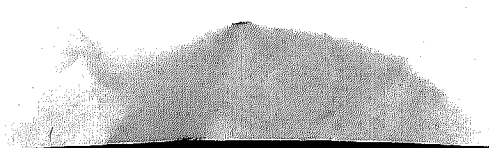
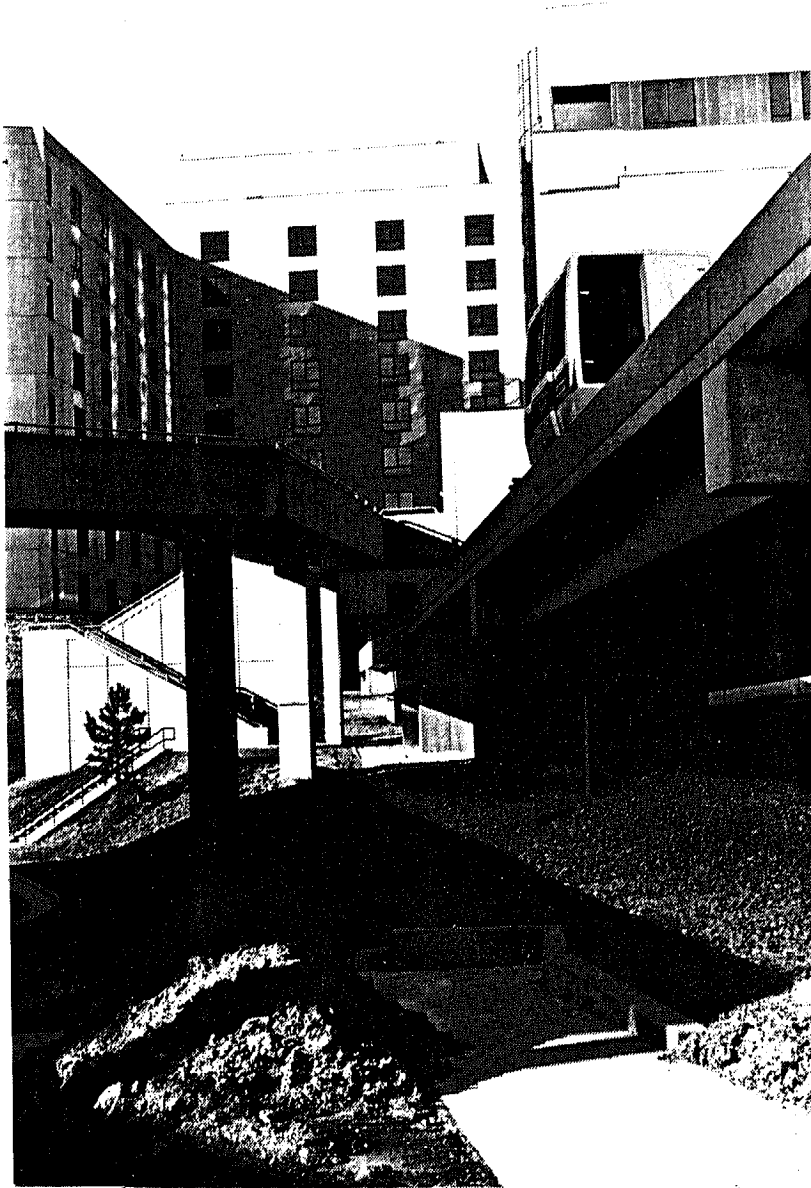


February 1989

Shifting Dullness



Second Opinions

Looking for Unicorns

Andrew Martin, MD, JD

The group of second year medical students gathered around the middle-aged truck driver with a four-day growth of stubble on his face. He had been admitted the day before complaining of pain on either side of the breast-bone.

"Well, Mr. Martin, what's your diagnosis?" grumped "Country Joe," our attending. "Country Joe" came from a small town in Georgia and had been Ty Cobb's doctor years ago.

"Let's rule out myocardial infarction and or heart attack."

"Wrong, the EKG shows none of the changes you'd expect with a heart attack. This man's got the costochondrol syndrome - he strained the cartilage between his ribs and sternum unloading boxes from his truck yesterday. The lesson here is, Mr. Martin, when you hear hoofbeats, look for horses.

