

Future Shocks or Present Predicaments  
by Mushtaq A. Khan, M.D.

Dr. Sultan Ahmad graduated from DOW Medical College in 1963. After completing Internship and Residency in Medicine at different institutions, he joined University of Medicine and Dentistry of New Jersey (UMDNJ)-New Jersey Medical School in 1969 as Cardiology Fellow. Since then, he has stayed there rising through various ranks to become tenured faculty member as Professor of Medicine. He is Fellow of several professional organizations. He received Sitare-Quid-e-Azam for his distinguished services in Pakistan, where Professor Sultan is a Consultant to several medical institutions. He has published about one hundred and twenty papers, written eight chapters and one book. He has made over two hundred presentations at National and International Organizations.

So, with all these distinguished achievements, what worries him the most? Believe it or not, his own University (UMDNJ), where he has spent the best and most productive years of his life.

He is fighting for his reputation after the University curtailed his privileges for Interventional Cardiology on flimsy grounds. In fact, he is among several senior physicians fighting the University's effort to limit their ability to practice medicine. These doctors say that UMDNJ, a state funded institution, is trying to replace some long time physicians with younger doctors, who have Managed Care contracts and have a base of well insured suburban patients. The University is putting tremendous pressure on older and foreign born faculty to retire.

Professor Sultan has successfully fought his way through the External Review Panel, University Hospital's Medical Executive Committee and eventually the New Jersey Supreme Court. All have given verdict in his favor. However, the University continues to fight court orders through State Attorney General at great expense to the New Jersey taxpayers. He has now filed formal charges with the New Jersey Division of Civil Rights. The case has now been referred to Equal Opportunity Employment Commission for further action. He has also written to the Governor of the State of New Jersey.

Professor Sultan Ahmad is a dedicated life member of DOGANA and APPNA. He has written Constitution and By-laws for both organizations and has organized their CME programs.

Ordeal of this man is not an isolated instance. It is just tip of the iceberg. In fact, the U.S. Congress GAO office study had concluded several years ago that IMGs are treated differently than their counterparts. It should serve as a wake-up call for all of us as we plan for a unified and concerted IMG strategy.

**S. SULTAN AHMED, M.D.**

FRCP(C), FACP, FCCP, FACC

PROFESSOR OF MEDICINE

UMD - New Jersey Medical School

100 Bergen Street, Newark, NJ 07103; 201-982-4736

Residence:

40 Greentree Terrace Tenafly, NJ 07870; 201-588-4604

June 3, 1997

M. Shahid Yousuf, MD  
Secretary/Treasurer,  
Dow Graduate Association of North America  
3084, Woodcreek Way  
Bloomfield Hills, MI 48304-1862

Dear Dr. Shahid Yousuf:

Assalamo Alaikum

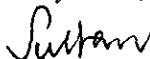
Thank you for your letter. I appreciate your concern about my struggle to defend my reputation and dignity against the discriminatory practices of UMDNJ. I am a tenured professor on the UMDNJ faculty; my employment or even privileges to practice medicine or invasive cardiology are and have not been threatened. The only privileges that have been attacked by the University Hospital Administration are in intervention cardiology.

Fearing (of course wrongly) opposition from me to hiring two interventionists, they framed charges against me by placing blank notes and then blaming me for misrepresentation of a clinical event in one patient. Despite exoneration by Chief of Cardiology, Chairman of Medicine, two external reviewers, the Medical Executive Committee of the Hospital and ultimately the New Jersey Superior Court, the UHA continues to penalize me.

A recent article written for DOGANA Newsletter by Mushtaq Khan accurately and eloquently summarizes my predicament. I include copies of an article published in the Bergen edition of RECORD by its medical writer, my letter to the NJ Governor and Secretary of State of New Jersey's letter to me. I believe these will help you to get a picture of the background and of subsequent events in this litigation. Should you require additional information, please do not hesitate to contact me.

Thanking you once again for your concerns; with personal regards,

Sincerely Yours,



Sultan Ahmed MD, SQA

encl.



