

# The ENT Surgeon Who Gave Genital Exams

The CRNA who blew the whistle has been terminated by the hospital. The surgeon remains.

Dan O'Connor | Editor-in-Chief

**T**wana Sparks, MD, the ENT surgeon who for years allegedly performed genital exams on male patients while they were under anesthesia, without their consent, is back performing surgery at Gila Regional Medical Center in Silver City, N.M. Under the terms of a deal with the state medical board that lets her retain her medical license and continue to practice, Dr. Sparks can't see patients without a chaperone, either in her office or in the OR, and she can't perform any genital, rectal or breast exams for any reason. But after a 2-month leave of absence, she's back at the hospital.

The same can't be said of Alison Garner, the CRNA who reported Dr. Sparks, first, she says, to the hospital's director of anesthesia and then to the state medical board. The hospital terminated Ms. Garner's privileges last May for "grossly negligent care" following the death of a patient with a full



**▲ ON THE OUTSIDE LOOKING IN** Whistleblower Alison Garner, CRNA, had her hospital privileges terminated for "grossly negligent care."

stomach and bowel obstruction on whom she allegedly failed to perform a rapid sequence induction. Ms. Garner vehemently denies this charge and views her dismissal as a clear case of retaliation for blowing the whistle on Dr. Sparks, the only ENT in a town where the next hospital is 100 miles away. Ms. Garner's attorney, Sherry Tippett, has filed notice

that Ms. Garner intends to file wrongful termination, false accusation and negligent supervision charges against the hospital.

"I told on their chosen one, I told on their hometown girl," says Ms. Garner, 45. "They're proud of her. Plus, she's a cash cow. She'll make [the hospital] another \$20 million over the next 10 years. What do I do for them, except start a lot of rumors and generate bad publicity?"

• • •

It was no secret among the surgical staff at Gila Regional that Dr. Sparks had a curious practice of performing genital exams on many of her male patients while they were under anesthesia.

"Umm, doctor, that's a long way from the throat," was one of the running jokes amongst OR staffers. "Now I realize that ENT stands for Ears, Nuts and Testicles," was another.

A few reasoned that Dr. Sparks must be screening poor Hispanic patients who didn't have primary care doctors for testicular cancer. But most just thought it plain odd.

"That's the kind of thing that should be done in a doctor's office, not in an operating room where the patient is under anesthetic," says an OR staff member who spoke on the condition of anonymity. "For an ENT doctor to be doing that, it's pretty bizarre."

Dr. Sparks had another peculiar post-op practice: She'd write messages and draw images on the bodies of some of her anesthetized patients. Dr. Sparks wrote PROPERTY OF \_\_\_\_\_ (patient's wife's name) in surgical site marker on the left side of a man's chest. "She said [the patient's] wife would get a kick out of it," says the OR staff member. Ms. Garner says she saw her write, WE LOVE YOU, KATHY



**▲ SLAP ON THE WRIST?** A chaperone must be present when ENT surgeon Twana Sparks, MD, sees patients.

on the breast of a nursing supervisor who'd just undergone surgery.

• • •

The unauthorized genital exams and the doodling went on for years. And nobody said or did anything about it.

Until July 17, 2007.

That's when Alison Garner had seen enough and couldn't keep quiet any longer.

According to Ms. Garner, who administered the anesthetic for this case, and another witness, Dr. Sparks, then chief of staff at the hospital, had just finished performing a tympanoplasty with mastoidectomy on a Hispanic male in his mid-30s. After applying the dressing, Dr. Sparks threw back the covers on the patient, reached into the fly of his boxer shorts, pulled out his penis and held it in her ungloved hand toward the ceiling. Dr. Sparks noticed fluid-filled vesicles indicative of a sexually transmitted disease on the right side of the shaft and yelled, "Oh, gross!" She then slapped the head of the penis 3 times to shouts of, "Bad boy, bad boy, bad boy." The all-female OR team laughed. All except Ms. Garner.

"Everyone heard her and everyone saw her positioned in the location of the penis at the OR table," says Ms. Garner. "I gave all of them the fish eye and we said nothing."

Unable to sleep that night — "I have somebody who's asleep on the table and I'm supposed to be their advocate and I didn't do anything and didn't say anything?" — Ms. Garner says she reported what she says she saw Dr. Sparks do the next morning to Mark Donnell, MD, the director of anesthesia, who, according to Ms. Garner, laughed and said, "Oh, wait, is Twana doing one of her exams again?" Dr. Donnell denies that this conversation took place and says that the anesthesia department doesn't consider the cases of Dr. Sparks and Ms. Garner to be related. "The 2 issues were handled separately," he says.

Neither Dr. Sparks nor her attorney, Deborah Solove, returned several calls seeking comment. Hospital spokeswoman Holley Hudgins declined to comment in response to e-mailed questions.

Ms. Garner would later report Dr. Sparks to the New Mexico Medical Board, but only after the story

took a few twists and turns.

• • •

Ms. Garner began work at Gila Regional in June 2003. She was leaving behind St. Louis and her second husband. She says she and Dr. Sparks, herself ending a 20-year relationship at the time, developed a good professional and personal rapport, working and hanging out together.

"We shared intimate details about our lives," says Ms. Garner. "We were both leaning on each other."

Ms. Garner says she thinks that Dr. Sparks, who has been active in gay and lesbian organizations, had a romantic interest in her and changed her demeanor toward her soon after Ms. Garner began dating a male surgeon (now her fiance) that Dr. Sparks didn't care for. "She got really, really mad about it," says Ms. Garner. That was nothing, says Ms. Garner, compared to the fury Dr. Sparks unleashed after word leaked that Ms. Garner reported her to the director of anesthesia over the alleged "bad boy" incident.

"She was pissed. 'How dare you report me?'" says Ms. Garner. "Everybody became so hostile that I turned on the hometown girl. They wanted my head on a platter."

After that, the timeline took curious turns. First, the hospital suspended Ms. Garner for 29 days in August 2008 for a HIPAA violation. Ms. Garner claims that Dr. Sparks reported a conversation Ms. Garner had with a patient's daughter to hospital officials. A month later, more than a year from the time of the alleged "bad boy" incident, Ms. Garner filed a formal complaint to the New Mexico Medical Board.

Then, in May 2009, the hospital suspended Ms. Garner for "grossly negligent care" and terminated her privileges over the death days earlier of the full-stomach patient. Ms. Garner was shown the door 1 month after the New Mexico Medical Board issued several terms and conditions with which Dr. Sparks must comply in order to continue practicing.

"As much as this has torn up my livelihood," says Ms. Garner, who has opened a med spa and joined a locum tenens agency, working cases out of state, "I'm glad to be gone." **OSM**

E-mail [doconnor@outpatientsurgery.net](mailto:doconnor@outpatientsurgery.net).