Years later, after I graduated from medical school and law school, I heard a prominent plaintiff's attorney in Los Angeles use the phrase again. I was working for a downtown L.A. law firm defending physicians of a large West Coast HMO. The HMO needed all the help it could get, since many of the doctors could not speak English, and some even misunderstood basic medicine.

Our Doctor had misdiagnosed an atrial myxoma as a benign flow murmur. The patient later passed a septic embolus and subsequently died. The physician, who spoke only broken English, was clearly intimidated by the conglomerate of lawyers, depositions, and trials.

Our tall red-headed opponent was an old hippie who had decided to become a "people's lawyer" and sue physicians. He towered over our small statured client, saying "And, doctor, you noticed that murmur on physical exam, didn't you?"

"Yes."

"And, doctor, the thought of atrial myxoma never entered your mind?"

"Objection, Leading question."

"Overruled, answer the question."

"Yes."

"So the fact of the matter is, doctor, you heard loud hoofbeats, and you were so busy looking for horses that

you failed to see the zebra that was staring you right in the face!"

Fortunately, we settled the case. Otherwise the company could have lost hundreds of thousands of dollars. We did it using simple methods of advocacy.

Having worked as a physician and a lawyer renders one keenly aware of the different meanings of truth. In pre-med, truth means synthesizing the right chemical or deducing the right result. In medicine, truth means coming to the right diagnosis by a combination of knowledge, intuition, and judgment, and using those assets to treat the patient in an effective, cost-efficient manner.

But, in law, truth means acting as a zealous advocate for your client. It means taking facts and rearranging them so that your client prevails in court. A good lawyer working in the medical-legal field must be a combined Perry Mason and Ray Bradbury.

As a summer clerk after my first year of law school at Duke, I worked for a large company composed of "environmental lawyers". We defended companies who disposed of toxic wastes in rural areas. Our present client was a capacitor company accused of dumping PCBs in a small town settled by the Amish and Scotch-Irish in the 1840s.

"Here are the data in the form of gas chromatographs taken from fat and blood samples from the plaintiffs."

"Those blips are the various isotopes of PCBs, solvent, and maybe dioxin?," I asked.

"Yes, that's the theory. Spare no expense - go to the CDC, the NIH, the companies. Leave no stone unturned. We've got to prove that those isotopes don't correspond to our company's pattern of isotopes."

I felt like saying, yeah, that's the ticket. But, realizing my role was one of a lawyer, and not as a scientist or clinician I said, "PCBs can come from carbonless duplicating paper and from the wax paper used to encase cereal in boxes in the 1960s. In addition, lots of asphalt and macadam material contains PCBs."

The senior attorney smiled. We later won the case.

The meaning of truth was becoming blurred. Knowledge was clearly a double-edged sword. Science in law seemed vaguely akin to science fiction. Instead of looking for horses or zebras, I was concoting unicorns.

But without unicorns, medicine and science might not be able to survive. A case in point occurred when I

was defending a large drug company whose vaccine had been implicated in the development of seizures, encephalopathy, and retardation.

Our case involved a young girl who had developed seizures less than 24 hours after the administration of the vaccine. She was now six and functioning at the level of a two year old, that is when she was not seizing.

The last time the company had lost a vaccine case, it cost them 10 million dollars. As a result of that loss, vaccine costs had risen to the point where many children were not being immunized, and the target disease was now reappearing in epidemics. Coming up with the right ticket or zebra had tremendous social policy implications.

"We've got to take this one to the limit," said the attorney in charge, an old pro who had defended the federal government in the swine flu cases. "Let's interview everyone - geneticists, endocrinologists, neurologists, general practitioners - until we come up with a viable alternate cause."

The advantage of interviewing many experts was that we could seal the lips of those experts - our opponents could not use them. Left and right, the experts looked at the charts, charged \$200 an hour, then told us that the vaccine may have triggered an underlying predisposition to seizures.

"That's not good enough," said the lead attorney. "We need to come up with something that will explain all the problems - otherwise the jury won't understand."

Finally we did. One of the experts, a consultant adult neurologist who was not board certified in pediatrics, decided that Reye's syndrome would fit the picture. The problem was that the child had white cells in the cerebrospinal fluid, no fever, no hepatomegaly, and only markedly elevated liver enzymes. This meant that certain of the diagnostic keys for Reye's syndrome that I'd learned in medical school were absent.

An expert brought up the potential problems with the diagnosis.

"Look, we're advocates here, not scientists. We've got to come up with a diagnosis the jury can understand." And so we found our unicorn.

