

Health providers warned officials about surgeon



Jonathan Ellis, jonellis@argusleader.com 8:29 p.m. CST February 11, 2015

Two more health providers warned officials about doctor performing unnecessary surgeries.



(Photo: Submitted)

Two more health providers have stepped forward to say they warned officials about a Yankton surgeon who has been accused of performing unnecessary surgeries for financial gain.

Many of the spine surgeries done by Dr. Allen Sossan ended with patients alleging that they were injured. In some cases, patients died after surgery, including Frances Bockholt, an 80-year-old who died after undergoing more than a dozen surgeries in a one-year period in Yankton.

Two years ago, a Yankton jury awarded Bockholt's family more than \$930,000 after concluding that Sossan performed unnecessary surgeries on the Nebraska farm woman. That lawsuit has sparked at least three dozen others.

[More Allen Sossan coverage \(/topic/83570389-2cac-4d5a-aae5-59c450a777f8/allen-sossan/\)](/topic/83570389-2cac-4d5a-aae5-59c450a777f8/allen-sossan/)

Meanwhile, the Nebraska Attorney General's Office this week agreed to drop disciplinary proceedings against Sossan after Sossan surrendered his Nebraska license. Sossan, who lived in Norfolk, Neb., practiced at Faith Regional Hospital until he either lost or surrendered his hospital privileges there. He then secured privileges at Lewis & Clark Specialty Hospital and Avera Sacred Heart in Yankton, where he practiced between 2008 and 2012.

Suzanne Gage, a spokeswoman for the Nebraska Attorney General's Office, said the state's disciplinary action centered on Sossan's failure to disclose criminal convictions on his application for a Nebraska medical license. Sossan — who once went by the name Alan Soosan — did not disclose a 1982 misdemeanor for writing bogus checks or a 1983 felony burglary conviction related to an attempt to steal the answers of a biology test at St. Petersburg Junior College. Sossan also failed to notify Nebraska licensing officials about the Bockholt malpractice verdict.

Nebraska's petition against Sossan did not involve standard-of-care allegations, and the state's decision to dismiss its complaint was not considered an act of discipline. However, the agreement, Gage said, means Sossan is permanently barred from seeking another license in Nebraska.

"He is never able to apply for a Nebraska license again," Gage said. "In exchange, his disciplinary proceeding was dismissed."

Sossan presumably did not disclose the criminal convictions on his application for a South Dakota license. Unlike Nebraska, South Dakota does not make those applications available for public inspection.

The move on Sossan's license in Nebraska comes years after both licensing boards there and in South Dakota received complaints and warnings about Sossan. The complaints came from patients, family members of patients and other health providers, but no public action was ever taken against Sossan. Because of state laws that allow the medical boards to operate in secrecy, it's not clear to what extent they might have investigated those complaints.

The two latest health providers to say they issued warnings about Sossan are Matt Dvorak, a physical therapist who worked at Lewis & Clark Specialty Hospital, and Dr. William Winn, a physiatrist who worked at Faith Regional and Avera Sacred Heart hospitals at the same time as Sossan.

While at Faith Regional, Sossan falsified patient charts and radiological results in order to justify performing unnecessary surgeries, Winn said in a sworn affidavit. He also performed unnecessary injections, nerve blocks and other procedures.

When Sossan no longer was allowed to practice at Faith Regional, Winn said he learned that Sossan was trying to secure privileges at Avera Sacred Heart. Winn said he warned Dr. Barry Graham, who was then Avera's medical director, that he felt "Sossan posed a danger to the public."

"I formally discussed Sossan's problems at Faith Regional Hospital with Dr. Graham and strongly voiced my opinion that Sossan posed a danger to patients and should not be granted privileges," Winn said in the affidavit, which he signed last week.

Efforts to reach Graham by phone and email were unsuccessful Wednesday. Avera has declined to discuss ongoing litigation.

