

Op-Ed: The terrifying case of Dr. Farid Fata; when good doctors turn bad

BY MEGAN HAMILTON YESTERDAY IN CRIME

He was once one of Michigan's most well-respected doctors, with a practice that spanned seven cities and 16,000 patients.

Then, authorities say he began telling his healthy patients they were sick, and telling his dying patients they were healthy.

Federal prosecutors allege that by doing this, he became the "most egregious fraudster in the history of the United States," [Newsweek](#) reports.

On July 10, Dr. Farid Fata was sentenced to 45 years in prison. In September, he pleaded guilty or no contest to 23 counts of health care fraud, along with two counts of money laundering, and one count of conspiracy to pay and to receive kickbacks. Reading about the cruelty that he inflicted on his innocent patients is like staring into a chasm that is bottomless. There is just no comprehending this.

In May, the government released a 100-plus page memorandum to the public prior to Fata's sentencing hearing. The memorandum went into detail about the doctor's scheme to allegedly defraud Medicare and other insurers by exploiting his patients. According to federal prosecutors Fata intentionally prescribed more than 9,000 unnecessary injections and infusions over a six-year period to at least 553 patients, at a cost of more than \$35 million in insurance billings.

"This is a huge, horrific series of criminal acts that were committed by the defendant," U.S. District Judge Paul Borman said prior to sentencing Fata. He added that the once-prominent oncologist "practiced greed and shut down whatever compassion he had," [The Detroit Free Press](#) reported.

The crimes, Borman said, called for "a very significant sentence for very, very terrible conduct."

Prosecutors had asked for 175 years, the maximum. U.S. Attorney Barbara McQuade said that the result was "close to a life sentence," and that she didn't expect the case to be so egregious when they'd started on it.

"Chemotherapy, as you know, is poison," McQuade said. "Dr. Fata gave poison to people who didn't even have cancer ... to make money."

For some patients, Fata's sentence was too light.

"He killed my husband," Prudenville resident Patricia Loewen told the Detroit Free Press. Her husband, Kenneth Paul Loewen, 62, died in September. Fata, she said, deserves to never be freed.

Kenneth Loewen, was one among hundreds of victims who were over-treated, misdiagnosed, or under-treated, allowing Fata to fraudulently take in more than \$17 million. Federal prosecutors say it is the most egregious case of fraud they have ever seen.

But 45 years is a poor deterrent to other bad doctors, Patricia Loewen said. Parole for Fata isn't possible in this federal case, but there's the chance he could be released while he's still alive because of good behavior in prison.

Her husband suffered from esophageal cancer, and Fata began giving him chemotherapy before he had a chance to heal from surgery. Then, she says, her husband was put on Neulasta, a drug that was so strong it knocked him "to the ground and on the couch for days," she said.

"It only made my husband sicker," she said. "And to find out the Neulasta shots were unnecessary, I'm just devastated."

Kenneth Loewen was scheduled for eight radiation treatments one day after Fata was arrested; then, when the couple went to different doctors, they discovered he didn't even need radiation.

Fata should have received double the sentence, said Gregory Cadd of White Lake. He said he doesn't care about getting any money.

"I don't want anything back from him," he said. "If anyone shoves a check in my hand, I'm going to find the nearest charity that I can to give it to in the name of my father."

His dad had a good insurance policy, and lung cancer is what led to his father being over-treated by Fata, who "just kept it up, kept it up until finally my father passed away because of that monster," Cadd said, tearfully. "That's all he ever was is a monster out to live off people's pain and suffering, and wanted to live the good life."

Openly weeping in court, the former oncologist apologized for his actions and admitted to billing Medicare, insurance companies and at least 550 patients fraudulently through misdiagnoses, over-treatment and under-treatment, the Detroit Free Press reports.

"I misused my talents ... because of power and greed," Fata told the court prior to

sentencing. "My quest for power is self-destructive," adding that he was "horribly ashamed of my conduct" and was praying for repentance.

Defense attorney Christopher Andreoff asked Borman not to give Fata a sentence longer than 25 years in prison, because, he said, it could be a life sentence due to the former doctor's health.

"Our recommendation will give him nothing more than a chance for release before he dies," Andreoff told the court.

U.S. Assistant Prosecutor Catherine Dick informed the judge that her office has "never seen anything like this before. ...And that is because of the harm."

"Fata was greedy, and he wanted that money," Dick said. "What this defendant did is unquantifiable. There is no way to quantify the suffering."

Sometimes he gave patients nearly four times the recommended dosage of dangerous cancer drugs. In at least one case, a patient received toxic chemotherapy for five years when the standard treatment was six months, said former patients and experts who testified in court this week.