The problem with unicorns is that doctors, companies, and insurers pay outrageous sums to find them. The economic drain is reflected in higher malpractice premiums, drug prices, and insurance premiums.

Our judicial system is designed to settle disputes in a civilized manner. Each side is represented by a well-prepared advocate who presents the client's side of the case. The judge makes rulings on law, and the jury decides issues of fact, such as liability.

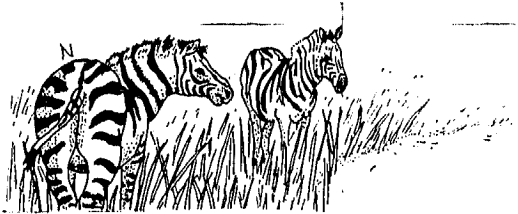
But often juries do not have scientific backgrounds

sufficient to let them make informed choices. They cannot tell horses from zebras and unicorns. If an explanation is reasonable and presented persuasively, they will go for it hook, line, and sinker.

Until fact-finders are composed of scientifically and medically knowledgeable arbiters the system will continue to be plagued with expensive unicorns. Arbitration panels started in specialized industries, such as textiles, because company owners felt lay juries could not understand the intricacies of the textile industry. Companies involved in disputes submitted their claims to a panel of experts for binding arbitration.

If textiles are too complex for jurors then perhaps medicine and pharmacology are as well. The West Coast HMO mentioned above has instituted an alternate disputes resolution system. Cases are tried in front of two medically-legally experienced lawyers or retired judges, and a physician. If disputes are meritorious, they are settled speedily. If disputes are meritless, they are dismissed with a minimum of cost.

Because these arbiters can tell horses from zebras, there is no need to concoct unicorns. Given the relative nature of truth, this course of action may be the best alternative.



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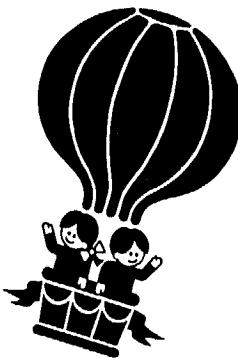
Rowena Dolor

Professional Opportunities

Baltimore Scholarships

The Baltimore City Medical Society Foundation, Inc., is accepting applications for scholarship awards for the 1989-90 academic year. Applications are available at the Financial Aid Office or by writing to the BCMS Foundation, Inc., 819 Park Avenue, Baltimore, MD 21201. The applicants must have Baltimore City, Maryland, as their permanent address, and all applications must be received no later than May 1.

The **DUKE** Children's Miracle Network Telethon



The annual Duke Children's Telethon will be broadcast locally on Channel 28/ WPTF-TV on June 3 & 4, 1989. The funds raised will benefit the Duke Children's Medical and Surgical Center. WE NEED YOUR SUPPORT to make it a success. For the past two years, medical students have coordinated the "Miracle Fair" which coincides with these dates to publicize and raise funds for the Telethon. This year's plans include a Saturday night barbecue and a children's play area on Sunday. We need a volunteer to help Shauna Tilly to co-chair this event. Also, many other jobs will be available in planning this fun event, so please help. Be the caring, enthusiastic volunteer(s) we are looking for. Please contact Barbara MacDonald in the Medical Alumni Office/Candy Room at 684-6347 or stop by and sign up today.

④ _____

Women In Medicine

February 12th from 4-6pm all female medical students in the school of medicine are invited to partake in a discussion centered around the personal conflicts of women physicians who have had difficulties in planning their careers, many secondary to marital conflicts of interest. This event will be held at Leslie Rokoske's house (708 Parker St., Durham), and all those who will be attending are asked to bring finger foods or beverage. Having personally spoken with Dr. Shirley Osterhout, who has asked >10 women physicians to share their experiences with us, I feel that this gathering should provide many of us with a better understanding of just what may be store for us in the near future in terms of career vs marital choices. If you have any questions please feel free to call Leslie Rokoske at 683-8580 or Susan Hazzard at 688-7347.

Extramural 3rd year

SECOND YEAR STUDENTS: Those of you who are thinking about doing your third year of basic science research away from Duke should pick up an Application for Extramural Basic Science Research from Barbara Gentry's office (M136 Davison). Also, pages 9-10 of your new elective book describe the procedure for making an application for extramural research. The DEADLINE for submitting your application is March 1, 1989.