STATE OF NEW JERSEY  
DEPARTMENT OF STATE  
CN 300  
TRENTON, NJ 08625 - 0300  
TELEPHONE (609) 984-1900  
FAX (609) 292-7665

CHRISTINE TODD WHITMAN  
GOVERNOR

LONNA R. HOOKS  
SECRETARY OF STATE

December 7, 1995

Dr. Sultan Ahmed  
University of Medicine & Dentistry of New Jersey  
University Hospital  
150 Bergen Street  
Newark, New Jersey 07103-2406

Dear Dr. Ahmed,

I am in receipt of your facsimile dated December 2, 1995, requesting intervention to stop an act of ethnic and religious bias by your employer.

First, let me express that I was pleased to find out that you were exonerated by the courts on the allegations made against you; especially that your privileges in intervention cardiology have been restored. Through our Many Faces One Family Initiative, we attempt to address areas surrounding ethnic and religious matters, however in your letter you do not refer to nor substantiate your allegation of ethnic and religious bias. Therefore, it would be difficult at best to intervene in your behalf.

May I recommend that you appeal the matter with the Division of Civil Rights or the courts on the basis that you were exonerated of any allegations, subsequently there is no need for supervision. Please be reminded that the hospital has significant amount of latitude under the guise of "for reasons of maintenance of standards on patient care activities."

It is my sincere hope that you will be able to rectify your situation and be able to carry out your gifted talents under better conditions.

Please do not hesitate to contact this office on any matter that we can be of help.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lonna Hooks", written in a cursive style.

Lonna Hooks  
Secretary of State

**S. SULTAN AHMED, M.D.**

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PROFESSOR OF MEDICINE  
UMD - New Jersey Medical School  
100 Bergen Street, Newark, NJ 07103; 201-982-4736

Residence:  
40 Greentree Terrace Tenafly, NJ 07670; 201-568-4604

May 6, 1997

Honorable Christine Todd Whitman  
Governor, State of New Jersey  
Office of the Governor, CN-001  
Trenton, NJ 08625

Dear Governor Whitman:

In October, 1995, I wrote to you to seek your support against the discriminatory practices of the largest public health institution in the state of New Jersey. My appeal was referred by your Chief of Staff, Mr. Peter Veniero, to Secretary of State, Ms. Lonna Hooks. In light of the ensuing events, I approach your high office once again for your help.

Ethnic bias is perpetrated in a wide spectrum of ways, from very crude to very subtle forms. Unfortunately, while the crude forms of ethnic bias are given immediate and robust response of condemnation by the administration, subtle forms of ethnic bias are not, especially when an administrator is the perpetrator.

The University of Medicine & Dentistry of New Jersey (UMDNJ), desiring to attract paying patients for cardiac invasive work, framed charges against me to justify hiring my replacement. The charge of misrepresentation against me was dismissed by an external review panel, the Medical Executive Committee (the governing body of University Hospital) and eventually by the NJ Superior Court. In fact Honorable Murray Simon has denied the UMDNJ appeal to vacate his order of his reinstatement of my interventional privileges on four separate occasions. The University, however, continues to fight that order and office of the State Attorney General continues to defend the University at a great expense to New Jersey tax payers.

UMDNJ persists in the attempt to penalize me. They have had my records reviewed and scrutinized by different panels, and at the same time refuse to do the same regarding the records of my replacement, who has higher complication rate than mine. They refuse to do so in spite of repeated reminders even defying the Court's urging.

The differential treatment of two professionals working in the same division, I believe, is clearly an act of ethnic bias. In fact Ms. Lonna Hooks, Secretary of State of New Jersey, predicted such an action by the University Hospital Admin. Belatedly realizing how true her prediction was, and following her recommendation (copy attached), I have filed formal charges with the New Jersey Division of Civil Rights. Following the refusal of the University to respond, the case has now been referred to the Equal Opportunity Employment Commission for further action.

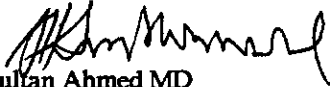
In a recent article published in the RECORD (the most respected and widely circulated daily of Bergen County), its medical writer, Ms. Campbell found out that the discriminatory practices of UMDNJ are rather wide spread (copy attached). The University is putting tremendous pressure on the older and foreign-born faculty to retire despite their long and distinguished services. UMDNJ is clearly in violation of Article VII of Civil Rights Act of 1964 which prohibits discrimination in employment on the basis of race, color, NATIONAL ORIGIN, and sex. It is also in violation of the Age Discrimination Act of 1967 which prohibits discrimination on the basis of age, in programs receiving Federal financial assistance.

