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More Docs Punished for Sex Offenses

Breaching a Patient's Trust

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medical school.”

— Gary Schoener, Minneapolis psychologist



40% of physicians punished for sex offenses continue to practice medicine.

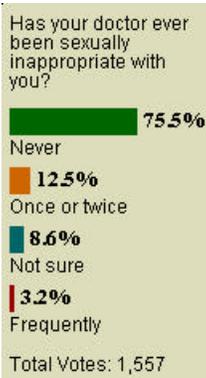
Nearly half of physicians punished for sexual offenses continue to practice. (PhotoDisc/ABCNEWS.com)

By [Claudine Chamberlain](#)
ABCNEWS.com

June 16 — As executive director of the Walk In Counseling Center in Minneapolis, Gary Schoener has some frightening stories to tell of patients who have been sexually mistreated by their doctors.

There was the woman who was told that clitoral stimulation was part of a complete pelvic exam. And another whose doctor fondled her breasts, saying he was trying to gauge how “relaxed” she was. One doctor said there were healing powers in semen.

“Doctors can do all sorts of things under the guise of medicine or treatment. You wouldn't believe it,” Schoener says. “You've got some real clever predators out there. You have to be smart to get through medical school.”



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More, But Not Enough

The number of doctors punished for sexually mistreating patients is on the rise, according to a report in the latest issue of the *Journal of the American Medical Association*. In 1989, only 42 physicians were punished for sexual offenses. In 1996, that yearly total jumped to 147, or just over 4 percent of all disciplinary actions taken against



physicians.

Nearly 72 percent of the disciplined doctors had their medical licenses revoked or suspended. But 40 percent of doctors punished for sexual misconduct between 1981 and 1994 were licensed to practice when researchers checked on them in 1997 – either because they got their licenses back or because they had been given a lesser penalty, such as community service.

Dr. Sidney Wolfe of Public Citizen's Health Research Group and Christine Dehlendorf, a University of Washington medical student, studied the problem of sexually abusive physicians. More striking than the increase in sexual-offense cases, Dehlendorf says, is the number of doctors who could be caught but aren't.

"Other studies have found that 3.5 to 9 percent of all doctors will admit anonymously to sexual misconduct," she says. "So the rate of discipline is increasing, but it's not increasing enough."

Going by the 1996 figure, the number of doctors busted for sex offenses each year represents fewer than 1 percent of all doctors.

Focus on Psychiatry

Of the 761 cases in which physicians were disciplined for sexual offenses between 1981 and 1996, 75 percent involved patients. (Other victims were office staff or other non-patients.) The offenses included rape and trading sexual favors for drugs.

Physicians who were punished for sex offenses were more likely to practice psychiatry, obstetrics and gynecology and family and general practice.

Dehlendorf says psychiatrists are more likely to get caught for sexual misdeeds because that profession has been more closely watched than others, considering the intimate nature of psychiatry and the close, trusting relationship a patient must have with his or her therapist.

But just because you're not pouring your heart out to your podiatrist doesn't mean that you don't need to have the same level of trust. "All therapeutic relationships have those exact same issues," Dehlendorf says. "This is an issue for all specialties."

Dale Austin, deputy executive vice president of the Federation of State Medical Boards, says there has been a concerted effort in recent years to take action against sexually abusive doctors, but if patients don't come forward with complaints, there's not much a state medical board can do.

Setting the Boundaries

“There should be more education of the public as to what’s OK and what’s not OK,” he says. “People also need to know what to do with that information if they feel boundaries have been invaded.”

Dehlendorf says the best place to turn is the state government’s medical board.

As to what’s acceptable and what’s not, Schoener says the bottom line is that patients “need to be aware of the fact that sexual contact in medicine is never OK and if you feel uncomfortable about something you need to follow your gut instincts.”

This week’s report recommends that all sexual contact between any physician and a patient be considered a crime. A handful of states have already done so. Schoener says his state, Minnesota, has found another effective way to get at the problem. In that state, he and other therapists are required to report all cases of sexual misconduct a patient may tell them about if the patient names the doctor. ■

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