Wellcome Summer

During 1989, Burroughs Wellcome Co. expects to have summer positions for which medical students may qualify. Interested students may call 248-4611 to request an application, or to pick up an application in the Main Company lobby at 3030 Cornwallis Road, Research Triangle Park, Mon.-Fri. between 8:15 - 4:15. Note that transcripts are necessary in order to review qualifications in conjunction with summer vacancies. Burroughs Wellcome Co. is an equal opportunity employer, and encourages the referral of minority and female students. Applications for summer employment must be received by Feb. 28, 1989 at 4:15 pm.

Academic Announcements

Board Dates

Duke National Board Exams 1989: Applications may be obtained from Sheba Vaughan, Rm 129 Davison Bldg.

—PART I—

Examination Dates: September 6-7

Application Deadline Without Late Fee: June 28, \$150

Center Change/Cancellation Deadline: August 9*, \$25

Final Application Deadline: July 12*, \$175

[*Deadline will be extended for June examinees who failed and wish to repeat Part I in September]

—PART II—

Examination Dates: September 26-27

Application Deadline Without Late Fee: July 18

Center Change/Cancellation Deadline: August 29

Final Application Deadline: August 1

FLEX Exams 1989

Examination Dates: June 14-16

Application Deadline: March 31

Place: Jane S. McKimmon Extension Center, corner of Gorman Street and Western Boulevard, Raleigh, NC.

HPSL Interest Rate Change

A recent change on the U.S. Health Professions Student Loan program, effective November 4, 1988, lowers the interest rate on the HPSL program from the current 9% down to 5%. Any loans made on or after that date must carry the correct interest rate on the promissory note. Students signing a HPSL promissory note for fall semester on or after the effective date should be on the alert for a revised promissory note from our Office of Student Loans. It is also possible that you may have already received the spring semester promissory note with a 9% interest rate - this too will have to be changed.

Travel Benefits

For special travel benefits from January through May call Travel Agents International at Lochmann's Plaza, 383-0388 to set up an itinerary. Also don't forget to take advantage of the Host Books in the Medical Alumni Office. These books could possibly save you money as alumni offer their homes to students coming to their area for interviews.

Pathology on Videodisc

ATTENTION SECOND, THIRD AND FOURTH YEAR STUDENTS: the National Library of Medicine needs your help in evaluating a series of Pathology Videodisc modules. You will need 60-90 minutes of uninterrupted time for each one. Call Carol Reilly for access to the new computer lab in CTL. Phone: 684-5967; hours: 8:30-3:00. Do one or all four! The topics are Cell Injury, Cellular Alterations and Adaptations, Necrosis, Thrombosis (other topics to follow). Come see what computer initiatives in medical education are all about!

Residency Application

The Residency Application Workshop will be held on Saturday, Feb. 11 from 8:30 - 3:30 in Berryhill Hall, at the UNC School of Medicine in Chapel Hill. The purpose is to acquaint students with the process of applying for residency programs, timetables for applying, letters of recommendation, and the match process discussed in detail. IT IS OPEN TO ALL MED STUDENTS. RSVP: Ms. Laverne Segroves/ Dr. John Frey, Duke-Watts Family Medicine Program, 407 Crutchfield Street, Durham 27704; 471-4614.

Match Day Reception

March 22, 1989 is the day 4th years will find out the results of the NRMP Match. Results will be distributed at 12:00 in the Medical Center Board Room (1170 B Duke South, Yellow Zone, beside Southside Deli). If you will not be in town March 20-22, please call Barbara Gentry (684-2498) to let her know the following 1) how to get in touch with you between the hours of 4 pm Monday, March 20 and 12 noon, March 21 in case you do not match, and 2) where you wish to receive your match results if you are unable to be present on March 22. We look forward to seeing you on March 22 at noon.

Medical Arts

In Search of Talent

Have you gotten a performing arts questionnaire in your mailbox? If not, look again. Or come by my office (Florence Nash, Davison M123) for one. In response to, if not exactly popular demand, at least statistically significant expressions of interest, we have distributed a brief questionnaire in hopes of achieving several related ends: (a) to find out if there are as many medical student performers as we suspect (and hope); (b) to help you get in touch with each other for an occasional jam or whatever; and (c) to encourage student/faculty/housestaff interaction outside the hospital and classroom. Response has been pretty good thus far. A baroque ensemble is looking for a viola and cello. A trumpeter would like to form a brass quintet. A guitarist wants to do some Renaissance. A barbershop quartet is well under way. And more!

