

OPENING STATEMENT

Tues. Dec. 4, 2012  
Judge Wilfers

I INTRO

II START AT THE END

~~PHOTO ESSIE BROWN~~

Nov 19 2008

- Essie Brown 80 units Levemir

- what is Levemir? - how given?
- what is hypoglycemia?

✓ DEATH CERTIFICATE BUP

III WHAT DID MERCY MEDICAL RECEIVE

BUP ✓ 677 - How Stanor Juro got to Mercy medical + when.

3/18/08 - home first; bad night; calls Dr. Amore, who calls Case Management Dept at Thomas Hosp.

653

Admission timeline and medication

order arrival times @ Mercy Medical

⊛ ✓ 6200 BUP

RULE FOR DELIVERING PATIENT'S MEDICATIONS = SEND MEDICATION LIST ON REFERRAL

⊛ IV

Where did the 80 units of Levemir come from?

ⓐ What happened at ~~Thomas~~ Thomas Hospital?

Exs 104  
105  
106

- ✓ BLOW UP - Thomas Hosp. Patient Transfer form + Physician Order
- ✓ BLOW UP - MAR = official document.
- ✓ BLOW UP - Discharge Summary - Thomas Hospital

✓ BVP (b) What happened at Thomas Hospital?  
Peiratti [GT 37] • Could not get MDR - - access  
to patient record denied!

✓ BVP (c) [GT 36] • Nurse Peiratti @ Thom. Hosp.  
did not speak to Dr. Brown -  
EVER!

(d) COMPARE - Blow ups of Orders

BLOW UPS -  
Transfer from ~~pre-verbal~~<sup>before</sup>  
vs.  
Transfer From AFTER

- What Dr. Brown signed (VS)
- What was filled in as verbal order

(e) RULES FOR NURSES TAKING  
VERBAL ORDERS FROM DOCTORS

✓ BVP [GT 203] - Thom. Hosp. Policy on Verbal  
ORDERS =  
READ BACK!!

[GT 27] - purpose of "read back" =  
SIC

[GT 54] - how read back works

- learned by nurses in  
nursing school

VI

Where did the 80 Units Levenir error  
come from? = Discharge Summary

a) What did Dr. Brown dictate?  
play it!! [Audio of dictation]

vs

[Discharge Summary]

b) Who typed it <sup>up</sup>? Who  
transcribed his dictation?  
because that is at the root cause  
of this tragedy!!

1. G37
2. G37A
3. G37B
4. G37C
5. G38A

BUPS

BUPS

G38A

↑  
WHO IS WHO??

VII

# Transcription Quality and Accuracy Rules and Standards

THE RULES STANDARDS

(a) ✓ 1984 - BoP Preyze Warrants that the quality ~~is~~ and accuracy will be in accordance with currently accepted professional standards and practices

(b) ✓ 1985 BoP Each MT must be at least 98 1/2% accurate as a condition of continued employment

✓ 1986 BoP each report must be at least 98 1/2% accurate!

(c) AAMT Metrics

1916 ↓ defn of Critical Error = impact patient safety = examples would be incorrect drug dosage; lab values

~~1965~~ CE = impact patient safety

✓ BoP 917 "a transcribed report containing a critical error should not pass Quality Assurance"

OVER

✓ [G52]  
✓ [BOP]

"a critical error in any report will fail that report"

"any report with a critical error should fail a quality review."

(d)

Process - Quality and How We Approach - PX 26

ADD on WHEN IN DOUBT LEAVE IT OUT! Report is perfect BUT CANNOT HAVE CEs!!!

✓ [G12]

✓ [G13]

[G14]

✓ [GT69] - GOALS  
✓ [GT73] - GOALS

(e)

✓ [G354]  
✓ [G355]

Testimony of MTS w/ more than 200 years of experience in this profession 170/

VIII

CHART OF CRITICAL ERRORS =

✓ [G51]

IX

This report fails!!! Under all quality standards

✓ [GT163] Brenda Hurley

(XI)

# Overseas - The Process

✓ **G38A** - use the blow up.

✓ **G61** - Map - where is Medusial?  
SunTech?

