

# In Touch

*with the South Carolina Psychiatric Association*

## SCPA President's Letter

*John Oldham, MD*



It has been a pleasure to serve as President of SCPA, succeeding Deborah Leverette, who provided wonderful, strong leadership. In our regular meetings, we have followed up on many initiatives, including

implementation of the grant obtained by SCPA to partner with the USC School of Journalism. Involvement in SCPA activities has steadily increased by psychiatry residents and by early career psychiatrists, and local programs in areas throughout the state are well-attended.

Although it is with regret that I leave prematurely from my term of office as President, to assume a new position in Houston, Texas at Baylor psychiatry and The Menninger Clinic, I am pleased to leave the SCPA leadership in the good hands of Richard Frierson, who will take over January 1, 2007.

The program for the Annual Meeting in February is all set and will be terrific! It will be held at the Embassy Suites Historic Hotel in Charleston, and I'm delighted that I will be able to return to South Carolina to chair that event. I look forward to seeing you then. My thanks to the entire Executive Committee and to Heather Black for their wonderful contributions to the organization, and to all of you for letting me serve as your President this year.

## 2007-2008 Executive Committee Officers:

### President

Richard L. Frierson, MD

### Vice-President

Vacant

### President-Elect/APA Dep. Rep.

Nioaka Campbell, MD

### Secretary-Treasurer

Lorraine Dustan, MD

### APA Representative

J.T. Thornhill, IV, MD

## Don't forget!!



South Carolina Psychiatric  
Association  
2007 Annual Meeting  
February 9th - 11th  
Embassy Suites Hotel  
Charleston, SC



## Assembly Representative Report

*J.T. Thornhill IV, MD*

In early November I along with our Deputy Representative, Richard Frierson, attended the Area V Council Meeting and the Fall APA Assembly Meeting in Washington, D.C. Overall the health of the APA remains strong as we continue to replenish our finances and welcome new members. As of September there were almost 37,800 members in the APA, a number which has been slowly increasing over the past several years.

We discussed a number of reports and action papers, a few of which I would like to update everyone on. For those of you who are members of the APAPAC, approximately \$360,000 was contributed during the 2005-2006 election cycle to congressman and senators. \$2,000 was given to Representative Joe Wilson here in South Carolina. Overall contributions were evenly divided between Democratic and Republican candidates across the country.

During our Area V Council Meeting a leadership workshop for women who are early career psychiatrists was discussed and approved. The half day workshop will take place in Atlanta on Saturday, March 3, 2007 in conjunction with our next Area V Council Meeting. We can send at least one representative from South Carolina so if you are interested and five or less years out of your residency please let me know.

We heard a presentation from the president of NAMI as well as from a representative of the military. Discussions are ongoing as to how we can better partner with NAMI to help our patients and to provide support to our psychiatric colleagues in the military.

A number of action papers were presented and discussed in the Assembly. An action paper requesting broader approval for the use of medical marijuana failed. Action papers supporting a suicide barrier on the Golden Gate Bridge, increased education/support for psychiatrists dealing with the suicide of one of their patients, and to support simplification of Medicare Part D Pharmacy Drug Plans for our patients all passed.

We also heard comments from each of the candidates running for national office in the APA. I encourage everyone to read their statements on the APA website and in the APA News and please vote when you receive your ballot in late December or early January.

Thank you again for allowing me to serve and please feel free to contact me if you would like me to elaborate on this report or you have concerns that you would like me to direct to the Assembly. I will also be at our annual meeting in February if you would like to speak to me personally. My e-mail is [jtt35@gw.med.sc.edu](mailto:jtt35@gw.med.sc.edu)

# Are Psychiatrists Liable for Patient Driving?

*Richard L. Frierson, MD*



As a forensic psychiatrist, I review the weekly decisions from the South Carolina Supreme Court and Court of Appeals. It is always amazing to me how certain cases can impact the practice of psychiatry and how S.C. psychiatrists are probably not aware of these decisions. On October 23, 2006 the S.C. Supreme Court released a decision in *Hardee v. Bio-Medical Applications of S.C. Inc.* In this case, a patient underwent dialysis and struck another car on the way home resulting in the patient's death and severe injuries to Allene and Kathleen Hardee. The Hardees sued the Conway Dialysis Center for failing to warn the patient about the dangers of driving after dialysis. The trial court dismissed the suit saying that a medical provider never owes a duty to a third party non-patient (such as the Hardees). On appeal the S.C. Supreme Court said that the provider owes a duty to those persons in the "general field of danger" (the motoring public) which should have reasonably been foreseen by the doctor who was in charge of the dialysis.