There is a message in this madness, if you will indulge me briefly: You probably feel yourself under more pressure to achieve more competitively in less time than ever before in your life. An inappropriate time to think about barbershop quartets or baroque trios? No way. You need more than ever to make some time for familiar, diverting, and non-medical accomplishments. It can save your sanity. What's more, proper maintenance of your various inner components is related to the difference between technicians and physicians.

If performing arts are not your thing, by the way, we also want to gauge your interest in other pursuits. Would you like to know what's available in say, pottery classes, for example? We will probably be circulating another questionnaire soon to see whether there is sufficient interest for the Dean's office to make some arrangements for medical student auditing in arts programs and departments on campus. I invite any comments and suggestions. Come by and let me know what you think.

Florence Nash
Asst. to the Dean

Student/Faculty Show!

The Student/Faculty Show will be held on Sat., April 22. Auditions for the show will be held Feb. 18 and 19 from 2-5 pm in CTL. People interested in singing, dancing and acting please plan to come by and strut your stuff. Please contact Jim Bass (DUMC 2721) if you are interested in planning, set design, orchestra, choreography, administration or technical aspects of the show. If you have an idea, please contact us quickly, as most of the show has already been set. The show is looking good, and a good time should be had by everyone involved - so get involved! Further details on auditions will be posted outside the mailroom. **It's Showtime!**

Craft Classes

The Duke University Craft Center began registration for spring classes on Jan. 4 and will continue registration until the classes fill or until Feb. 3. Included are classes on basketmaking, batik, blacksmithing, jewelry/metals, pottery, photography, quilting, silkscreen, woodworking and woodturning. Registration is held in the west Craft Center, located on the lower level of the Bryan Center, West Campus. For other info call 684-2532.

Art Shows at Duke

Rowena Dolor

Jan. 8 - Feb. 6 "Pastels" by Laura Paresky, Brown Gallery.

Jan. 9 - Feb. 10 "Etchings" by Maureen Banker, East Campus Gallery.

Jan. 16 - Feb. 4 "Drawings" by students of Merrill Schatzman, Flowers Gallery.

Medical Organizations

AMSA News

Jim Bass

• **SELL YOUR BOOKS!** The AMSA Spring Booksale is coming up on Feb. 8 at 5:20 pm in CTL. You can bring your old books and set your price; AMSA will add a 10% commission, and you receive the full amount you requested. You may drop off books on Tuesday, Feb. 7 from 12-1:30 or 5-5:30 in CTL. Books may be dropped off at other times during the day, but the site will be unattended, and AMSA cannot guarantee the safety of your books.

• **The next meeting** will be held at 12:15 on Feb. 15 in the South Amphitheater.

AMA News and Events

Susan Hazzard

On December 15-16 the Duke Student Section of the AMA held its first ever Organ Donor Drive at DUMC. All those who participated felt it was a success, and are now in the process of organizing a similar drive in a local mall. Any student interested in participating should contact Susan Hazzard at 688-7347.

Any student members interested in helping to provide data which will be used to design an insurance package to be offered by the NCMS are encouraged to contact Susan Hazzard as soon as possible.

2/8 Durham-Orange County Medical Society meeting at the Croasdaile Country Club, Cole Mill Road, Durham. Cocktails 6:30 pm, Dinner 7 pm. Free to all NCMS members and guests. Call Jerry Nance at 383-2602 to confirm your reservation.

2/20 Deadline for the NCMS/MSS Essay contest. All entries must be postmarked by this date. The first place winning entry will be considered for publication in the *North Carolina Medical Journal* and will also receive \$125. Second and Third place entries will receive \$50 and \$25 respectively.

3/15-18 NCMS's Spring Conference will be held at the Pinchurst Hotel in Pinchurst, NC. The theme of this first ever conference is *The New Environment of Medicine: Meeting the Challenge,* and will be featuring state and national leaders of both medicine and government.

6/16-18 AMA's Annual Meeting in Chicago.

