
PI FAX & Email ALERT

June 18, 2004

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Insurance docs who lie in court can lose their MD license.

Doctors who knowingly offer false expert testimony on the witness stand can be disciplined by the California Medical Board, so reports Attorney General Bill Lockyear.

The opinion is considered valid legal authority. The AG found that the Medical Practices Act allows the board to take action in such cases for acts involving unprofessional conduct.

Surprisingly the California Medical Association applauded the opinion, which it hopes will encourage the medical board to more aggressively pursue cases of dishonest expert testimony. Apparently expert doctors may also fabricate during mal practice cases.

Recently a neurosurgeon testified against a fellow doctor and was accused of giving false testimony. Senator Liz Figueroa D-Fremont requested the opinion.

Practice Tip: When you are aware of any doctor who falsifies the truth, under testimony, you have a moral duty to report that doctor to the California Medical Board in writing, stating the case number, case name and exactly what the doctor falsified.

For a copy of a complaint against a medical doctor when engaged in a dishonest IME, contact us at johntawlian@shawnsteel.com

Farmers sued for deceptive med pay practices

In a unanimous decision published June 2, the Michigan Court of Appeals ruled that Farmers violated Michigan's insurance law. The court ruled that policyholders unknowingly forfeited the right to choose their own doctor, when they received a slight reduction in their premiums. Instead policyholders for a small savings lost the right to choose their doctors and were stuck with an HMO.

Beating Allstate

Renee Dundas, 45, a special ed teacher was driving a 1990 Honda Accord when defendant made a sudden left turn from her sedan.

Allstate admitted liability but claimed the accident was too small to **cause** any injury.

Dundas was taken by ambulance. She claimed she was an "egg shell" victim. Her prior accident of 1980, wherein her husband was killed and she suffered a miscarriage and spinal injuries, reactivated her pain and depression. Dundas also proved she lost earnings. The ortho for Allstate testified, under oath, that Dundas's present complaints were not related to this accident. He further testified that all her care following the emergency room was excessive and overpriced. His testimony was disregarded by the jury.

The Jury awarded \$48,000 against Allstate. Congratulations to Dr. Yariv Rothman DC, Venice. Dundas vs. Su SC 075 916 Los Angeles Sup Ct, Santa Monica