

Affidavit of Julian Whitaker, MD, in Support of Serafina Corsello, MD

To: The State Education Department
Committee of the Professions

State of California

County of Orange

I, Julian M. Whitaker, MD, the undersigned, swear that to the best of my knowledge and belief the statements contained in this report are true and that the same is a true and complete statement in accordance with the law.

Background

I am a licensed medical doctor in continuous medical practice in the state of California since 1972. I have known Serafina Corsello, MD, for over 20 years. We have both been active members of the American College for Advancement in Medicine (ACAM), of which I am currently a board member and officer. This organization of MDs and DOs, which has been in existence for more than 25 years, conducts biannual scientific conferences (approved by the American Medical Association for category 1 continuing medical education credits) on a variety of innovative medical therapies. I, along with many of her colleagues, regard Dr. Corsello as an energetic, disciplined, and excellent clinician. I am also familiar with most of the medical tests and procedures cited in the charges against Dr. Corsello, and virtually all of them have been written about in the medical literature and discussed at continuing medical education conferences.

I have read the charges against Dr. Corsello, as well as her point-by-point rebuttal of those charges. I believe the following to be factual as contained in both the charges and the rebuttal.

Charges Against Dr. Corsello

- 1) Dr. Corsello practiced medicine in the state of New York from August 29, 1966, until just recently when her license to practice medicine was revoked.
- 2) The revocation of her license was based upon record reviews of eight patients assisted by Dr. Corsello from 1987 until 1999.
- 3) There were no significant charges of injury to patients by Dr. Corsello's methods in the charges leveled against her by the Office of Professional Medical Conduct (OPMC).
- 4) Throughout the charges, the OPMC repeatedly used the words "responded inappropriately and without legitimate medical purpose.. .," respondent made the following diagnosis which were "not medically justified," and the diagnoses "were not made in good faith or for a legitimate medical purpose." In no place did the OPMC offer evidence, scientific or otherwise, to justify their assertions.

Dr. Corsello's Rebuttal

- 1) Dr. Corsello's rebuttal of the charges was quite detailed in defense of her professional activities and judgments.
- 2) These assertions were never rebutted, to my knowledge, by the OPMC.
- 3) Though not contained in the charges and rebuttal, it is my understanding that the OPMC removed and revoked Dr. Corsello's license not on the merits of her case or the inadequacy of her defense, but rather on a technicality that her lawyer did not respond in a timely fashion on her behalf.
- 4) The Board of Regents of the state of New York will take this case under review with the potential of restoring Dr. Corsello's license.

Comments

In summary, Dr. Corsello's license to practice medicine was revoked. This destroyed her livelihood in the profession for which she is trained and accomplished. Her patients were denied her services, much to their dismay and disgust. The charges reflected no patient damage, only a failure of her lawyer to respond in a timely manner. Dr. Corsello used no illegal therapies and no procedures that were outlawed or not approved by the FDA. She used fully licensed medical laboratories to make patient assessments. In short, she did nothing illegal and her practice of medicine has not harmed any patients.

Since 1976 I have practiced what is commonly called alternative or complementary medicine. I dislike these terms for good reason. Virtually every currently accepted medical practice was at one time considered alternative or complementary.

For example, only 150 years ago, Dr. Ignaz Semmelweis demonstrated that the simple act of hand-washing by physicians prior to assisting in deliveries in maternity wards would dramatically cut death rates from puerperal fever, which claimed the lives of 15 to 25 percent of women giving birth in hospitals at that time. This "complementary" procedure of hand-washing was at that time considered "not medically justified" and "without legitimate medical purpose." Dr. Semmelweis lobbied for acceptance of this "alternative" practice but was met by hostile resistance from the medical establishment. The rejection of this complementary procedure led to the deaths of millions of women, and Dr. Semmelweis suffered a nervous breakdown and died in an insane asylum. It wasn't until the early 1900s that this basic hygiene practice was embraced by the medical profession.

Those who believe that, in this age of placebo-controlled trials, technological advancements, and rapid communication, errors in judgment of the magnitude of Semmelweis cannot occur deal in fool's gold. I submit that similar errors are even more likely to occur today because of the vested interests that underpin conventional medical practices. This is particularly true of the natural therapies that are used by Dr. Corsello and myself. If a natural (i.e., unpatentable) therapy is found to be substantially beneficial, yet competes with a pharmaceutical or surgical approach, it will be vigorously

persecuted. It is my opinion that the vested interests of patented pharmaceuticals and other conventional therapies utilize the state boards, unwitting or not, to further these ends.

The legitimate function of state medical boards is to help to maintain public safety. If physicians are not engaged in activities that ham the public, and Dr. Corsello is certainly in this category, then society is best served when boards concentrate on the true dangers within the medical profession as opposed to differences of philosophy and understanding of the scientific literature.

The actions of the OPMC in this particular case are heinous. They not only destroy the professional activities of a confident, caring, disciplined, and effective clinician, but they serve to intimidate thousands of other "alternative" physicians. It is well documented that hundreds of thousands of Americans die at the hands of conventional doctors every year. These deaths are caused not only by medical errors but also by the inherent dangers of conventional medical practices. Rarely are the physicians who administer these practices that cause death investigated by state medical boards. Yet disciplinary actions for physicians who do no harm to their patients but happen to have different practice patterns from conventional medicine are triggered by only slight provocation.

How can the OPMC, which is charged primarily with public safety, justify taking the license away from an established physician with a large clientele on the basis of eight patients on whom no injuries were inflicted? The answer to that is that they can't. Their assertions of "accepted standards of medical practice" and "without medical necessity" are no more than decrees of men vested with the overwhelming power of the state.

Dr. Corsello has obviously made two mistakes, the first being inadequate legal representation, and the second, being "different" Neither of these mistakes justifies the medical license revocation from an established physician. I submit that the public interest would be best served by the restoration of Dr. Corsello's medical license. There is much more at stake in this particular case than righting the wrong that was committed against Dr. Corsello.