AMA-MSS Panel Discussion

Paul Edwards

The Duke Medical School Chapter of the American Medical Association-Medical Student Section (AMA-MSS) sponsored a panel discussion on medical-legal issues on the night of February 2nd entitled *Perspectives on Medical-Legal Issues: Outlook for the 1990's*. Featured panelists included Harvey Estes, M.D., a Duke University Distinguished Service Professor in the Department of Community and Family Medicine, who is actively involved in the N.C. Medical Society's medical-legal affairs; Kate Sigmund, J.D., Assistant to the Duke University Counselor, and an expert in defending physicians accused of malpractice; and William Mills, J.D., a Durham attorney who represents plaintiffs in malpractice cases.

Some of the topics discussed during the panel's presentation and during the question and answer period that followed included the length of on call shifts for interns and residents, establishment of a ceiling on the amount of awards in malpractice suits, the effects of malpractice claims on the distribution of physicians in underserved areas of the country, and alternatives to the present system of resolving medical legal disputes. Other issues that were discussed and felt to be key medical legal considerations for the coming decade included living wills and their effect on the use of heroic measures of life support in the hospital setting, the effect of medical legal legislation on the nursing profession, and the ramifications of new abortion legislations.

This topic attracted laymen and professionals and students in the fields of law, medicine, nursing, and hospital administration. The Duke AMA-MSS is now in the process of planning another panel discussion centered on the topic of either abortion or child abuse. If anyone is interested in participating in organizing this event please feel free to get in touch with Paul Edwards (286-7143) or Susan Hazzard (688-7347).

Medical Meanderings

Food for Thought

Judith Wurtman, a research scientist at the Massachusetts Institute of Technology and the author of *Managing Your Mind and Mood Through Food* (Rawson Associates, 1986) has scientifically substantiated the old adage 'you are what you eat.' Her research focused on the eating habits of students and revealed that certain foods stimulate the release of endogenous substances that may help or hinder the consumer's mental abilities. "I can't promise that the right snack will make you more intelligent," says Dr. Wurtman, "But it will prevent you from inadvertently hampering your mental abilities." She advocates following the list of tips below before tests as a means to possibly improve your grades:

- Eat low-fat foods that are high in carbohydrates, such as crackers, popcorn, and muffins, and drink herb tea with sugar to reduce stress. Carbohydrates are digested quickly and spur the production of serotonin, the calming chemical in the brain.
- Choose high-protein snacks such as shellfish, skinless chicken, low-fat cottage cheese, and yoghurt to increase mental energy. These foods stimulate dopamine and norepinephrine release, chemicals that make you more alert.
- Eat carbohydrates with as few proteins as possible, and vice versa, for the chemicals to have their maximum effect.
- Avoid fatty, high-protein foods like salami and cheese, which can make one feel sluggish.
- Eat slowly and in relaxed surroundings so brain chemicals can achieve their maximum effects.

Bread from the Word of God

4 wholewheat Bibles, ground
1 cup of Holy milk
1 1/2 Easter eggs
1 cup sesame seed from the loins of Abraham
Mix above ingredients together. Place on ungreased cookie sheet and cook 10 min in lake of fire, 20 min in burning bush.

[Submitted by Russell Nash to *The Schizophrenic Gourmet*, August '88.]

8

On Studying Anatomy

What is before me in these rags of skin, human fragments guttered on a metal table ... should be as much the subject of poetry as the pooling of shadow in a brook or the subtle changes in a woman's face.

-Charles LeBaron, *Gentle Vengeance*

She knew down to her bones
that everything that lives
wants to go the limit.

She lived to bellow naked on a dry dirt road
split fast by black skid messages
that she rode out each hot noon.
The messages always read the same,
scarred in every crevice of her body's day:
leather, fancy feathers, strong perfume
strutted all night, then at high sun, stripped away.

She was a mama, wild mama.
Gave birth to a night-black motorcycle bird,
sucked and licked it clean until it angled like a hawk.
Mounted it

, and rode fast.
One day she roode so fast she split the sun,
that faithful high noon blood,
and with a joyful bellow,
soared naked, jubilant, to a gleaming
ninety-mile-an-hour tomb.

Now, student,
to anatomy:
cleave and mark this slab of
thirty-one-year-old caucasian female flesh,
limbs, thorax, cranium, muscle by rigid muscle
dissemble this motorcycle victim's every part (as if
so gray a matter
never wore a flashing ruby dress).

[Submitted by Diane Roston, University of Wisconsin
School of Medicine, Winner of 1988 Poetry
Competition among medical students.]