In an earlier case, *Bishop v. DMH*, the S.C. Supreme Court had adopted a Tarasoff-like duty to warn a third party when a patient threatens to harm that third party and DMH has control and custody of the patient. However, what is different in *Hardee* is that the duty to a third party has been expanded to persons who were never specifically threatened by a patient but rather who were in the "general field of danger" as a result of side effects of the patient's treatment.

**So what does that mean for us?** It probably means that if we prescribe medications that can impair a patient's driving ability we should warn the patient of this and document that warning in the medical record. Otherwise, if they get behind the wheel when we have not warned them and they have an accident, the person they injure could have a cause of action against us. Also, the bad news for us is that this case may open the door for future driving cases in South Carolina.

Note: the *Hardee* decision is available online at:

<http://www.judicial.state.sc.us/opinions/displayOpinion.cfm?caseNo=26217>



Congratulations to **Timothy Kowalski, DO**, on his election to a three-year term on the board of directors of the Federation of State Medical Boards (FSMB). The FSMB is a national organization dedicated to supporting state medical boards as they work to protect the public. The FSMB continuously seeks to improve the quality, safety and integrity of health care through the development and promotion of high standards for physician licensure and practice.

# Teaming Up for Education

When doctors and the media work together, the public wins. This past fall, two teams comprised of psychiatry residents from the Medical University of South Carolina and the University of South Carolina School of Medicine, and students from the University of South Carolina School of Journalism and Mass Communications competed to design the more cost-effective, yet informative, media campaign. The project, organized by Dr. Nioaka Campbell, entitled “Speaking Out for Mental Health” was funded by a grant from the American Psychiatric Association.

The kick-off event from August 25<sup>th</sup> – 27<sup>th</sup> featured presentations by medical faculty on depression, ADHD, and schizophrenia, as well as presentations by journalism faculty on the ins and outs of planning a media campaign. The participants then split into two groups, each with a faculty mentor from the School of Journalism and Mass Communications and worked for 12 weeks on their project.



Dr. Nioaka Campbell, Kara Gormley, Dr. Richard Frierson

The winning campaign was announced at the awards dinner on November 30<sup>th</sup>. The judges included were medical faculty Doctors James Bouknight, Richard Harding, and John Oldham, and journalism faculty Doctors Shirley Staples

Carter and Lynn Zoch. Rounding out the panel was Dave Almeida, the South Carolina Executive Director of NAMI. A special award for SCPA Journalist of the Year was presented to Kara Gormley of WIS TV.



Members of “Mental Health Education: Depression” team

Brian Dundas (PGY-2), Shibu Kuncheria (PGY-5 Child), Chad Pollock (PGY-2), Jesse Raley (PGY-2) and Betterfly Rudd (PGY-4) for their campaign entitled “Mental Health Education: Depression.”



Members of “The Faces of Schizophrenia” team

Alexis Aarons, Matt Seal, and Zach Sykes, created a print campaign on “The Faces of Schizophrenia.” Their ad will run in for three months in local media outlets starting in May, which is Mental Health Month.

A very honorable second place went to MUSC residents Laura Hancock (PGY-4) and Rebecca Payne (PGY-2), USC School of Journalism student Will Frierson, and USCSOM residents

The winning team, comprised of USCSOM residents Jamae Campbell (PGY-2), Rukhsana Mirza (PGY-2) and Jennifer Pender (PGY-4 Child) and USC School of Journalism students

Do you have an item for the *In Touch* newsletter? If so, please send it, along with any corresponding pictures to [ericwilliams@sc.rr.com](mailto:ericwilliams@sc.rr.com). The next edition is scheduled for July. However, if there are plenty of submissions, there may be an earlier issue!