

Virtual Mentor

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CASE AND COMMENTARY

My Doctor the Researcher

Commentary by Kayhan Parsi, JD, PhD

Case

Dr. Fiddler learns about a contract research organization that matches pharmaceutical companies who are conducting clinical research trials with physicians. The company wants to test a new medication for prostate cancer and will pay Dr. Fiddler a lump sum of \$3000 for each patient of hers whom she enrolls in the clinical trial. She will follow the patients and document their responses to the trial therapy. Dr. Fiddler thinks several of her patients are suitable candidates for the study. The first one she talks to is Mr. Upinsky. During the informed consent process, Dr. Fiddler properly informs Mr. Upinsky about the risks and benefits of the trial and her role as a clinical investigator. She explains that she will continue to be his physician, that the trial is not a treatment, that he can withdraw from the trial at any time, and that he owes her no duty to participate. She does not tell Mr. Upinsky that she is being paid by the pharmaceutical company to enroll subjects in the trial.

Dr. Fiddler believes that the amount she is receiving will cover her administrative costs and produce a small profit. She has no financial investment in the pharmaceutical company that is conducting the trial. Dr. Fiddler sees no ethical conflict in enrolling her patients in the clinical trial, as long as they understand that it is not a treatment and that they are free to decide whether or not to participate.

Questions for Discussion

1. Is Dr. Fiddler's arrangement with the pharmaceutical company ethical?
2. Does disclosure or non-disclosure of Dr. Fiddler's financial arrangement to candidate clinical trial subjects make an ethical difference?

See what the AMA *Code of Medical Ethics* says about this topic in Opinion 8.13 Managed care. *Code of Medical Ethics 1998-1999 Edition*. Chicago, IL: American Medical Association; 1998.

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