



# **Department of Veterans Affairs Office of Inspector General**

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## **Alleged Failure to Supervise Hand Surgery Fellows VA Boston Healthcare System Boston, Massachusetts**

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**DEPARTMENT OF VETERANS AFFAIRS**  
**Office of Inspector General**  
**Washington, DC 20420**

**TO:** Director, New England Healthcare System (10N1)

**SUBJECT:** Healthcare Inspection – Failure to Supervise Hand Surgery Fellows, VA Boston Healthcare System, Boston, Massachusetts

### **Purpose**

The Department of Veteran Affairs Office of Inspector General's (OIG) Office of Healthcare Inspections (OHI) reviewed allegations that hand surgery fellows were not appropriately supervised in the hand clinic and in the operating room (OR) during hand surgery procedures at the VA Boston Healthcare System (the system), West Roxbury Division, Boston, Massachusetts.

### **Background**

The three divisions of the system are Jamaica Plain, which is a primary care clinic; West Roxbury, which provides acute inpatient medical and surgical services and primary care services; and Brockton, which provides long term care and primary care services. The system is academically affiliated with Harvard Medical School and Boston University School of Medicine.

OHI conducted a review to determine the validity of an anonymous complaint involving the alleged failure of the system to properly supervise board certified or board eligible orthopedic surgeons who were fellows in a hand surgery training program sponsored by Brigham and Women's Hospital (BWH), Boston, Massachusetts. The complainant alleged that the hand surgery fellows functioned as attending physicians rather than trainees when they saw patients and that they supervised residents in the hand clinic at the West Roxbury Division without an attending hand surgeon present in the clinic. Additionally, it was alleged that the fellows functioned as attending surgeons when they performed basic hand surgery procedures and supervised residents in the OR at West Roxbury without the presence of an attending hand surgeon in the OR.

## Scope and Methodology

We reviewed credentialing and privileging files for hand surgery attending physicians and hand surgery fellows. We reviewed other pertinent documents and conducted an on-site visit July 8, 2005, to discuss the allegations with the Chief of Staff (COS), the Chief of Orthopedic Service, and the Chief of Surgical Service.

We conducted the inspection in accordance with the Quality Standards for Inspections published by the President's Council on Integrity and Efficiency.

## Inspection Results

The allegations came as a result of a mandatory pre-award contract renewal audit conducted by the OIG of the proposals from BWH to provide hand and orthopedic surgical services to the system. The audit found that surgeons in BWH's hand surgery fellowship program were providing services under the current hand surgery contract as attending surgeons and that this practice was expected to continue under the new contract. The audit questioned, given that the requirement under the contract was specifically for a "hand surgeon," whether it was appropriate for orthopedic surgeons in a hand surgery fellowship program to be credentialed and privileged by the system to provide services to patients as attending physicians in that specialty. Additionally, the audit questioned whether the hand surgeon fellows were allowed the same privileges at other affiliate hospitals.

In the system's response to the OIG, the COS wrote that the current hand contract called for the use of hand fellows who completed their accredited orthopedic surgery residency and were board certified or board eligible by the American Academy of Orthopedic Surgeons (AAOS). This allowed the fellows to be credentialed and privileged to perform "basic hand procedures" without regard to additional specialty training. According to the response, the fellowship program offered additional training in "complex upper extremity reconstruction." The system's written response also showed that fellows provided resident supervision in the hand clinic and provided resident supervision in the OR during "simple basic hand cases" but that all fellows and residents worked under the supervision of an attending hand surgeon for the more complex cases.

A review of the credentialing and privileging files of the hand surgeon fellows showed that they were AAOS board certified or board eligible. Regarding the question of privileges in the affiliate hospitals, the system responded that the privileges granted to the hand fellows at the system were the same as the privileges granted to the hand fellows at BWH and Massachusetts General Hospital.

We substantiated that AAOS board certified/board eligible surgeons acted as attending physicians in the hand clinic and in the OR during basic hand procedures under the

expired contract. However, as of August 1, 2005, the system began to require that an attending hand surgeon be present in the hand clinic and that an attending hand surgeon be present in the OR during complex hand procedures, even when the orthopedic surgeon was AAOS board certified/board eligible. Additionally, the system agreed to inform patients verbally and in writing on the informed consent form signed by the patient prior to surgery when a hand surgery procedure would be performed by an orthopedic surgeon versus a hand surgeon.

The system also revised its clinical privileges request form to include “complex hand and upper extremity reconstruction. Prerequisite for new privileges: additional training in hand surgery beyond an orthopedics residency.”

## **Conclusion**

We found that the processes and procedures that the system implemented would ensure proper resident and trainee supervision and provide high-quality hand surgery services to the system’s patients. Further review of this case is not warranted, and we make no recommendations.

## **Comments**

The VISN and Healthcare System Directors’ agreed with the findings and conclusions. (See appendixes A and B for the Directors’ comments.)

JOHN D. DAIGH, JR., MD  
Assistant Inspector General for  
Healthcare Inspections

## VISN Director Comments

**Department of  
Veterans Affairs**

**Memorandum**

**Date:** December 6, 2005

**From:** Director, New England Healthcare System

**Subject:** **Alleged Failure to Supervise Hand Surgery Fellows**

**To:** Assistant Inspector General for Healthcare Inspections

Attached is the response to the Draft Healthcare Inspection - Failure to supervise Hand Surgery Fellows, Project Number: 2005-02023-HI-0233.

If you have any questions or need additional information, please contact Michael Lawson, Director, Boston VA Medical Center by calling (617) 323-7700.

/s/

Jeannette A. Chirico-Post, M.D.

## Healthcare System Director Comments

**Department of  
Veterans Affairs**

**Memorandum**

**Date:** November 30, 2005  
**From:** Director, VA Boston Healthcare System  
**Subject:** **Alleged Failure to Supervise Hand Surgery Fellows**  
**To:** Assistant Inspector General for Healthcare Inspections

I have reviewed the Healthcare Inspection - Failure to Supervise Hand Surgery Fellows, Project Number: 2005-202023-HI-0233. I concur with the findings and conclusions outlined in the report and have no additional comments.

/s/

Michael M. Lawson

Director, VA Boston Healthcare System

## OIG Contact and Staff Acknowledgments

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OIG Contact	Hotline Call Center (800) 488-8244
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Acknowledgments	Katherine Owens, MSN
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