a medical malfeasance memoir

DOCTORED
My name is Naomi and the story I’m about to tell you is true...

I can be an easy target...

It’s about how I got overcharged by my local, public health clinic by more than I was willing to ignore. It’s about how they lied about my health history in my medical records, tested me for who knows what behind my back and stone-walled me. The dispute that followed led me to suspect a pattern of medical fraud and abuse of public health funds.
I have since I was 16 and I’m 59. I’ve never had a DUI. Still, some people think this is a great excuse to discount me. They can always find cheerleaders thanks to decades of prohibition and propaganda. Naturally, these cheerleaders continue to embrace the same companies that proudly marketed Heroin, Oxycontin and methamphetamine. I’m getting SICK of the hypocrisy.

"What really bothers me is the notion that marijuana is also medicinal because it’s not. We can have an intellectually honest debate about whether we should legalize something that is bad and dangerous but don’t call it medicine, that is a joke."

Nancy Grace, Television Presenter

Chuck Rosenberg, current DEA head

Harry Anslinger, former Federal Bureau of Narcotics.

"People on pot that shoot each other, that stab each other, strangle each other, drive under the influence, kill families — wipe out a whole family!"

"Here we have drug that is not like opium. Opium has all of the good of Dr. Jekyll and all the evil of Mr. Hyde. This drug is entirely the monster Hyde, the harmful effect of which cannot be measured. Some people will fly into a delirious rage, and they are temporarily irresponsible and may commit violent crimes. inhibitions."

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Even though cannabis has been studied to death and is legal here in California, we users are still getting attacked by cynical profiteers, propagandists and uninformed lunatics.
Now I don't have a medical degree, but I don't just believe everything doctors tell me. I've been to some great doctors, some uninterested, not-great doctors. They're all individuals, but I often get concerned they might abuse their authority. Sometimes I think they just want money.

I've happily avoided the unnecessary loss of the below body parts by expressly ignoring the advice of doctors. They did get a bone and a couple of teeth.

1. Tonsils
2. Toenail & its root
3. Lower wisdom teeth.

*Moi, après oral surgery*
Hi, I’m Dr. Nicole Kehoe! Do I have permission to take blood and urine?

I know now that I’ve just given her the green light to secretly screen me for drug and alcohol abuse. She’s writing that my chief complaint is a “positive drug screen.” She’s spying on my bodily fluids while I think she’s worried about my cholesterol. I’ve had a cannabis prescription for years from my primary physician in the Bay Area.

*Ask your doctor to be specific about what test they’re doing.

I need my thyroid medication prescription re-filled. I have no appetite and high cholesterol. I have insomnia too. I have a lot of stress right now but no, I don’t drink at all I just smoke pot...

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ME

But eventually I had to go to the doctor.
My record now reflects that was asked these questions and gave the circled answers. Though, I would not have answered "yes" to ANY of these questions, I've officially "admitted" my "spouse is complaining" and I've "neglected my family." Since I've never had either, I take serious umbrage. These falsified answers give my behavior a "score" of "harmful" & I'm reported to have been "given a brief intervention, pamphlet & referral to specialized treatment," all of which I strongly deny receiving. Note how there is no mention of my prescription.

What would be the motivation for my doctor to put these answers on my record? I'm assuming it's a deliberate falsehood, since the other information in my file is quite accurate. My guess is the motivation is MONEY. I think they should give people GREED interventions. Such behavior is much more harmful to society than pot smoking.
Yo, Chapo!
You got some weed
I could buy man?

I’ll probably be
arrested, but I simply
MUST keep on smoking!

I'm MARRIED!

“Dear, I
REALLY wish you
wouldn’t!”

I'm MARRIED!

What? I never
took YOU to Santa
Paula Medical Clinic!

?? My Answers ??

Legal Dispensary

8. Have you engaged in illegal activities in order to obtain drugs? Yes ☑ 

6. Does your spouse (or parents) ever complain about your involvement with drugs? Yes ☑ 

7. Have you neglected your family because of your use of drugs? Yes ☑ 

3. Are you unable to stop using drugs when you want to? Yes ☑
The cost of a “free” clinic

I was unpleasantly surprised to receive what I thought was an outrageous first bill for lab chemistry, but when more bills (for that lackluster visit and brief follow-up where my complaints were not addressed) rolled in to total $3,300, my head nearly blew off.