Newsweek reports that Fata allegedly lied to patients about their cancer prognoses; telling them they required chemotherapy, when all they really needed was observation. He tricked others into the **infusion chair**--telling them they needed "maintenance" chemo to keep cancers that were already in remission at bay; and, horrifyingly, he beseeched patients whom he knew were terminally ill to remain under his care as he pumped toxic chemicals into their dying bodies.

For Monica Flagg, one of Fata's patients, a broken leg turned out to be a lucky break, [NBC News](#) reports. Flagg says Fata gave her a bogus diagnosis and was given expensive treatments.

She was referred to Fata by her primary care doctor who had noticed an abnormality in her blood work. Prosecutors say that Fata told her she had **multiple myeloma** and lied about her medical tests to make it appear as if she would need more aggressive treatment.

She underwent three bone biopsies and was bombarded with immune boosters. Then she was given Velcade, a powerful chemotherapy drug, in July 2013, according to court papers.

"The day was horrible," she said. "It was a lot of stress."

She came home from the clinic and went upstairs to unpack, then tripped and fell.

"I heard both my bones crack. I knew that my leg had been broken in half," she told NBC News. "I screamed for help."

Flagg was taken to Crittenton Hospital Medical Center in Rochester Hills, where Fata would have normally overseen her care, except for the lucky fact that he was not in Michigan. The normally obsessive doctor usually treated his patients personally and kept other medical professionals away. He would have usually overseen her care, but he was on a rare vacation in his native Lebanon.

Instead, one of his underlings, Dr. Soe Maunglay was on duty. And Maunglay told NBC News that he already had suspicions about his boss' unorthodox treatments.

At the hospital, a pre-operative bone marrow biopsy didn't turn up any evidence of cancer, according to a memo by the prosecution. After Maunglay reviewed Flagg's file, he asked her several questions, and Flagg herself became suspicious.

"This doctor was in my hospital room today and even though he didn't say it, I don't think he thinks I have cancer," she told her husband Steve.

He confirmed her hunch two days later.

"He came in, asked the lady who was visiting me to leave and he told me, 'you don't have cancer. You are 51 years old. You're healthy. Don't ever go back to Dr. Fata. Find a new doctor,'" she recalled.

"I was overcome with joy," Flagg said. "It was one of the happiest days of my life."

That broken leg likely saved her from months, perhaps even years of additional unnecessary treatments, said her lawyer, Brian McKeen.

"Had she not broken her leg, God only knows what would have happened," he said. "But Monica might very well not have been with us any longer because people can get very sick from these toxic levels of chemotherapy that he was using and was going to be using."

Flagg's traumatic experience was rekindled during the pre-sentencing hearing held earlier last week.

"When I saw Fata walk in the door, I cried," she said. "[It] was just horrible to see him again."

Shocked by what he had seen, Maunglay decided to look at Fata's other patient files. He contacted George Karadsheh, practice manager at Michigan

Hematology Oncology (MHO), one of Fata's practices. Karadsheh contacted the Federal Bureau of Investigation (FBI) regarding Maunglay's findings, and thus began a tide of events that would culminate in the FBI raiding Fata's offices and arresting him.

It would be lovely to think that Fata's case was rare, or at least unusual, but Fata's actions, as horrifying as they were, weren't performed in isolation, Newsweek reports. They are, instead, a symptom of a sick society with a medical community that has long been in need of healing.

Texas is still picking up the pieces some two years after Dallas federal prosecutors announced they had busted the largest home-healthcare fraud ever allegedly orchestrated by a single doctor, Jacques Roy. He has since lost his license and is awaiting trial, according to [The Dallas Morning News](#).

Roy is one of seven North Texans charged in connection with the nation's largest home health care fraud bust, federal authorities said on Thursday.

The Medicare Fraud Strike Force led a nationwide effort that ended up with federal charges being brought against 243 people, including 46 doctors, nurses, and other licensed medical professionals, according to the U.S. attorney's office.

The suspects netted \$712 million in billings for nonexistent treatments by allegedly using a variety of schemes, officials said.

"This action represents the largest criminal health care fraud takedown in the history of the Department of Justice," U.S. Attorney General Loretta E. Lynch said.

The government has made attempts to patch up the loopholes that allow schemes like the one run by Fata to enable medical corruption to spread its malignant fingers everywhere. Upon the implementation of the Affordable Care Act came the [Physician Payments Sunshine Act of 2014](#). This law requires drug and medical product manufacturers who receive reimbursements from federal health care programs like Medicare to report any financial payments or services that they provide for physicians and teaching hospitals, Newsweek reports. This valuable resource allows everyone—including patients, to investigate and determine if a doctor or hospital is beset by potential conflicts of interest, says Nicholas G. Evans, a medical ethicist at the University of Pennsylvania.

This effort by the government is a mere drop in an ocean of corruption, but it's a start and the government does seem to be moving forward. Hopefully, in a country where too many people are seen as dollar signs, there will be no more terrifying cases of good doctors gone bad.

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