Dvorak said it was also common knowledge among the staff at Lewis & Clark that Sossan had a bad reputation from his time at Faith Regional. He would

Last month, Dr. Dan Johnson, an orthopedic surgeon and a shareholder at Lewis & Clark, told the *Argus Leader* that he attempted to block Sossan from getting privileges there. Dvorak, who spoke to a private investigator retained by plaintiffs' attorneys, confirmed Johnson's account, saying Johnson had "heated conversations" with other board members about allowing Sossan to perform surgeries at Lewis & Clark.

Dvorak said Sossan ordered surgeries for patients who hadn't undergone more conservative treatments first. But despite concerns about unnecessary surgeries, Lewis & Clark's board and ownership kept Sossan operating because of the money he generated.

Dvorak said he became so mad after visiting one patient that he reported Sossan to the South Dakota Board of Medical and Osteopathic Examiners. He said he tried to make the complaint anonymously because he didn't want to lose his job. But, he said, "they didn't want to talk to me."

Margaret Hansen, the board's executive director, said the board does take anonymous complaints. But, she added, anonymous complaints are harder to investigate. For one reason, the investigators don't have someone they can respond to.

"They would be looked at — all complaints are looked at," Hansen said.

She added that she would not be happy if she learned a complaint was disregarded, even if it was made anonymously.

"I don't want to say, 'No, that's impossible,' " she said. "But that's now how we do it. We would take a complaint."

Sossan's license to practice in South Dakota expired in March 2013, and the doctor did not attempt to renew it. In those types of cases, Hansen said, licenses are forfeited and any active investigations end.

Read or Share this story: <http://argusne.ws/1E2yv1B>

ALLEN SOSSAN (/TOPIC/83570389-2CAC-4D5A-AAE5-59C450A777F8/ALLEN-SOSSAN/)



S.D. doctors engulfed in spine surgeon saga (/story/news/2015/01/10/sd-doctors-engulfed-spine-surgeon-saga/21573401/)

Jonathan Ellis

(/story/news/2015/01/10/sd-doctors-engulfed-spine-surgeon-saga/21573401/)



Botched-surgery claims might tip S.D. law

(/story/news/2014/11/08/allegations-botched-surgeries-might-shift-law-sd/18749519/)

(/story/news/2014/11/08/allegations-botched-surgeries-might-shift-law-sd/18749519/)

Jonathan Ellis



Sanford settled lawsuit alleging kickbacks to doctors (/story/news/2014/07/26/sanford-settled-lawsuit-alleging-kickbacks-doctors/13231423/)

(/story/news/2014/07/26/sanford-settled-lawsuit-alleging-kickbacks-doctors/13231423/)

A lawsuit is shining fresh light on specialty hospitals



[\(/story/news/2014/06/08/lawsuit-focuses-light-specialty-hospitals/10192519/\)](/story/news/2014/06/08/lawsuit-focuses-light-specialty-hospitals/10192519/)

[\(/story/news/2014/06/08/lawsuit-focuses-light-specialty-hospitals/10192519/\)](/story/news/2014/06/08/lawsuit-focuses-light-specialty-hospitals/10192519/)

Jonathan Ellis

[South Dakota's medical complaint system like many other states \(/story/news/2014/03/23/south-dakotas-medical-complaint-system-like-many-other-states/6767533/\)](/story/news/2014/03/23/south-dakotas-medical-complaint-system-like-many-other-states/6767533/)

Jonathan Ellis



[Secrecy protects surgeon's trail of pain \(/story/news/2014/03/23/-secrecy-protects-surgeons-trail-of-pain/6767345/\)](/story/news/2014/03/23/-secrecy-protects-surgeons-trail-of-pain/6767345/)

Jonathan Ellis

[\(/story/news/2014/03/23/-secrecy-protects-surgeons-trail-of-pain/6767345/\)](/story/news/2014/03/23/-secrecy-protects-surgeons-trail-of-pain/6767345/)