Lab/Chemistry $1,216.00
Lab/Urology $ 152.00
Clinic $ 371.00
Other pro fee $ 729.00
Clinic $ 371.00
Other pro fee $ 256.00
Other pro fee $ 204.00

$3,300.00

Me, madder than a monkey with a rotten banana!

When I called to complain, the doctor’s office told me that the $204 was for my drug and alcohol abuse test...

You may be surprised to learn that it’s not illegal for doctors to test you for substances without telling you or asking your permission. NIH guidelines are available online if you doubt me. They say that although it’s not illegal, however the practice can be considered a “BREACH OF TRUST.”

I calculate that to be 10x what it should have cost. I’m dying to see the detailed itemization. So far I’ve just been mansplained that “medical billing is complicated.”

But it’s the bill for the $204 that really started this story in motion...
Hypothetical Situation:
What if your doctor does something wrong to you?

What makes doctors special? If I had paid for a steak and someone gave me oatmeal and a bill for the value of ten steaks, I'd be entitled to some kind of compensation and outrage. But doctors have authority. I asked a lady at the hospital desk what a person should do if they needed an advocate. Me: "What do I do if something is seriously wrong, like the doctors are amputating the wrong foot?" Her: ... (no answer)

If something like this was happening in New York City, where I lived for 19 years, there is an easily accessible patient advocate in every hospital. I thought people would care MORE in the country.

I PROMISE you that no patient advocate is coming anytime soon in Ventura County. There is only one in the entire VCHCA system. She is paid by the corporate arm. I went to the hospital where she worked, half an hour away, waited and had her paged multiple times. I left messages. Months later, I have yet to hear back.
I have been waiting for a response from the patient advocate, Marie Castaneda, to get back to me for about a week. Ventura County Medical Center CEO Kim McBride has promised termination that I have yet to receive.

Shelia Murphy, public information officer, has promised to answer advocacy questions that she has yet to answer.

My former attorney has severed our relationship, as of last Friday, due to conflict of interest.

I am now 100 percent totally stonewalled.

I wanted a refund on my regular prescription, but these egregious bills have raised serious questions. It frightens me on behalf of every citizen in this county that it's virtually impossible to contact a patient advocate. These kinds of questionable charges could eventually drain Medicaid and leave poor people high and dry.

And they say it's the poor people who suck money out of Medicaid?

Maybe poor people are not immediately hurt by this kind of scheme, but, eventually, when the politicians start screaming again about how poor people are taking all of the money and we cannot afford to help them anymore, you might remember who really is sucking up that money, unless we never look at it and it's "business as usual."

— Naomi Pitcairn, Santa Paula
I’m guessing the motive was money and that the money motive probably came from the Department of Health who gave it to SAMHSA, who gave it to Ventura County, who’s compliance with Substance Abuse Prevention and Treatments grants has been questioned in the recent past. VCHCA or the clinic probably received $204 when SPMC digitally reported their falsehoods to whoever in the county was in charge of the Grant. The economics of for-profit free clinics must be interesting.

Then, SPMC billed me, I got mad and started digging. They took the $204 off of my bill and backpedaled, but it was too late because I had seen my records and was pig-biting mad. If I were to speculate as to how this works I’d guess SPMC is billing complicit insurance organizations or duping federal agencies when they fabricate conditions, illegally, for money. “Upcoding” is charging for something you didn’t exactly do by reporting a condition as more serious than it truthfully is, and charging for treatment. I think they are upcoding.
If VCHCA had, say, an over-budget medical wing project... at $204 a pop it would take lots and lots of "interventions" to make a dent in a theoretical $8 million deficit...

Couldn't false accusations of drug abuse cause people insurance, financial or even legal issues? It seems like everybody's selling our information these days for money.

I doubt I'm the only person this has happened to either. I think they didn't expect anybody to find out. If insurance pays, or people don't question bills, they won't know.

Doesn't this create a situation where people might be tempted to engage in iffy insurance and government contract schemes? What kind of ramifications will corporate/government invasions of public privacy have on us, the Patients?
It’s not hard to prove you’ve never been married or had a kid. With documents in hand, I began hoping for a Qui Tam lawsuit, one where all you have to do is inform the government and they do all the investigating and prosecuting and you get paid a percentage for tipping them off. In order to have a Qui Tam however, you need about 12 victims. You need substantial evidence on what false claims were made, who submitted them and how the false claims for payment were made. Your case can’t just be based on what you say.

