

## Transplant Follies: Live Liver Lie Leads to Surgeon Indictment.

It is a felony to lie to a federal government official concerning an administrative matter or process within his or her jurisdiction. Dr. Richard R. Lopez, M.D., 54, the former head of the liver transplant program at St. Vincent's Medical Center in Los Angeles, CA was the recipient of a grand jury indictment this month for lying about and falsifying records concerning a liver transplant to federal transplant officials. The lie was essentially to deceive the identity of the actual recipient of the liver.

There are several stories within the story that have yet to surface as yet. First, the entitled recipient was a Saudi man who was not in the country at the time the liver became available so the liver was implanted in another Saudi man who was 52nd in line for a liver. The surgeon and his accomplices altered the records to authorities to indicate that the first man actually received the liver. He was then removed from the list, although he was told that he was still on the list. He died a short time later. There is an interesting question as to why so many Saudis were in line when American's presumably have a need for the service? Second, how much of role did money play in this international game of musical livers?

This case was investigated by the Office of the Inspector General of the Department of Health and Human Services and the Federal Bureau of Investigation. The charges include 8 counts of conspiracy, deception, lying and related charges stemming from the same fact pattern. If Steve Jobs had been on this list, he might not have had to go to Tennessee for his transplant or perhaps he was not sufficiently connected with the Kingdom.

Here is the statute which many people might not be aware of. Shades of Martha Stewart. The Statute interestingly excludes lies presented in person or by a lawyer in court. Different statutes apply there.

18 U.S.C. § 1001. Statements or entries generally

**(a)** Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

**(1)** falsifies, conceals, or covers up by any trick, scheme, or device a material fact;  
**(2)** makes any materially false, fictitious, or fraudulent statement or representation; or  
**(3)** makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.