

Whole Body Radiation Study

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UCCM/RCC1.958117.001

Your letter of January 11, 1972, addressed to Dr. Bennis has, as

been placed in my hands for response. Please understand that

interest is intended in this: as you know, President Bennis has only

assumed executive direction of this University and was not admin-

ively involved with the project at issue during most of its course.

The information you have received that the names and addresses of

patients in the Whole Body Radiation Therapy Study were provided

to a physician in the project for representatives of the NET in September 1971

is found to be correct. This had not been known to me or other admin-

istrators of this institution prior to receipt of your recent letter. We

have now determined that three of the investigators, having been approached by

NET personnel with a view to a discussion of local cancer research, were indeed

filmed and interviewed. We have also learned that the identities of ^{Three} ~~these~~ patients

in the study, their permission having been granted, were made known, and one

of ~~these~~ was indeed interrogated by the television team. We are further advised

that the distress afforded this patient resulted in conclusion of the procedure.

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I gather from your letter that you wish to inquire into "the patients' perceptions and understanding of the experiments in which they were participating

 You are undoubtedly aware that this has been the basis for four professional inquiries made on the site. In each instance these have been carried out by highly qualified professional scientists, both medical and non-medical, one group from the American College of Radiology making an unsolicited but welcomed survey at the behest of Senator Gravel. All have given unqualified approval of the moral and ethical approaches utilized in informing patients of the nature of the study and in obtaining their consent for inclusion in the undertaking. This being the case, it is puzzling that you wish to superimpose upon the scrutiny of these learned individuals further inquiry by members of your staff.

On the other hand, you properly ask for an explanation of why access to patients was granted to a public television group and denied to representatives of a Senate Subcommittee. On the face of it, there does appear to be an unaccountable inconsistency; there are several factors, however, that reflect an important difference between the situation existing in September 1971, and that at the present time. In the earlier occasion the decision was made by a single individual and

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at the moment. Currently we have gathered the opinions of a con-
 siderable number of more experienced persons. We are presently acquainted
 with the case of the single patient in the Study interviewed in September.
 It is also, that the unfortunate publicity given this whole issue
 since October, 1957, has introduced an entirely different climate. The use of such
 terms as "terminal patients," "terminal cancer patients," and other similar
 terminology has not been too conducive to peace of mind among these unfortunate
 patients. To add further interrogation with its attendant publicity would obviously
 create additional unnecessary distress.

Nonetheless, we have given your second request most careful deliberation.
 We have reviewed all aspects in detail and have sought advice from many different
 authoritative sources. The uniform tenor of these has led us to conclude that
 the University and the physicians involved would be remiss in their responsibilities
 to the patients and would contribute grievously to their emotional and physical
 detriment were they to be made available to an uncontrolled probing by Subcommittee
 investigators. We are, moreover, advised by counsel that we do not possess the

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legal authority to accede to your request.

I am, thus, compelled, and with regret, to reaffirm our earlier decision not to disclose the identities of these patients toward the end of Subcommittee interrogation. I would again add, however, that we would continue to welcome at any time discussions or investigations of our procedure or documents, providing always that the patients themselves would remain anonymous.