3 Person Quality Assurance =  
3 person QA

1 → MT - Amit Pandey =  
Varanasi

2 → QA1 - Chandigarh -  
Sunita Bhardwaj

3 → QA 2 - Satish Patil  
~~Wada Mumbai~~

QA2 =  
"THE SAFETY NET"

✓ **G42** - QA 2 = supposed to  
be highly experienced + bring  
accuracy up to 98 1/2% and  
above

(XII)

# Overseas - Quality Audit

✓ **G133** • Precept USA does not do quality  
audits on India

✓ **G39** Audits for accuracy in India -  
" 1/2 of 1% per month "

God - do not bother Precept USA

✓ **G35G**

✓ **G41**

Keep US review to a  
minimum.

Former Precept Employees -

Sherry Taylor (Decatur AL); Gornie Wood (Georgia)

Margie Hill (South Carolina); Lisa Beck (Florida)

Herches Dowell (Montana); Frontier Amoss (Georgia)

★ **XIIIA**

★ **G356**

over 170  
years MT  
experience

XII B

IMPORTANT: MARGIE HILL -- TH. HDS. COMPLAINED ABOUT BAD ACCURACY FROM INDIA -- GT 33 GT 34 GT 35

XIII

QA2 - Mediscript - Satish Paloni

G78  
don't use

Nov. 2007 - HIM Director at Thomas Hospital authorized the use of overseas transcription

G78 - Sector - saved 20%

Feb 10, 2008 - Satish Paloni is hired by Mediscript

G78 - TIMELINE - USE BOARD

PX 35 - Critical Error Events to Satish Paloni

Wallow!!

<del>G66</del>	G71
<del>G67</del>	G72
<del>G68</del>	G73
	G74
	G75

BarP

XIV

What is a "Colleague" and a "Partner"?

G05 - we carefully select our partners = "highest level of respect and ethical conduct"

G60 ← G08 G60 - MAP of VENDORS!!

Preyze never visited or interviewed  
Sam Tech

G25  
ASTM

① Guano - Head of Operations

GT 128

GT 129

GT 131

② Jacqueline Turner - Preyze former  
Manager of Int'l Transcription

GT 122

GT 124

AA GT 125 AA

AA G05 AA - we carefully  
select our partners

XV

Who at Thomas Hospital knew?  
of SamTech?  
of Medusoid?

AA GT 17 - Thomas Hosp. H114 Director  
Sexton did not know

GT 108 - Debbie Munroe did  
not know, and she was  
Thomas Hospital's Transcription  
Coordinator

NoBODY!! And, they never even told the  
Doctors, ~~and~~ never told Dr. Orvone,  
that his dictation was being transcribed  
over in India GT 11



XVI

My investigation of SonTech,  
Bhupinder Singh Multani, Amit Pardey, etc

(a) What is due diligence  
for outsourcing?

bst ✓ G25 ASTM = visit

✓ PX217 - Blow Up

PX84

(b) SonTech's Representatives

☆☆☆☆ ✓ G31 - latest technology +  
innovator  
worked at client sites in US

☆ G45 - state of art facility

☆ ✓ G46 - 7000 sq feet of  
work space that  
is aesthetically  
pleasing that makes  
our workers more  
productive

✓ ~~G48~~ -  
☆☆ G49 - 4 to 5 years  
experience of various  
well known projects  
G31

✓ G48 personal integrity  
ethics, honesty

✓ G50 Call if you have  
questions

XVII

We went to SamTech

Countdown  
to  
court  
in  
India

661 - map

Gene Smith  
- Skip Burdon

PHOTOS of SAMTECH

USE BLOW UPS!!

BUPS

- PHOTO 1
- ★ PHOTO 2
- PHOTO 6
- ★ PHOTO 9
- ★ PHOTO 10? Ex 289C
- ~~11 289D~~
- 12
- 13

What happened in India/Noida -  
 Court Orders - Judge Wilton  
 Indian Judge

XVIII

Who did what wrong?

SumTech, Medusoid + Prouse

(1) Amore de report = 3 Critical Errors = FAIL!

GT 51 - Chart of CE's

GT 163

(2) Prouse Never visited SumTech = no due diligence

GT 128 Zoons

GT 122 Jacques Turner

VS

BIG LIE!

GT 05 - we carefully select our partners = "highest ethics + level of respect"

(3) Prouse did not audit India for quality/accuracy.

GT 133 Framer

(4) Prouse <sup>and Medusoid</sup> ~~was~~ ~~not~~ knew of Salish Paloni's Critical Error ~~problem~~, but allowed him to be the first QA 2 quality reviewer —

and sent the Amore dictation report from Paloni to Thomas Hospital

GT 78 S. Paloni Tumbler

WALLOW!!

USE THESE!!

