Disclosure

- No financial disclosures or conflicts of interest
FORMER TEAM USA AND MSU DOCTOR CHARGED WITH SEXUAL ASSAULT
Larry Nassar DO

- MSU COM trained and employed
- Up to 100 accusers
- Exams in front of Parents
- Complex medical procedure - “Sacrotuberous Ligament treatment”
- In-home exams
- No payments
- No consents
Today's Objectives

• Identify what are Sexual Boundaries?
  - "Do you talk to your mother with that mouth?"
• Review Discipline Guidelines for violations of sexual boundaries
• Strategies for providing a safe workplace environment for patients and colleagues
Doctors Accused of Trading Opioid Prescriptions for Sex and Cash

Federal prosecutors announced charges against 60 medical professionals on Wednesday. Brian Benczkowski, an assistant attorney general, said the case was brought in the Department of Justice’s Opioid Task Force to curb the crisis.
National Security

Doctors in seven states charged with prescribing pain killers for cash, sex

Value. It's what you'll find at Fidelity.

- **ZERO** commission for online U.S. equity and ETF trades
- **ZERO** minimums to open a retail brokerage account
Doctors Indicted for Overprescribing Opioids, Trading Sex for Drugs

One medical professional is accused of recruiting sex workers to prescribe them opioids
SC doctor who traded addictive drugs for sex convicted in federal court
Feds charge doctors in 8 states in opioids bust, including 'Rock Doc' accused of trading pills for sex

By Devan Cole, CNN

Updated 6:21 AM ET, Thu April 18, 2019
Doctor Swapped Drugs For Sex
Cops: Florida acupuncturist was serviced for painkiller prescriptions
Doctor Swapped Drugs For Sex
Cops: Florida acupuncturist was serviced for painkiller prescriptions

narcotic Oxycontin. The source stated that within the last year she and Dr. Malalang have been meeting at his residence or at the office and having sex, in exchange for the Oxycontin prescriptions. The source stated that she would perform a sex act on Dr. Malalang and afterwards he would write and give her a prescription in her name for the controlled substance, Oxycontin. The source stated that Dr. Malalang would instruct her to take the prescriptions to different pharmacies to get them filled so he could not get into trouble.

On 02/20/08 the source agreed to make contact with Dr. Malalang at his office located at 6605 Bambury Rd. The source met with Dr. Malalang and discussed him meeting her tomorrow at the office at 10:00am to exchange sex for prescriptions for Oxycontin. The source also told Dr. Malalang that she had a friend that would like to have the same arrangement with him, sex for pills.

On today’s date the source and an undercover detective met with Dr. Malalang at 6605 Bambury Rd, the doctor’s office. Dr. Malalang agreed to write both subjects a prescription for the controlled narcotic Oxycontin in exchange for sexual favors.

After this conversation, Det. Moore, Sgt. Racer, LL Parmer and myself went to the doctor’s office. Det. Moore knocked on the side door and Sgt. Racer opened the unlocked front door. Dr. Malalang had already written and given two prescriptions to the source for Oxycontin and was in the process of writing a prescription for Oxycontin to the undercover detective.

Det. Moore took Dr. Malalang into custody and advised him of his rights. Det. Moore and myself interviewed Dr. Malalang and he admitted to having sex with the source in exchange for Oxycontin prescriptions for the next 6 months to a year.

These Oxycontin prescriptions have been issued to the source over the past year for the sole purpose of her having sex with the doctor. These Oxycontin prescriptions were given to her above and beyond the prescriptions she was getting on her monthly visits to the doctor’s office.

Dr. Malalang was booked into the Pre-trial Detention Center.
Just Don’t DO It

- Few Nevers in Medicine
- THIS IS ONE OF THOSE FEW ABSOLUTE NEVERS
IS IT EVER OK TO HAVE SEX WITH PATIENTS?

• Hmmm...
• What if we were in a relationship first, then a patient....
Ethics of Sexual Relationships

• Psychiatry and OB-GYN – highest rates of sexual misconduct
• Male Physicians aged 40-49 and 50-59 most likely to have been reported for sexual misconduct
• Women aged 20-39 most reported victims of misconduct
• Transfer care of patient BEFORE sexual relationship
• Use of Chaperones
FSMB Guidelines for Addressing Sexual Boundaries

• Physician sexual misconduct is behavior that exploits the physician-patient relationship in a sexual way. Sexual behavior between a physician and a patient is never diagnostic or therapeutic. This behavior may be verbal or physical, and may include expressions of thoughts and feelings or gestures that are sexual or that reasonably may be construed by a patient or patient’s surrogate as sexual.
FS 459.0141

- Sexual misconduct in the practice of osteopathic medicine.—The osteopathic physician-patient relationship is founded on mutual trust. **Sexual misconduct** in the practice of osteopathic medicine means violation of the osteopathic physician-patient relationship through which the osteopathic physician uses the relationship to induce or attempt to induce the patient to engage, or to engage or attempt to engage the patient, in **sexual** activity outside the scope of the practice or the scope of generally accepted examination or treatment of the patient. **Sexual misconduct** in the practice of osteopathic medicine is prohibited. **History.**—ss. 13, 17, ch. 89-374; s. 4, ch. 91-429.
Discipline and Penalties

- Gender Restrictions
- Licensed, Trained chaperones
- Suspension
- CME
- Fines
- Revocation of License
- Criminal Charges
What if’s…?

• “Sexual Misconduct in the practice of Osteopathic Medicine is prohibited”
• Only Doctor in town? Big Dilemma
• What if we marry?
• What if you divorce?
• Where ETHICS comes in
**Do’s and Don’t’s**

- Non-Judgmental Assessments (Normal)
- Judgement Terms (Nice, Pretty, WOW)
- Staff Chaperones
- Family Member Chaperone
- Exam Rooms
- Non-Medical Facilities (Your Basement, Locker Room, Local Spa)
- Official Communication (Office Phone Line)
- Late night D&D
Do’s and Don’t’s

• Medical Records
• Favors
• Regular Clinic Hours
• On your off time
• Gloves at ALL times
• Ungloved sensitive exams
• Private Disrobing Practices
• Watching Patient Undress
Workplace Safety

- Behind Closed Doors
- “Would you say this in front of your own mother?”
  - Or their mother
- Grievance Policy and Timely Reporting
A Special, Vulnerable Population

• MEDICAL STUDENTS AND RESIDENTS
  • William Strampel DO
Questions, Comments, Discussion