Page two,  
Governor Whitman,  
5/6/97

Enjoying an open-ended shield of legal protection, no individual/personal financial or emotional pressure is felt by the management officials. On the other hand, I have to retain my own attorney with on-going payments for expenses, such as depositions, witness fees, expert witness depositions and witness costs. If the University loses, there is no personal loss to management. If I lose, I will lose, in addition to tremendous emotional trauma, my professional reputation which I built over last 30 years, and of course, a considerable amount of legal costs. UMDNJ thinks that it can either intimidate me with the realities of this situation or wear me down by filing appeals, motions, and every other legal avenue State Deputy Attorney Generals can think up.

Governor, I feel it is about time that you restrain the office of Attorney General of New Jersey from squandering our tax dollars while protecting arrogant officials of public institutions like UMDNJ. Our judicial system is the forum for determining if any person's rights were violated. In my case, the court has ruled in my favor. I am hoping that with your efforts, the University will resolve this matter by abiding the ruling and will stop harassing me. Thanks.

Respectfully Yours,

  
Sultan Ahmed MD  
Professor of Medicine

encl. (total 6 pages)

# UMDNJ doctors in fight for livelihood

## Cite age, ethnic bias in limits on practice

By **CAROL ANN CAMPBELL**  
Staff Writer

Dr. Sultan Ahmed takes care of patients with sick hearts. He has done so for 30 years. His career goes back to the earliest days of the state's medical school, and his résumé lists dozens of academic honors and research positions.

He expected to be enjoying the final years of a distinguished career. Instead, Ahmed — a tenured faculty member at the University of Medicine and Dentistry of New Jersey — is fighting for his reputation after the school curtailed his privileges to perform some heart procedures, contending that he tried to cover up a patient's seizure.

"This has consumed my life," Ahmed, 59, said. "I am a man of honesty and dignity, and they said I lied. They have put a stain on my name."

The cardiologist from Tenafly is among several senior physicians fighting the university's efforts to limit their ability to practice medicine. They say UMDNJ is trying to replace some longtime physicians with younger doctors who have managed-care contracts and a base of well-insured suburban patients.

Because it is in litigation, the university has declined to comment on any of the charges or the lawsuit. UMDNJ President Stanley S. Bergen did, however, say the university does not discriminate against foreign-born physicians, as Ahmed and several others have claimed.

In court documents, the university asserts that Ahmed has carpal tunnel syndrome, and officials are quoted as expressing concern about his abilities to perform certain heart procedures.

Ahmed counters that a medical expert at Cornell University found his carpal tunnel syndrome so mild that it would not interfere with his abilities. And a university official who criticized Ahmed's abilities remarked in a 1993 memo on the doctor's "outstanding" patient safety record, according to a document provided to *The Record* by Ahmed.

Ahmed continues to teach young doctors and to see patients. His lawsuit centers on his right to perform "interventional cardiology," such as angioplasty, a procedure to open the blood vessels in the heart.

The lawsuit comes at a time when several other longtime UMDNJ physicians — many of them foreign-born, as Ahmed is — charge that the university has pushed them aside after years of service.

One of them is Dr. M. Yusuf Khan, 66, a former chief of pathology. He said the university recently brought in a new pathology chief and soon afterward started trying to get him to resign.

"After 40 years, and serving in all types of administrative positions, suddenly it's, 'Gee, you're incompetent.' . . . All the charges are manufactured," Khan said.

"One day last April I got sick and called five or six times to leave messages. When I came back I was told I had abandoned my duties and I was suspended

ues to fight that order, and  
not resumed interventional cardi-  
ology. The case has yet to come to  
trial. Ahmed is suing for damages.

Court documents quote univer-  
sity officials who say Ahmed made  
"egregious technical and judgment  
errors that were repetitive and di-  
rectly related to several cata-  
strophic patient events."

The judge, however, said he saw  
"allegations without specifics  
leading to that. . . . I don't recall  
anything being presented to a par-  
ticular patient who suffered a  
catastrophic event as a result of  
alleged errors."

atives said they  
Ahmed's