



**Administrative Closure**  
**Misrepresentation of an Unlicensed Researcher as a Physician**  
**Michael E. DeBakey VA Medical Center (580/00)**  
**Houston, Texas MCI # 2012-02438-HI-0385**

The VA Office of Inspector General Office of Healthcare Inspections received allegations that, at the Houston, TX, VA Medical Center:

- An unlicensed foreign medical graduate has been representing himself as a physician.
- There have been multiple complaints filed against this individual, including a complaint of sexual harassment; these complaints were ignored by management.
- This individual was improperly recruited.
- A primary investigator (PI) is "pulling strings" for this individual.
- The individual was inappropriately in the operating room (OR) on a Spinal Cord Injury study.

We conducted an offsite document review on May 7, 2012, and interviewed selected staff on May 8, 2012. We reviewed appointment letters, research scopes of practice, and copies of relevant email communication. We found that the unlicensed researcher had an active Without Compensation (WOC) appointment and scope of practice approved through Research Service, and that he was involved in a variety of active IRB-approved studies at the facility.

We substantiated that staff complained about the unlicensed researcher's conduct, including instances where he misrepresented himself to research patients and facility staff as a physician. The facility provided copies of email communication documenting the complaints received, warnings issued, and the follow-up actions taken. VHA prohibits this practice and notes that an individual who knowingly represents him or herself as a physician is subject to disciplinary action, up to and including termination of VA appointment.<sup>1</sup> The facility terminated the researcher's appointment on May 4, 2012.

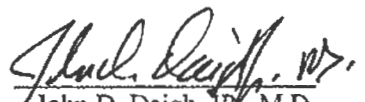
We substantiated that a sexual harassment complaint was filed. In February 2012, the facility's Equal Employment Opportunity Manager received an informal complaint documenting alleged instances of sexual harassment involving the unlicensed researcher; however, no formal complaint was filed. We referred the informal complaint and follow-up actions taken to the Dallas Regional Office of Investigations, who determined there was no basis for a criminal review.

We substantiated that the unlicensed researcher is from the same country as the primary investigator (PI) and that he was recruited from that country, but we did not substantiate that the individuals had a prior relationship. The unlicensed researcher approached the PI at an international conference and requested to join the PI's research team. The unlicensed researcher was then employed through the affiliated university and subsequently appointed as a WOC at the facility.

We did not substantiate that the PI was "pulling strings for" the unlicensed researcher. We found that the PI took appropriate actions when necessary given the repeated instances of prohibited practices.

We substantiated that the individual was inappropriately in the OR on a Spinal Cord Injury study. The facility PI addressed the behavior with the unlicensed researcher and the research coordinator for the study. The unlicensed researcher was removed from the study in the OR and was told to stay out of the OR; he was later terminated.

Approved by:

  
John D. Daigh, Jr., M.D.  
Assistant Inspector General  
for Healthcare Inspections

6/8/12

<sup>1</sup> VHA Directive 2009-054, *Credentialing of Unlicensed Research Staff*, November 2, 2009.