Then you have to file in under seal which means the filing is confidential and can’t be made public. Until the seal is lifted by the court, the complaint and its contents have to be highly confidential to allow the government the chance for a true investigation, without putting the potential target on notice. The irony here is it’s my word against theirs unless I gather more evidence but in order to gather more evidence I need other patient stories and that blows the confidentiality requirement. I face it that I’m getting a Qui Tam.

No Qui Tam for you!

When you do battle with an institution they will do four things: Delay, Deny, Destroy and Buy. We can see it in action in this story. First, I had to wait for things and I’m still waiting for others, they denied wrongdoing without addressing many issues. They impugned my character a little, while informally awarding me a discount of almost $1000. We know they need money, not just the hospital wing but a bit of a flu shot debacle happened as well. They want me to apply formally for the change in my records. Why haven’t they changed them already?

With all DUE respect
Most of my friends don’t go to the Santa Paula Medical Clinic. Very few people I spoke to seemed the least bit interested in getting their records.

Sorry but I still can’t shut up about the fact that you should request your electronic medical records. Ask your doctor’s office for the form! (There are limits to what they can charge for the printing. Don’t just trust their prices.)

Ask for a copy of your SBIRT! (Screening, Brief Intervention, Referral to Treatment) Don’t you want to know what your doctor is saying about you?

I am a very unsuccessful ally recruiter

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The fact that it is a class issue makes it a race issue. In California, as elsewhere, whites have systematically taken from people of other races including, 'round these parts, bounties on the heads of innocent Native Americans. According to "The Mexican Outsiders" a 1984, doctoral thesis, based on the town of Santa Paula, where my story takes place, things went more or less like this:

1. Extra-legal Land grabs
2. Segregation enforced by KKK
3. Strike breaking via "guest" worker programs.

We white people tend to take other people’s stuff and then give them things like for-profit-free-clinics. My KKK sketch is from an actual photo taken in Santa Paula of people, whose children, bad or good, racist or not, are alive in this town today still benefiting from racism, as am I, only mine is Pennsylvania racism. We don’t have to be racist to benefit. I view SPMC as a relic of racism based on who I surmise its intended clientele to be. I noticed who was in there. I do not think it’s location on what I now know to be the formerly segregated side of town to be entirely coincidental. Who better for your scam than people who are not in a good position to fight you. This dying-branch-skimpy-fruit-bilingual logo is perfect. It looks to me like the serpent has eaten most of the fruit and now sits dominant at the top of the medical tree.

Klean, Kind, Kareful

I will now, out of the blue, bring up the KKK and argue that it’s a legitimate segue: I’m NEVER going back SPMC. I have choices because I was born into privilege. When people have limited choices, they can be more easily abused, like in the case of agricultural farm workers, sequestered and forced to pay inflated prices at the company store, an example of which actually happened last year in Santa Paula. Ricardo “Mendoza owned Discoteca Mi Pueblo, a Santa Paula convenience store that redeemed vouchers from workers hired by Jacinto’s [his co-conspirator] company after deducting fees from their pay, according to the Justice Department. Officers seized about $1, 404,187 from that store, the indictment said.” – KTLA News Discoteca Mi Pueblo is only blocks from the Santa Paula Medical Clinic.

The clinic’s company store is free, but not really. I’m always hearing complaints about poor people soaking up tax money. At upwards of 3k a visit, our poor people must be costing the taxpayers a fortune. When you look at it like that, it almost seems fair that they should donate their reputations in return.
There’s a reason people like Erin Brockovich and Dewayne “Lee” Johnson who beat corporations in court are famous. It’s almost impossible to win, even if you have evidence and have been grievously wronged. I ought to be able to advocate for myself. My activism has secured positive press for my causes in dozens of international news outlets. I’ve masterminded more than 50 basketball-court-sized political chalks around the country. I’ve served on non-profit boards, have an MFA w/ honors in Design and Technology. I came up with a viral stunt that shamed a sitting president of the United States towards addressing an important social justice cause. Experience is no guarantee for future success. I’m successfully stonewalled by a crappy clinic because...

