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## Report: Pharmaceutical firms hire scofflaw doctors

The Associated Press

You might think that when a major pharmaceutical company pays a doctor to promote its medicines, it would not choose someone whose mistake killed a patient.

Nor would it choose a doctor who traded drugs for sex, prescribed painkillers to obvious addicts, or violated federal rules while running clinical trials.

You would be wrong.

Florida doctors who receive money from drug companies have been disciplined for all those things, according to a project by the national investigative news site ProPublica in which the website Health News Florida took part. The two sites, as well as five other media partners around the country, released the stories Thursday.

Using online databases, ProPublica found 44 Florida physicians who had been disciplined by state medical boards or the Food and Drug Administration. After analysis of the cases, Health News Florida shed some that were minor to focus on 22 that were significant, and also mined court data on settlements of \$500,000 or more.

Together, the two teams identified 62 physicians in Florida who have recently received more than \$1.1 million from drug companies despite having a serious blotch on their records.

To Ken Goodman, director of the Bioethics Program at University of Miami, this raises questions about how drug companies choose the physician consultants who speak about treatment options to their peers.

"This suggests we need to look a little more closely at the concept of 'industry leaders' and 'opinion leaders,'" Goodman said.

Medical groups point out that disciplinary actions can result from a one-time mistake in diagnosis or treatment that is uncharacteristic of a physician's overall career.

"A discipline or two doesn't necessarily make one a bad doctor," says Tampa physician David Lubin. "I think you have to look at each case individually. For instance, wrong (side) surgery could result in being disciplined, but doesn't mean the surgeon is incompetent ... He just made a stupid mistake not preparing properly. Again, it would depend on what the disciplining was for."

To be sure, most of the 1,300 Florida doctors who received pharma fees of nearly \$19 million over the past year and a half have clean records.

The 62 physicians with a worrisome history account for less than 5 percent of Florida doctors listed as consultants by seven major drug manufacturers.

Even so, the discovery is troubling, said Ken Brummel-Smith, chair of the Department of Geriatrics at Florida State University College of Medicine.

It could be the companies simply failed to check the doctors' backgrounds closely enough, he said, but it could also be a "return-on-investment decision."

"My general feeling is doctors shouldn't be working with drug companies at all," Brummel-Smith said. "The chance for conflict of interest is so high."

FSU College of Medicine has adopted a zero-tolerance policy for drug-company payments and gifts to its professors and students, he said. But outside of academia, there has been little official scrutiny.

Unofficial scrutiny from reporters, however, is growing. The ProPublica-Health News Florida teams found drug-company consultants that include:

- Two Orlando-area urologists who pleaded guilty in federal court to conspiracy to break wholesale drug laws.
- Physicians in Hialeah and St. Petersburg accused by the Food and Drug Administration of enrolling patients in clinical trials even though they didn't qualify, and then failing to report it when some got sick.
- Several doctors who were disciplined for prescribing inappropriate amounts of potentially addictive drugs that can be lethal in combination. In some cases, it appeared there was a tacit trade of drugs for sex.
- Two Tampa surgeons who were using their new robotic surgery tool on a patient when it slipped and severed the aorta - a fatal mistake.

All of this information is available on public web sites. Yet in interviews with ProPublica, drug companies said they tend to rely mainly on Medicare lists of doctors who have been barred from that program.

They generally don't look at state medical boards - the bodies that weigh evidence and dish out discipline even though the president of the Federation of State Medical Boards said he would be glad to share the information.

Warning letters issued by the Food and Drug Administration to physicians running clinical trials are posted at the FDA website.

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Online:

Health News Florida: <http://www.healthnewsflorida.org>