

MEDICAL TOURISM: CAVEAT EMPTOR



The high costs of health care services, lack of health or dental insurance coverage for elective procedures, and the restricted availability of certain treatments within the United States have led to the recent development of a rapidly growing “medical tourism” industry. Americans are increasingly traveling abroad for a wide range of medical services not available in the United States or offered at much lower rates than in the United States. These services range from simple dentistry and cosmetic procedures to hip and knee replacements, gastric bypass surgery and cancer treatments.

While the price tags for the health care and travel packages offered by the medical tourism agencies may appear to be a bargain, it is important to recognize the serious risks involved, some of which are discussed below.

LICENSING, ACCREDITATION AND ENFORCEMENT

Medical tourism agencies make claims that facilities and physicians are licensed and/or accredited. However, it often falls on the patient to ensure that the facility and physicians have the capability to render the care needed by the patient. This can be a difficult process because it requires the patient to determine the foreign accrediting and licensing standards and how those standards compare to United States standards. Assuming that a patient can obtain information sufficient to satisfy his or her concerns about the qualifications of a physician or facility prior to seeking the health care services abroad, there is often little a patient can do to seek remedies for damages which may result from the foreign licensed physician's or facility's substandard or negligent actions or omissions.

CONTINUITY OF CARE ISSUES

Pre- and post-operative care is often as important as the surgical procedure itself. While medical tourism agencies may take care of arranging for the medical procedures abroad and include within the travel arrangements a limited period for recovery in the foreign destination, rather than arranging separate trips abroad, the patient is still likely to have to arrange for some pre-and post-operative care in the

United States. However, U.S. physicians are rightfully skeptical of the trend toward medical tourism and are concerned that if something goes wrong, they are the only available avenue of recourse for the patient. It is imperative that patients speak with their medical professionals here in the U.S. candidly and openly about what they are trying to accomplish and attempt to arrange for the care that they will need both before and after returning from abroad.

CONFIDENTIALITY

In recent years, the American public has become increasingly concerned with ensuring the confidentiality of patient medical information. The federal government has responded by implementing a comprehensive statutory scheme (HIPAA) to ensure the confidentiality of such information. A patient needs to be cognizant that in many other countries, similar protections simply do not exist.

COMPLICATIONS

Traveling abroad is oftentimes an arduous process, even for young, healthy people. Flight delays, natural disasters, and political instability are among the common inconveniences experienced by international travelers. For someone trying to get back to U.S. after surgery, these events can be life threatening, especially when complications such as infections result from a procedure performed abroad. Another issue to consider is what happens in the event of a health issue unrelated to the procedure. For example, a foreign facility where the patient is recovering from breast implant surgery may be very good for plastic surgery, but may not have the resources available to deal with a sudden onset of an acute diverticulitis. Patients must carefully consider these risks and do their best to have a contingency plan to increase their odds of making it back home safely.

After careful consideration of the foregoing concerns and consultation with their physicians and legal advisors, patients may be surprised to find that medical tourism is not the bargain it may first appear to be. The price may ultimately be much higher than anticipated, as it was in the case of a bride-to-be, who, as reported in a July 15, 2007 article by PalmBeachPost.com, arranged to have gastric bypass surgery performed in Mexico before her wedding, within two days for \$11,000. The same procedure and the pre- and post-operative care would have taken much longer and cost as much as \$40,000 in the U.S. Unfortunately, the bride-to-be paid the ultimate price for the same procedure – her life. ☹️



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