

Yale Medicine

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In 2004 Henry Markley retired after a 60-year career in medicine, mostly at Greenwich Hospital in Connecticut. He keeps fit with tennis, golf and a healthy lifestyle.



physicals for executives. In 1993, at 75, an age when most people would have been retired, he cut back his professional activities, limiting himself to running the home care program. Although it wasn't a full-time commitment, he spent a few hours each day at the hospital reviewing charts and coordinating services.

Markley said he continued to work all these years because his father, who lived until the age of 102, retired at 75 and regretted it for the rest of his life. Even though longevity runs in his family, Markley practiced preventive medicine. He is trim, has never smoked, has only an occasional glass of wine and is very active, although age has taken a slight toll. "I'm not any good at tennis any more," he admitted. "I know where I'm supposed to be on the court, but it takes me a while to get there."

Markley married his wife, Nicki, 13 years ago after twice becoming a widower. "The first time I was married for 25 years, the second for 20 years. I told Nicki we're not fooling around this time; we're going for 30 years," he said. Meanwhile, he has other milestones to look forward to. I went to my 60th medical school reunion," he said. "I'm looking forward to the 65th."

—Jill Max

A Montana doctor's 30 years of medicine without a safety net

On January 7, 1984, **Ron Losee**, M.D. '44, tramped out the front door of the hospital in Ennis, Mont., and into the snowy fields, intent on walking to his death. Losee, a general practitioner skilled in orthopaedic surgery, had just learned that he was being sued for malpractice by a woman who claimed that his operation on her ankle caused her undue pain during bowling. "If this was my reward by society for all my years of service, then I didn't want to live anymore. I have always tried to be the best damned doctor I could possibly be," said Losee, who since 1949 had devoted himself to his patients—even offering his own bed to patients before Ennis had a hospital. Fortunately for Losee and his loved ones, fresh bobcat tracks in the snow jolted him back to reality.

"I was fine with falling asleep in the snow and dying, but I didn't want my b***s clawed off by a bobcat," Losee said with characteristic frankness and good humor. He retraced his steps and made it home safely, although cold, cramped and tired.

In the dread-filled, six-month stretch that followed, the claim against Losee was deemed baseless; the woman's discomfort was actually caused by an injury she had sustained after Losee's surgery. However, the distaste this event left him with created the medical maverick that he is today. At the time of the lawsuit, Losee had no medical malpractice insurance. Today, at 86 vigorous years of age, Losee boasts the wherewithal and

gumption to give medical consultations, perform tennis elbow operations and practice medicine without malpractice insurance, just as he has done for the past 55 years.

Losee's decision not to carry insurance was born of practicality and the intimate nature of his practice in a rural mountain hamlet 55 miles southwest of Bozeman. He carried an insurance policy until 1975, when the cost jumped from \$8,000 to \$30,000—slightly more than his net income for the year. Losee simply could not abide passing the financial burden on to the cowboys, farmers, miners and waitresses who were already scraping together as much money as they could to pay for his services.

After the single 1984 lawsuit brought against him, Losee quite happily continued practicing medicine without malpractice insurance. But his insurance ire was rekindled by a letter he received in May 2005 from Blue Cross Blue Shield of Montana informing him that—because he does not carry malpractice insurance—he was no longer a recommended provider. The decision has had little effect on Losee, as patients still seek out his medical services. But after 55 years of sound medical practice, Losee finds it ludicrous that he is being "kicked out" of the medical system, especially since he believes that, depending on the circumstances, some doctors who commit malpractice deserve to be imprisoned. He penned a letter to Blue Cross Blue Shield sharing his strong views about the malpractice insurance industry and, as he said, "to teach them some manners." In their response, Blue Cross Blue Shield said requiring

Ron Losee dropped his malpractice insurance 30 years ago when the cost more than doubled, and he felt he could not in good conscience pass the expense along to his patients.



malpractice insurance is an industry standard designed to protect members.

In his letter, Losee detailed what he considers serious flaws in the system. “In Montana, about one-third of malpractice claims progress to lawsuits. Of these, only a small proportion end in jury trials, with physicians prevailing in the bulk of those cases,” wrote Losee, who has served on the nonbinding Montana Medical Legal Panel, which comprises three doctors and three lawyers who evaluate malpractice claims to recommend whether they should proceed to trial. Malpractice insurance is, he believes, rarely needed, but the insurance industry has instilled a sense of fear in both doctors and patients to maintain the system. This fear, Losee asserted, is largely accomplished by a “bribeocracy” system of government: congressmen and senators receive large financial backing from trial lawyers and insurance-industry lobbyists to fund their re-election campaigns, while the elected officials, in return, fuel the malpractice insurance fire.

As an alternative, Losee advocates a no-fault medical liability compensation system. Instead of going to court, a malpractice claim would go to an expert panel that would assess whether an

injury has indeed been caused by a physician or other health care provider. Compensation would be doled out from a pool of money collected from tax revenues or premiums charged to doctors.

Sitting on his porch and looking out over the Madison River to the snow-capped peaks of the Rocky Mountains, Losee often reflects on his many joyful years of practice in Ennis, which began when he, his wife and their 2-year-old daughter trekked to Montana from Connecticut in 1949 in their Army Jeep. Being dropped from Blue Cross Blue Shield’s provider network has certainly not slowed Losee’s practice. Widely acclaimed as a physician who made major headway toward understanding and surgically repairing the “trick knee” (the Losee tests bear his name), he still sees patients and operates on tennis elbows. Patients seek Losee out and return to him time and again, based on his medical expertise and sincerity rather than the amount of malpractice insurance he carries.

—Kara A. Nyberg

Familiar Faces

Do you have a colleague who is making a difference in medicine or public health or has followed an unusual path since leaving Yale? We’d like to hear about alumni of the School of Medicine, School of Public Health, Physician Associate Program and the medical school’s doctoral, fellowship and residency programs. Drop us a line at ymm@yale.edu or write to Faces, Yale Medicine, P.O. Box 7612, New Haven, CT 06519-0612.

The passing of two with years of service to the medical school

As the new year opened, *Yale Medicine* received word of the passing of two people with long-standing connections to the School of Medicine.

Connie Quick Tolliver, who worked for more than 30 years in the Office of Alumni Affairs at the School of Medicine, died in Hamden, Conn., on December 24 of heart failure. She was 66. Tolliver, who retired in 1995, served as assistant to the director of alumni affairs.

Henry Martone Sr. died in Daytona Beach, Fla., of complications of diabetes on December 27. He was 69. Martone was a familiar presence at the annual reunions, driving a van that shuttled alumni among various tours and dinners.