

[1] Herbert J. Nevyas, M.D.
[2] **MS. KRAMER:** No. What I'm saying is you
[3] are suggesting that the document which has the list
[4] of medical institutions, the hospitals listed, you
[5] are suggesting that was filled out in 1995 and that
[6] is not my reading of the document.
[7] **MR. FRIEDMAN:** No, I wasn't suggesting
[8] that. I was just saying on the five pages here that
[9] is the earliest date, November 1, 1995, and the most
[10] recent date was December 2, 1999, and I was only
[11] asking if with regard to the list and order of
[12] clinical activities, if it had remained the same
[13] during that period of time.
[14] **MS. KRAMER:** So you are asking from 1995
[15] to 1999 are these the same four hospitals he was a
[16] member of the staff and the activity remained the
[17] same through those four years?
[18] **MR. FRIEDMAN:** Yes.
[19] **MS. KRAMER:** Go ahead. You can answer
[20] that.
[21] **A:** The question is rather moot. The activity I
[22] believe during all of that time was zero at all
[23] four. I am professor at Medical College of
[24] Pennsylvania and was chief of the department of
[25] ophthalmology for ten years, but I do all of my

[1] Herbert J. Nevyas, M.D.
[2] there.
[3] **Q:** Did you perform refractive eye surgery at any
[4] of those hospitals?
[5] **MS. KRAMER:** At what time?
[6] **MR. FRIEDMAN:** Before he became inactive
[7] or before he stopped being clinically active.
[8] **A:** Not to my recollection.
[9] **Q:** Now, Doctor, have you ever been approved by
[10] any hospital to perform refractive eye surgery at
[11] that hospital?
[12] **A:** I believe so.
[13] **Q:** What hospital?
[14] **A:** I believe at Scheie Institute and Medical
[15] College of Pennsylvania and at Wills Eye Hospital
[16] there was an approval for radial keratotomy. I had
[17] taken Excimer laser courses at Penn at some point
[18] and I believe I was approved, but they never got a
[19] laser, so...
[20] **Q:** When you say they never got a laser, which
[21] one are you referring to?
[22] **A:** Scheie Institute.
[23] **Q:** How did you get approved for laser surgery if
[24] they didn't have a laser?
[25] **A:** By taking courses that they gave. They may

[1] Herbert J. Nevyas, M.D.
[2] surgery in the surgical center, and I believe, but
[3] I'm not positive, but I believe I did not do any
[4] surgery at this time in these hospitals. The
[5] Graduate Hospital branch that was across the street
[6] from our office has since closed. Jefferson Park
[7] Hospital is closed as a hospital although it has a
[8] surgery center, but I had not worked there at that
[9] time. And Scheie Institute I'm not working in. It
[10] is possible that I took a patient or two to Medical
[11] College of Pennsylvania. I'm not sure. It really
[12] doesn't mean much because I'm not active clinically
[13] at those hospitals.
[14] **Q:** When was the last time you were active
[15] clinically at any one of those hospitals?
[16] **A:** Probably '95 or '96 or so. I'm not quite
[17] sure.
[18] **Q:** When you say "active clinically," what do you
[19] mean by "active clinically"?
[20] **A:** Patients admitted and operated.
[21] **Q:** Are you on the active staff or inactive staff
[22] of those hospitals?
[23] **A:** Medical College of Pennsylvania I'm on the
[24] active staff. The others inactive or I'm not sure
[25] what my current status is. I haven't been working

[1] Herbert J. Nevyas, M.D.
[2] have been using a laser at a laser center. I'm not
[3] sure. This was some years ago.
[4] **Q:** Doctor, just to be certain, I'm referring to
[5] formal hospital privileges and not —
[6] **A:** I'm not sure. I don't recall whether it was
[7] formal hospital privileges or whether it was their
[8] approval for using the Summit laser at that time. I
[9] do not recall. I had no intention of using it, so I
[10] don't remember.
[11] **Q:** What time are you talking about that you had
[12] no intention of using it?
[13] **A:** At that hospital because they didn't have
[14] one. It may have been '94, '95, '96. I'm not sure.
[15] **Q:** In addition to the four hospitals that you
[16] have listed here, you had mentioned Wills, and that
[17] also would have been added if there was room for a
[18] fifth hospital?
[19] **A:** I think so. I think I was on active staff at
[20] that time. I'm not sure of the dates. I stopped
[21] working when we opened — for the most part at
[22] hospitals when we opened our surgery center, which I
[23] think was back in 1996, and did some work still at
[24] some of the others, but I tapered off as I found I
[25] was doing much better operating in the surgery