

MARCH 22, 2009, 9:34 P.M. ET

## Medical Journal Decries Public Airing of Conflicts

By DAVID ARMSTRONG

The Journal of the American Medical Association, one of the world's most influential medical journals, says it is instituting a new policy for how it handles complaints about study authors who fail to disclose they have received payments from drug companies or others that pose a conflict: It will instruct anyone filing a complaint to remain silent about the allegation until the journal investigates the charge.

The unusual order drew criticism from editors at other journals and fuels a debate about the role of medical journals in policing financial conflicts of researchers. It comes after JAMA was criticized for taking five months to acknowledge that a study it published last year on the use of antidepressants in stroke patients was authored by a University of Iowa psychiatrist who failed to disclose he had a financial relationship with the maker of the drug studied.

JAMA editors, in a rare online editorial posted Friday, criticized the actions of a Tennessee researcher, Jonathan Leo, who first wrote about the disclosure problem in another medical journal.

Dr. Leo, a professor of neuro-anatomy at Lincoln Memorial University in Harrogate, Tenn., alerted JAMA to the disclosure problem last October. Earlier this month, he published a letter in BMJ, also known as the British Medical Journal, pointing out the study author's relationship to the pharmaceutical company and also highlighting what he said were flaws in how the study results were reported. A week after BMJ published Dr. Leo's letter, JAMA published a correction and a letter from the Iowa psychiatrist, Robert Robinson, acknowledging he had received payments from the drug company and failed to report them. JAMA said the publication of the correction and letter was in the works before the BMJ published Dr. Leo's letter.

The JAMA editors said Dr. Leo was guilty of a "serious breach of confidentiality" by writing about the problems with the JAMA study while the medical journal was still investigating the matter. JAMA said that from now on, anyone complaining of an author failing to report a conflict of interest will "be specifically informed that he/she should not reveal this information to third parties or the media while an investigation is under way."

JAMA said that contacting third parties "damages our ability to complete a fair and thorough investigation" and "potentially damages JAMA's reputation by the insinuation that we would fail to do so."

Dr. Leo said he uncovered in a Google search that Dr. Robinson, had served as a speaker for Forest Laboratories Inc. Forest Labs has said Dr. Robinson was a member of the company's speaker's bureau from 2004 to 2005. It wouldn't say how much it paid him.

"I wrote about something in the public record," Dr. Leo said. "It did not require an investigation—it only required a computer with Internet access."

Jerome Kassirer, a Tufts University professor and former editor of the New England Journal of Medicine, said that Dr. Leo "did nothing wrong" and that the new JAMA policy of demanding silence while it investigates possible breaches of disclosure rules is inappropriate. "There is nothing that should distract a whistleblower from blowing the whistle when they think it is appropriate or necessary," he said.

Fiona Godlee, the editor in chief of BMJ, said the new JAMA policy is "a dangerous position." She said, "No one group or organization should have a monopoly on investigating a piece of work." Dr. Godlee added that medical journals have an obligation to promote transparency, including publishing information critical of work in other journals, or run the risk of being viewed as a "cozy club."

Medical journals have been under pressure to be more vigilant in ferreting out potential conflicts of interest among

researchers submitting studies.

In 2006, JAMA instituted tougher disclosure requirements following a series of episodes in which researchers did not report major conflicts of interest. The JAMA policy requires authors to report any financial relationships over the past five years and any for the foreseeable future.

While requirements for reporting conflicts are often stringent, the penalties for failing to disclose information are often weak and informal. A handful of mostly minor journals have decided to be more punitive by banning authors who don't report conflicts of interest from future publication, at least for a period of time. JAMA says it often contacts the superiors of authors who fail to disclose conflicts to get them to punish offenders, but does not ban authors.

After Dr. Leo wrote the letter to BMJ alleging flaws in the JAMA stroke study, JAMA editors contacted both Dr. Leo and the dean of his medical school, seeking a retraction.

In an interview with The Wall Street Journal, JAMA editor-in-chief Catherine DeAngelis called Dr. Leo "a nothing and a nobody." In the editorial Friday, Dr. DeAngelis and co-author Phil Fontanarosa, JAMA's executive deputy editor, said her comment about Dr. Leo "was erroneously reported" and that Dr. Leo "certainly is somebody doing something very important."

The dean of the medical school where Dr. Leo teaches said Dr. Catherine threatened in a telephone conversation earlier this month that she would "ruin the reputation of our medical school" if he did not force Dr. Leo to retract the BMJ letter and stop talking to the media. In an interview Friday, Dean Ray Stowers said Dr. DeAngelis "flat out" threatened him and attempted to bully him during the conversation.

The telephone call was followed by an email exchange. In a March 11 email, Dr. DeAngelis wrote to Dr. Stowers: "As I've already expressed to you, I don't want to make trouble for your school, but I cannot allow Jonathan Leo to continue to seek media coverage without my responding. I trust you have already or soon will speak with him and alert me to what I should expect."

Dr. Stowers responded the next day by saying he couldn't find any fault in Dr. Leo's actions and pressed JAMA editors for more specifics on what they believed was wrong with Dr. Leo's writing or actions. "I think this can be worked out without your continued threats to our institution which are not appreciated and I believe to be below the dignity of both you and JAMA," he wrote. Dr. Stowers says he has not heard from JAMA since sending that email. Dr. Godlee said BMJ would not retract Dr. Leo's letter because "there are no factual inaccuracies."

Dr. DeAngelis, through a spokeswoman, denied threatening the dean.

Dr. Leo said he received an angry call from Dr. Fontanarosa after his BMJ letter was published. "He said, 'Who do you think you are,' " Dr. Leo said. "He then said, 'You are banned from JAMA for life. You will be sorry. Your school will be sorry. Your students will be sorry.'"

Dr. Fontanarosa said Dr. Leo's retelling of the conversation is "inaccurate."

In the editorial, the JAMA editors gave their version of that telephone conversation. "Leo was also informed that, if his actions represented his apparent lack of confidence in and regard for JAMA, he certainly should not plan to submit future manuscripts or letters for publication," the editors wrote.

In the editorial, the JAMA editors said they were "strong and emphatic" in tone when discussing Dr. Leo's letter with him and the dean of his medical school. The editorial said this tone was struck because of the importance of protecting JAMA's reputation. "We regret if anyone involved in these communications interpreted our intentions in any other way," the editorial said.

**Write to David Armstrong at [david.armstrong@wsj.com](mailto:david.armstrong@wsj.com)**