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Report Whitewashes NIH Scientific Misconduct: Institute of Medicine Fails In Its Duty to the Nation

Washington, D.C., April 7, 2005: Today the Institute of Medicine released its long awaited report into the HIVNET 012 clinical trial. As many feared, the report fails to recognize gross violations of scientific conduct which form the heart of Dr. Jonathan Fishbein's allegations against the investigators and the Division of AIDS (DAIDS) officials who oversaw the study.

"The IOM has merely perpetuated the cover-up of reckless research by investigators who violated standards they were legally obligated to follow. These standards are essential to ensuring the validity of scientific data and protecting the rights and safety of study subjects," observed Dr. Fishbein. "It is a sad day for American medical research when a respected body like the Institute of Medicine allows itself to fall victim to political correctness, self-interest and deceit."

In the summer of 2004 Congress asked the IOM to conduct an independent review of the HIVNET 012 clinical trial in light of the allegations of scientific misconduct made by Dr. Fishbein. Despite the availability of sworn testimony from individuals who were an integral part of the remonitoring of HIVNET 012, the panel refused to consider that evidence. Those statements would have substantiated Dr. Fishbein's charges of shoddy research practices and provided clear and convincing evidence of how DAIDS officials covered up violations of both law and regulation.

"From the outset the IOM was committed to confirming the validity of HIVNET 012 rather than seeking the truth – much as DAIDS had done when it issued its remonitoring report in 2003," said Fishbein. "The fix was in from the start. It is well known that the reputations of many prominent AIDS scientists will suffer if my allegations are proven to be correct. The political implications are far too enormous. The IOM knew what the results of its study would be when it adopted terms of reference that ignored issues of scientific misconduct. Rather than seeking the truth, the IOM has become part of the problem and has helped to perpetuate a cover-up."

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Recent press reports have noted that six of the nine members appointed to the IOM HIVNET 012 panel currently are receiving research grants from the Division of AIDS, the very agency the panel is investigating. "In any other context this would be considered a gross conflict of interest," said Fishbein. "But when it comes to NIH and its allies, the government has chosen to look the other way. The taxpayers of this country should be outraged that for \$2.5 million they received a study that was both uninformed and misguided."

In a March 3rd letter to Harvey V. Feinberg, M.D., President of the IOM, the National Whistleblower Center expressed its belief that the IOM panel stood in stark violation of the ethical guidelines that cover federal advisory committees. The IOM never responded.

HonestDoctor.org believes that the IOM has failed in its responsibility to Congress and the nation to investigate fully, fairly and impartially the allegations of scientific misconduct in connection with the HIVNET 012 clinical trial. "After today Congress and the American People surely will ask whether they can ever again trust the IOM," said Fishbein.

HonestDoctor.org is a confidential network of concerned medical and scientific professionals dedicated to assuring that clinical trials sponsored by the National Institutes of Health (NIH) are conducted in full compliance with all applicable statutes and regulations. Government sponsored clinical research must preserve the rights, safety, and well-being of human test subjects consistent with the principles of the Declaration of Helsinki and with the aim of producing clinical data with the highest degree of scientific integrity. HonestDoctor.org is working in full cooperation with the National Whistleblower Center.