

Death Puts Spotlight on a Doctor and Regulators

By ADAM LIPTAK New York Times, Published: October 6, 2004

Katherine Bibeau came here in March, to a red-brick doctor's office tucked between a furniture store and a steel factory, looking to slow her physical decline from multiple sclerosis.

Ms. Bibeau, a 53-year-old laboratory technician from Minnesota, met Dr. James Shortt, who practices alternative medicine. He is, according to a sign on the front of the building, a "longevity physician."

"Hydrogen peroxide would be very good to kill whatever's in there," Dr. Shortt had told Ms. Bibeau over the phone in February, according to a transcript of his taped recording of the call, "because, right now, we don't know what it is."

On March 9, Dr. Shortt administered the hydrogen peroxide, intravenously. Over the next five days, Ms. Bibeau bled to death.

The coroner here has called Ms. Bibeau's death a homicide, her family has filed a civil suit, and law enforcement officials have raided Dr. Shortt's office and seized his files.

But the Web site of the South Carolina Board of Medical Examiners has this to say about Dr. Shortt: "The above licensee is in good standing."

The case has focused attention not just on the danger of an unorthodox therapy but also on the conduct of the state medical board, which regulates doctors and provides information about them to the public.

Medical regulators often move slowly, out of concern for doctors who make innocent mistakes.

"The balancing act," said Dr. Robert M. Wachter, a professor of medicine at the University of California, San Francisco, and a co-author of a book about patient safety, "is that when we have a dangerous doctor, we don't have a good mechanism to throw him out of the system or at the very least inform patients about him while not casting the net so wide that the innocent, compassionate, caring physician who makes an error once in a while is tarred by the same brush."

South Carolina's approach is a representative one, Dr. Wachter said. "Most states are in about the same situation," he said. "The bias is still tilted toward protecting the providers."

A receptionist at Dr. Shortt's office referred a reporter to his lawyer, Ward Bradley.

"We have a nice man who is engaged in cutting-edge, outside-the-box, not-widely-accepted-by-the-medical-establishment practices for a woman who could not find relief from traditional

medicine," Mr. Bradley said.

He said the true cause of death had yet to be determined, noting that Ms. Bibeau was taking powerful drugs for her disease. "It's a very dilute form of hydrogen peroxide," he said. "There are thousands of doctors who do this."

Dr. Michael J. Olek, director of the multiple sclerosis center at the University of California, Irvine, said he had never heard of the therapy.

"It doesn't make any sense at all," Dr. Olek said. "It sounds very, very dangerous."

Doctors in North Carolina, Missouri and Tennessee have had their licenses suspended or revoked for treating patients with intravenous hydrogen peroxide. Adherents of the treatment call it "oxidative therapy" and say it can help cure cancer, AIDS, asthma and other conditions. Because the causes of multiple sclerosis are poorly understood and its symptoms are unpredictable, patients are often eager to experiment with any treatment that might help. But medical experts said there was no scientific evidence to suggest that hydrogen peroxide was an effective treatment. They added that the substance, an antiseptic and bleaching agent, should generally be harmless if it was sufficiently diluted.

In August, the South Carolina Board of Medical Examiners said the infusion of hydrogen peroxide "is unacceptable and constitutes unprofessional conduct as it is likely to harm the public" and ordered Dr. Shortt "to immediately cease and desist from any further intravenous infusion."

But that order has been rescinded, said Jim Knight, a spokesman for the medical board. "The confidentiality rules set up by state law about the disciplinary proceedings prohibit me from saying anything further," he said.

[On Thursday, the board filed an administrative complaint to suspend Dr. Shortt's license. The Web site continued to say that he was in good standing as of Tuesday.]

"The regulators are asleep at the switch," said Richard Gergel, who represents Ms. Bibeau's family in a civil suit against Dr. Shortt filed in federal court in Columbia on Sept. 22. "They've got a charlatan on their hands, and they're not set up to regulate charlatans."

Gary Watts, the county coroner who ruled Ms. Bibeau's death a homicide, also found fault with the state medical board.

"A doctor or a dentist can have his license revoked for touching a woman's breast," Mr. Watts said. "He killed this woman. She would be here today if he did not infuse her with hydrogen peroxide."

Dr. Clay A. Nichols, the forensic pathologist who conducted the autopsy on Ms. Bibeau, said Dr. Shortt gave the medical profession a bad name.

"He's selling hope to the hopeless, at a very high price," Dr. Nichols said.

Dr. Shortt charged Ms. Bibeau about \$3,000, but that is not the price Dr. Nichols meant. The therapy cost Ms. Bibeau her life, he said, and her death was not a pretty one.

"People have compared this to becoming a hemophiliac," Dr. Nichols said. "You just keep bleeding."

David L. Thomas, a state senator from Greenville, S.C., and a partner in the law firm that represents Dr. Shortt, said that he, his wife and his mother had all been to see Dr. Shortt for the intravenous hydrogen peroxide therapy, to good effect.

"My wife had been diagnosed with probable onset of M.S.," he said, referring to the same degenerative disease that Ms. Bibeau had. The treatment has improved her condition, he said. "She's walking again," he added, referring to his wife, Fran Thomas.

In a telephone interview from his home in Cottage Grove, Minn., David Bibeau lapsed into the present tense in talking of his late wife. They had been together for 25 years.

"She likes to cook, and she loves to do crafts," said Mr. Bibeau, a salesman. "She was June Cleaver, but with an attitude."

Photos: Dr. James Shortt, shown outside his office last month, promised seriously ill patients a longer life but is now accused of cutting one life short. (Photo by Tim Dominick/The State); Katherine Bibeau, who died in March after an intravenous hydrogen-peroxide treatment, in a 1999 family photograph with her husband, David, and sons, Matthew, left, and Andrew.