I was honest with my doctor.
Divergent Creative Advocacy

When all else fails, it is time to get more creative. Sometimes when I have no idea what to do, I turn to randomness, looking anywhere and everywhere for ideas. That might be another term for desperation, if so then it’s time to get desperately creativity. What comes in the mail is as good as anything when you’re desperate, so when I got a letter about pens with “my business” on them, I thought that for pot smokers, lighters would be even better. What if I just left them around? I want pot smokers to know my business.

I don’t want to give up, even though I am spending time, money and emotion on what is probably a losing proposition. I have a card propped up where I can see it that says: “A winner is just a loser who tried one more time,” so when an email about The Sketchbook Project lands in my in-box I decide to use it to tell this story of what I believe is corruption going on in Ventura County. I’m not giving up yet. My story’s going into a library and when Dr. Kehoe et al find out about it, it’s going to be too late. It’s a start.

I wonder what I could do next?

1. A rolling billboard?
2. A T-shirt advertising my complaint?
3. Send in a colleague? *(Lawyers advised against.)*
4. Pay people to get their records? *(ditto.)*
5. Stand outside of clinic trying to talk to people?
6. Lighters!

Random ideas...

What to do?
Why is cannabis constantly lumped in with drugs that cause crazy and irresponsible behavior? It’s just plain wrong. It doesn’t make us murderers or even lazy. I did this booklet, didn’t I? I did it all by myself, on pot!

I don’t claim that pot is ALL GOOD ALL THE TIME. It can get some people paranoid, it can make people cough, but nobody’s EVER died from a cannabis overdose in the history of the world.

Cannabis doesn’t interact with other drugs. What pharmaceutical drug or recreational beverage can make that claim?! It doesn’t make people aggressive and it can help with creativity.

Humans have been using cannabis for thousands of years but it’s easy to grow and there’s no money in it unless it’s illegal.

NOTE: I would appreciate less fake concern.

Doctors took an oath to do no harm. I’ll never trust anyone involved with VCHCA again.

I think all patients should request their ELECTRONIC MEDICAL RECORDS.

It’s our right to read what doctors say about us, our habits and our characters.
From the Hippocratic Oath:

I swear to fulfill, to the best of my ability and judgment, this covenant:

I will apply, for the benefit of the sick, all measures [that] are required, avoiding those twin traps of over-treatment and therapeutic nihilism.

I will remember that there is art to medicine as well as science, and that warmth, sympathy, and understanding may outweigh the surgeon's knife or the chemist's drug.

I will respect the privacy of my patients, for their problems are not disclosed to me that the world may know... I must not play at God.

I will remember that I do not treat a fever chart, a cancerous growth, but a sick human being, whose illness may affect the person's family and economic stability. My responsibility includes these related problems, if I am to care adequately for the sick.

I'll remember that I remain a member of society, with special obligations to all my fellow human beings, those sound of mind and body as well as the infirm.

If I do not violate this oath, may I enjoy life and art, respected while I live and remembered with affection thereafter. May I always act so as to preserve the finest traditions of my calling and may I long experience the joy of healing those who seek my help.
Naomi Pitcairn is a graphic-digital-performance-street artist and creative advocate who has no set style or medium. She holds an MFA from Parsons NY in Design and Technology with honors, where she later taught programming and critiqued Masters Theses, as well as a BA from NYU, Gallatin, Founders Day Award, with honors and a certificate from Pennsylvania Academy of Fine Arts, Quaker Storage Prize, Both the Cresson and Scheidt traveling scholarships. She believes she's the only woman to ever paint billboards in Times Square. Her short films have screened at the Athens Film Festival, Women in the Director's Chair, Chicago and won an honorable mention at the Baltimore Off the Wall Film and Video Festival. Her Exquisite Corpse photo series earned a 2nd prize and was chosen for the Best of Show at the International Photography Awards. She has been paid by, linked to and also handcuffed by the City of Los Angeles for her giant chalk installations, while her disruptive performances on behalf of whistleblowers have garnered positive media attention in publications including Die Zeit, NYT, Washington Post, Times of India, Huffington Post, Daily Kos, Al Jazeera and SF Chronicle. She has collaborated with political performance artists including Joey Skaggs, Annie Sprinkle, Elizabeth Stephens, Chris Wells of The Secret City and Reverend Billy Talen. She has illustrated several books including She Comes First a Harper Collins best seller. She writes for WilderUtopia.com, TimesQuotidian.com and Santa Paula Times. She was long listed as an equestrian for the Barcelona Olympics. She speaks Spanish and Mandarin and smokes pot.