

United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

January 20, 2010

Via Electronic Transmission

The Honorable Francis S. Collins, Ph.D., M.D.
Director
National Institutes of Health
One Center Drive
Bethesda, MD 20892

Dear Director Collins:

As a senior member of the United States Senate and the Ranking Member of the Committee on Finance (Committee), I have a duty under the Constitution to conduct oversight into the actions of executive branch agencies, including the activities of the National Institutes of Health (NIH/Agency). In this capacity, I must ensure that NIH properly fulfills its mission to advance the public's welfare and makes responsible use of the public funding provided for medical studies. This research often forms the basis for action taken by the Medicare and Medicaid programs.

For the last two years I have worked to achieve public disclosure of financial relationships between physicians and the drug, device and biologic industries. Beginning in the summer of 2008, I began releasing information to demonstrate that universities are not managing their professors' financial conflicts of interest and that change is needed at the NIH. Specifically, I found:

- The Chair of the Psychiatry Department at Emory University failed to report hundreds of thousands of dollars in payments from a pharmaceutical company while researching that same company's drugs with an NIH grant. The Health and Human Services Office of the Inspector General (HHS OIG) is now investigating the matter.
- The Chair of the Psychiatry Department at Stanford University received an NIH grant to study a drug, while partially owning a company that was seeking FDA approval of said drug. He was later removed from the grant.
- Three psychiatrists at Harvard University failed to report almost a million dollars each in outside income while heading up several NIH grants. Harvard plans to release a report on the matter.

In each of these cases, the researcher(s) involved received funding from the National Institute of Mental Health (NIMH). Because I have uncovered so many problems at the NIMH, I wonder if there is something in particular about this institute

that leads to so many funding problems. In one particular case, the researcher from Emory who had failed to report his outside income left Emory and is now at the University of Miami and still has NIMH funding. Accordingly, I would appreciate your response to the following questions and requests for documents.

- 1) Please provide all communications and/or emails sent and/or received by the director of the NIMH. The time span of this request covers May 2, 2009, to the present.
- 2) Please provide all phone records of the director of the NIMH. The time span of this request covers January 1, 2009, to the present.
- 3) Please provide the calendar of the director of the NIMH. The time span of this request covers May 2, 2009, to the present.
- 4) Please provide all communications and/or emails sent and/or received by NIMH staff regarding Senate investigations and/or conflicts of interest. The time span of this request covers June 1, 2008, to the present.

I request that the NIH respond to my request by no later than February 3, 2010. Thank you for your attention to this important matter. Should you have any questions regarding this letter, please contact Paul Thacker of my Committee Staff at (202) 224-4515. All formal correspondence should be sent electronically in PDF format to Brian_Downey@finance-rep.senate.gov or via facsimile to (202) 228-2131.

Sincerely,



Charles E. Grassley
Ranking Member