

US college pays \$190M in exam pix settlement

July 22 2014, by Juliet Linderman

A "rogue" gynecologist's secret use of tiny cameras to record hundreds of videos and photos of his patients' sex organs has led to a \$190 million settlement with some 8,000 women and girls, lawyers said Monday.

Dr. Nikita Levy was fired after 25 years with the Johns Hopkins Health System in Baltimore in February 2013 after a female co-worker alerted authorities about a pen-like camera he wore around his neck.

He committed suicide days later, as a federal investigation led to roughly 1,200 videos and 140 images stored on computers in his home.

Levy, 54, had worked at the East Baltimore Medical Center, a Johns Hopkins community clinic, for 25 years before he was fired in February of 2013 after admitting to the misconduct and surrendering his devices to authorities.

The settlement all but closes a case attorneys for both Johns Hopkins and Levy's former patients say traumatized thousands of women who, according to the women's lead attorney, Jonathan Schochor, are still—a year and a half later—"extraordinarily upset."

"They are in fear, dismayed, angry, and anxious over a breach of faith, a breach of trust, a betrayal on the part of the medical system," Schochor said during a news conference Monday. "Many of our clients still feel betrayed, and still feel the breach of trust they have experienced, and they have fallen out of the medical system."

The preliminary settlement is one of the largest on record in the U.S. involving sexual misconduct by a physician.

Hopkins said insurance will cover the settlement, which "properly balances the concerns of thousands of plaintiffs with obligations the Health System has to provide ongoing and superior care to the community."

Hopkins' attorney Donald DeVreis on Monday said the hospital was unaware of Levy's "horrible conduct," and that he had become a "rogue employee" when he began recording his patients.

Levy graduated from the Weill Cornell Medical College in Manhattan, and completed his internship and residency at Kings County Hospital Center. He began working at Hopkins in 1988, and was working at Hopkins East Baltimore Medical Center at the end. He saw roughly 12,600 patients during his years at Hopkins.

"He was cold, and I was kind of scared of him," James said. "His bedside manner—he didn't have any. But all my doctors were at Hopkins. I've had two surgeries there, my primary doctor is there. I was used to going there for everything."

Some women told of being inappropriately touched and verbally abused by Levy, according to Schochor. Some said they were regularly summoned to Levy's office for unnecessary pelvic exams.

"Did he take pictures of me? There's no way of knowing," said another former patient whose two children were delivered by Levy. "I felt violated, because I don't know if for sure if he had pictures of me, or who has seen them."

His suicide—by wrapping his head in a plastic bag with a hose connected

to a helium tank—frustrated everyone who wanted to know his motives and see him face justice.

Once alerted to Levy's conduct, hospital authorities quickly notified Baltimore police and escorted Levy off campus. Police and federal investigators later said they found no evidence he shared the material with others. Schochor said all the images will be destroyed by court order.

"It is our hope that this settlement—and findings by law enforcement that images were not shared—helps those affected achieve a measure of closure," DeVreis said.

The settlement involves eight law firms and is subject to final approval by Judge Sylvester B. Cox after a "fairness hearing" where the women can speak. Each plaintiff was interviewed by a forensic psychologist and a post-traumatic-stress specialist to determine how much trauma she suffered and how much money she will receive.

Hopkins sent out letters to Levy's entire patient list last year, apologizing to the women and urging them to seek care with other Hopkins specialists.

"Hopkins had no idea or inkling," DeVreis said. "This conduct, we agree, was not just inappropriate but outrageous, and it was a breach of trust. At this point we're doing our best to work with the former patients to achieve a measure of closure for the patients and the Hopkins community."

But for some of Levy's patients, the settlement provides little solace.

"It doesn't make me feel better," said the former patient. "I don't think any amount of money can replace feeling violated like that."

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