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Whistleblower removed from job for talking to the press

Jeanne Lenzer *New York*

A whistleblower who uncovered evidence that major drug companies sought to influence government officials has been removed from his job and placed on administrative leave.

Allen Jones, an investigator at the Pennsylvania Office of the Inspector General (OIG), was escorted out of his workplace on 28 April and told "not to appear on OIG property" after OIG officials accused him of talking to the press. Reports of Mr Jones's findings were widely reported in the *New York Times*, *BMJ* (7 February, p 306), and elsewhere.

His findings showed that the pharmaceutical company Janssen had paid honorariums to key state officials who held influence over the drugs prescribed in state-run prisons and mental hospitals.

Mr Jones filed a suit on 7 May

against his supervisors charging that the OIG's policy of barring employees from talking to the media was "unconstitutional." Mr Jones claims, in the complaint filed in the Middle District Court of Pennsylvania, that he is being harassed by his superiors and Pennsylvania governmental institutions in order to "cover-up, discourage, and limit any investigations or oversight into the corrupt practices of large drug companies and corrupt public officials who have acted with them."

Mr Jones had been earlier removed as lead investigator on the case after being told by a manager that "drug companies write cheques to politicians on both sides of the aisle."

In July 2002 Mr Jones was appointed lead investigator when he uncovered evidence of payments into an off-the-books

account. The account, earmarked for "educational grants" was funded in large part by Pfizer and Janssen Pharmaceuticals. Payments were made from the account to state employees who developed formulary guidelines recommending expensive new drugs over older, cheaper drugs with proved track records.

One of the recommended drugs was Janssen's antipsychotic medicine risperidone (Risperdal)—a drug that has recently been found to have potentially lethal side effects. The Food and Drug Administration issued a warning letter to Janssen on 27 April saying that Janssen's "Dear Healthcare Provider" letter about risperidone was "false or misleading" because it failed to disclose or minimised risks of the drug relating to "serious adverse events including ketoacidosis, hyperosmolar coma, and death."

Don Bailey, Mr Jones's attorney, said the case is a critical test of the right to a free press. "If they shut the employee up and they have all the documents locked up in a drawer there is no

free press," he said.

Amy Wasserleben, spokeswoman for the OIG, said they would not comment on Mr Jones or the corruption allegations. When asked about the status of the corruption investigation she refused to answer. In response to a question about whether the state OIG could withhold information of public interest, she said, "The OIG is specifically exempt from right-to-know laws."

The Pennsylvania formulary is based on the Texas Medication Algorithm Project that has been exported to about 12 states and was recently commended as a model programme by President Bush's New Freedom Commission.

However, Dr Peter J Weiden, who was a member of the project's expert consensus panel, charges that the guidelines are based on "opinions, not data" and that bias due to funding sources undermines the credibility of the guidelines since "most of the guideline's authors have received support from the pharmaceutical industry." □

Six health workers sentenced to death in Libya

Katka Krosnar *Prague*

Six foreign health workers have been sentenced to death in Libya for allegedly deliberately infecting almost 400 Libyan children with HIV.

A male Palestinian doctor and five female nurses from Bulgaria were sentenced to death by firing squad.

Charges were brought against them after 393 children became infected with HIV at the Al Fateh Children's Hospital in Benghazi. The health workers were found guilty of causing the death of 40 children by deliberately injecting the patients with blood contaminated with HIV.

The workers have been held in prison for five years since being arrested in 1999. A Bulgarian doctor, Zdravko Georgiev, was sentenced to four years in prison but was to be released as he had already

served this time, and nine Libyan former hospital managers and staff who had also been charged in the case were acquitted.

During the trial, Professor Luc Montagnier, who discovered HIV, and Professor Vittorio Colizzi, of the Virology and Immunopathology Laboratory at Tor Vergata University in Rome, testified that the mass scale infection was due to the poor hygiene standards at the hospital that predated the foreign health workers' employment there.

The defendants denied the charges, and some complained that their interrogators extracted confessions using torture, including electric shocks and beating.

The court verdict has been condemned by politicians and organisations worldwide.

A spokeswoman for Bulgaria's Foreign Ministry, Gergana Granchiarova, said the Bulgarian government would appeal the decision and do everything possible to win the workers' release.

"We can only express shock and utter disbelief at the decision. It is unacceptable for all those who expected a fair con-



Six Bulgarian health workers—five nurses and a doctor—and a Palestinian doctor watch proceedings in a Libyan courtroom. All but the Bulgarian doctor were sentenced to death

clusion of a trial that has lasted for more than five years," she told the *BMJ*.

"During the trial no convincing evidence for the culpability of our nationals was presented. According to the unanimous opinion of the world's most renowned AIDS experts, the cause of the spread of AIDS in Benghazi was an in-hospital infection, which had broken out before our medical staff began working there. The Libyan court

has not taken into consideration these facts," she added.

The International Council of Nurses and the World Medical Association—as well as European institutions—said they would continue to fight against the decision.

The sentenced doctor is Ashraf al-Hajuj and the nurses are Kristiana Vulcheva, Nasya Nenova, Valentina Skropilo, Valya Cherveniyashka, Snezhana Dimitrova. □