MDVIP Concierge Medicine Fraud Decision



Harry Nelson was interviewed by Kaiser Health news on the $7 million verdict against concierge medicine service, MDVIP, by a Florida jury. The case involved the failure of a MDVIP-affiliated doctor to diagnosis leg pain in time to prevent amputation for the wife of the former general counsel of chemical conglomerate W.R. Grace. The case, Beber v. Metzger et al., attracted national attention because it represented the first known case nationally in which a concierge physician was found to be an agent of the concierge medical plan with respect to claims of superior care.

“A lot of people will be taking notice of this verdict…It’s a shocking decision,” Nelson said. “The result of this decision is going to be more caution from the concierge medicine companies in terms of their claims of providing superior care. Concierge medicine will continue to be an integral part of the strategy for physicians remaining in small and solo private practice in lieu of joining larger managed care-oriented medical groups, but concierge physicians — and the companies that support their practices – need to take care only to promise greater access and convenience, not a distinct standard of diagnosis or treatment.

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