaiser Permanente doctor agreed Wednesday to have his California medical license revoked after more women patients came forward and alleged sexual misconduct during physical examinations.

The state attorney general's office had accused Dr. Bharat Lall of sexual misconduct and gross negligence in his treatment of five female patients. But, after publicity about the case, five more women patients approached authorities with similar allegations, including one of an incident that allegedly occurred last month.

In the first five cases-four at Kaiser and one at Scripps Ranch Medical Clinic-Lall, 39, allegedly examined patients, administering a massage while he stood between their legs, sometimes pressing his body against them as they sat clad in paper gowns, according to court records.

On Wednesday, two women patients who were part of the attorney general's case against Lall criticized Kaiser officials, saying they acted far too slowly in handling four complaints that occurred at Kaiser's Clairemont facility during a three-year period beginning in 1986.

"Kaiser dropped the ball. In going along and trying to give this doctor the benefit of doubt, they were putting other patients in danger," said Anna Hartsough, a 32-year-old mother and flight attendant who saw Lall on Oct. 14, 1988, for neck and back pain caused by a car accident. Hartsough was the third Kaiser patient who alleged sexual misconduct.

"If there was a second complaint (against Lall), this should have never happened to me," said LeeAnn Heck, 30, who was the fourth Kaiser patient to complain of sexual misconduct. She saw Lall for a thyroid and shoulder problem on Jan. 25, 1989.

"It was Kaiser's responsibility to protect every patient who walked into that doctor's room," said Heck, now a Los Angeles resident who works at a music management company. "Lall has rights; he should be guaranteed a timely investigation, but, in the meantime, you have to give the general public the benefit of doubt."

Kaiser officials countered that they responded promptly, investigating each complaint as they balanced the need to be fair to Lall as well as to patients. Further, they point out, the first complaint occurred in 1986, and there were no others until two years later, when three were lodged in a six-month period from late 1988 to early 1989. At the conclusion of their investigation, officials suspended Lall, who had worked at Kaiser since 1984.

"We evaluated the complaints about Dr. Lall in a timely fashion and began an investigation-during which time we counseled him, warned him and began monitoring his behavior," said Jim McBride, a Kaiser spokesman.

"We have to be fair to everyone involved. That involves an investigation and review of each complaint," said Dr. Andrew M. Golden, chief of Kaiser's department of family practice and Lall's former supervisor. "I think we acted in both the physician's interests and the public's interest as best we could."

After each complaint was reported to Kaiser, Golden discussed them with Lall, according to court records. Heck said she was told by the attorney general's office that Lall had been instructed not to examine female patients without a nurse present.

In all of the five cases of alleged misconduct, there was no nurse present during Lall's exam. Heck said she believes that Kaiser should have been more vigilant in making sure that Lall was never alone when he examined female patients.

"I pursued this case because I didn't want to open the paper one day and find out he raped someone," said Heck, who, along with Hartsough, sued Lall for malpractice and was awarded \$25,000.

Initially, Heck said, she told Kaiser that she wanted it to redo the medical examination and blood tests conducted by Lall. She also asked that Lall apologize to her and attend some kind of therapy.

Lall resigned from Kaiser on April 10, 1989, and joined Scripps Ranch Medical Clinic, where he is employed. There, another episode of misconduct allegedly occurred, according to court records.

In that case, a woman patient went to Lall because of a severe headache. She alleged that Lall straddled the examination table, after directing her to put on a paper gown, and massaged her buttocks.

The examination also included his directing her to sit on the edge of the examination table and spread her legs while he stood close to her, pressing his body against her, she said. In that position, according to court records, he also reached around her, massaging her back and sides while pressing against her pelvis.

Scripps Ranch Medical Clinic officials did not return calls. Lall was unavailable for comment.

Lall's lawyer, John Murphy, said his client is going to pursue another line of work, taking a "leave of absence" from medicine.

"He's going to stop practicing-it's just not much fun for him anymore because of this misinterpretation," Murphy said. "He is a compassionate doctor who was treating people as he learned to treat them-as whole human beings. Some people misinterpreted it."

Deputy Atty. Gen. Sanford Feldman declined to comment.

Lall's case is the third to emerge in San Diego in recent weeks involving a physician and alleged sexual misconduct.

"We can't tell if more patients are willing to come forward or if there's more unprofessional conduct going on," said Assistant Atty. Gen. Alvin J. Korobkin. "The medical board has more resources than before, they're getting more information from hospitals and medical clinics, so there are more leads. And these investigations are skyrocketing."

Today, Lall, who is married and has a 15-year-old son, is a respected member of San Diego's Indian-American community, some say. After publicity over the attorney general's charges, members of the community rallied and collected more than 200 signatures on a petition to Gov. Pete Wilson demanding that proceedings against Lall be dropped.

"Dr. Lall is an outstanding member of our community with high moral standards in his professional as well as personal life," the petition said. "Dr. Lall is of exceptional moral character, and these charges of sexual misconduct are false and absurd."

Lall, a native of the Southeast African nation of Malawi, told investigators that he attended university in Glasgow, Scotland. After completing a medical residency in Atlanta, he moved to San Diego, joining Kaiser in September, 1984, as a staff physician within the family practice group.

In September, 1986-four months after the first complaint against him was lodged-he became a partner in the Southern California Kaiser Permanente Medical Group.

On Wednesday, a hearing concerning Lall's license to practice medicine was canceled as attorneys reached a settlement stipulating that his license would be revoked. To become final, this action must be approved by the state's medical board, which could occur within two months.

In California, a doctor whose license has been revoked cannot practice for at least two years. After that, he must reapply in order to be licensed.

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