G356  
G357

(5) Precept and Medusid were  
by its ~~the~~ United States  
based quality editors - Alabama,  
Florida, Georgia, South Carolina +  
Montana - that the quality from  
India was horrible.

scary!  
awful!

G356 / G357

↳ 170+ years of U.S.  
based MT experience

(6) Precept - Audits from India  
re Precept Int'l = awful

buys

- G80 - June 2007
- G81 - January 2008
- G82 - February 2008
- G83 - March 2008

(7) Precept, Medusid and SamTech  
used watered down error  
deduction rates so they  
could pass audits and  
say they met 98% accuracy.

GT135-

☆

Frena testified  
they use the AAMT  
error measurement =  
FALSE

BUA / G54 - error deduction  
chart

(8) <sup>GT</sup>144 Precept + Medusid did  
business w/ SamTech - still  
do, even though SamTech  
will not comply w/ Court orders.

GT144

⑨ Precupe's Head of Operations  
Pamela Joors and its Head of  
Transcription Sharon Fromer =  
never worked as MTs; Not  
certified; etc.



⑩. Precupe's Head of Transcription  
says she has no criticism  
of what happened in this  
case, even if the report had  
5 critical errors.

GT 135 = 5 errors  
happened = ok.

☆ GT 136 = not  
accountable

⑪ They told Provas Hospital  
that if "Precupe International our  
overseas arm" would do the work.

GT 137 = Sexton

But - PI never had any  
employees

GT 132 = Jones/MOAS

WIKILOW!

These are  
all important!

⑫ Modus - US quality standards  
do not apply to India

GT 68 Denker = US S/G  
NOT APPLICABLE

GT 82 Denker - AAMT does not  
apply  
(over)

6763

~~we~~ we are  
not accountable

(vs)

6771

Joos said the  
US Standards did  
apply

over

# What did Thomas Hosp. do Wrong?

GT 17  
GT 19

① No due diligence - allowed companies ~~never~~ Sexton did not know and that she had never heard of to do transcription.

①

Never told or warned the doctors

② Thomas Hosp. Gave false info to  
Marcy McNeil

[G200] Thomas Hosp. Policy +  
Procedure

(BSP) ✓

★★

[GT23] Breach of S/C

③

✓ [G203] Violated verbal  
order policy - no  
read back

④ Important records were not  
accessible

[GT37] Penitti

(VS)

✓ [G301]

Joint Commission  
accurate and  
accessible = S/C

⑤ Falsified a previously signed  
doctor's order

- nurse wrote verbal order  
but never spoke to doctor  
- no read back to  
doctor Anne

- filled info in above his signature without his knowledge
- back dated his signature
- Then sent it to Mary Medical + presented it as a legitimate ~~doctor's~~ order.

⑥ Nurse Perioth of Th. Hosp.  
did not know "read back for accuracy" is the required SIC

GT 47

⑦ ~~Perioth did not know that~~

⑦



## Defenses

1. There was no error - ~~GT 100~~ & ~~GT 101~~

2. We audit to ensure quality - 98.5%

~~GT 133~~ Error - Prange did not do quality audits on India

~~GT 54~~ Scoring Error Deductions - watered down

~~GT 51~~ 3 CE in the Oware report alone

3. Unsigned reports - we are not responsible for accuracy until the doctor signs it after 30 days.

FAUSE  
a) CE not acceptable **GT 355**

b) Unsigned reports are used daily in US Hospitals

• Stacy Sexton **GT 81**

• Shawn Borricle **GT 107**

• Lisa Wister **GT 106**

c) Logic - Medical Transcription Companies must know these reports are used before they are signed. Why?  
- 24 hour MT turnaround time for transcription

VS

- 30 days for doctors to sign the report.

4. Don't know about this one - ~~the~~ Ms. Jaro was sick and ~~did~~ might have died from something other than the Levein overdose. But → over

Preliminary Reports are used before signed!

• Official death certificate = Hypoglycemia was the cause of her death

• Dr. Philip Walsen - world recognized drug expert = Levenin counsel  
Mrs. Jiro's death = absolute certainty.

5. Disgruntled former Employees of Praeger  
Turner Clip 6 <sup>34 sec</sup> (2:02 long)

6. Thomas Hospital: "We were just trying to help" - "Sharon Jiro was not our patient" and "this was a 'unique situation'"

- She was their patient!  
- the rules keep people safe, and that is why they were written + should be followed -- in all situations -- both for routine and unique situations.

- understanding this info to Mercy Medical is their job!  
They are required to do it!!

G200