

## Lawmakers rip Pittsburgh VA over destroyed biospecimens

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WASHINGTON -- Lawmakers today castigated Veterans Affairs health officials for ordering the destruction of biomedical specimens on Legionnaires' disease and other infectious diseases that two prominent researchers had collected over a quarter-century.

"Months of investigation by the subcommittee have not revealed any credible reason for destruction of the collection," said Rep. Brad Miller, D-N.C., chairman of the House Science subcommittee on investigations and oversight. "All of us may pay a price for this conduct, veterans most of all."

A subcommittee report on the Dec. 4, 2006, incident at the VA Pittsburgh Health Service said Congress should consider legislation setting policy on the handling and disposition of biobanks, places where traditional human biospecimens such as blood and tissue are matched to databases with medical records, genomic sequence data and other information.

"It is incomprehensible that there are no policies in place to ban arbitrary and capricious management decisions by administrators without any assessment of the value of the collection and its potential use in other research," the report says.

Dr. Victor Yu, professor of medicine at the University of Pittsburgh and formerly the chief of infectious diseases at the VA center, told the panel that the destruction of specimens that he and Dr. Janet Stout had collected was "a terrible tragedy."

"From 1979 to 2006, we banked over 8,000 specimens from our studies on Legionnaires' disease and other infections," Dr. Stout said. "The specimens included isolates of legionella and thousands of serum, respiratory and urine samples. They were all destroyed."

Drs. Yu and Stout were among the pioneers in identifying Legionnaires' disease, a form of pneumonia which first emerged at an American Legion convention in Philadelphia in 1976. They and others discovered the link between the presence of the bacteria in hospital water systems and hospital-acquired Legionnaires' disease.

Michael Moreland, who headed the VA Pittsburgh Healthcare System at the time, defended actions to close the Special Pathogens Lab where Drs. Yu and Stout worked in July 2006 and then destroy the specimens in December. He said the lab lacked an approved research activity and had evolved into an unauthorized commercial enterprise that tested water supplies for private companies. He said specimens that were not labeled or catalogued or were in open tubes were considered hazardous and were disposed of.

"They were offering a service to identify a deadly bacteria to a community. Is that what you are complaining about?" Rep. Dana Rohrabacher, R-Calif., asked Mr. Moreland.

Mr. Moreland replied that he wished Dr. Yu well in his private endeavors, but "it was not appropriate use of government funds and government work."

The order to destroy the specimens was given by Dr. Mona Melhem, supervisor of clinical activities at the VA center. She said that Dr. Stout's "mission was to test clinical patient specimens" and that, since Drs. Yu and Stout had not provided her with a list of their materials, she assumed the vials in the freezer were not research material but clinical patient specimens to be destroyed.

According to the report, the order to destroy the material came after a dispute over how Dr. Yu was financing his research that led to the shuttering of his laboratory in July, and his firing for refusing to stop processing samples. Dr. Yu said he could not in good conscience stop processing samples from hospitals and others concerned that their water supplies were contaminated by legionella bacteria. Dr. Stout had been placed on administrative leave and faced removal action.

The report said police unlocked the lab on Dec. 4 and five health service employees spent two hours putting the specimen collection in biohazard containers and turning them over to a contractor for disposal as biohazards.

The destruction came at the same time efforts were under way to transfer the collection to a laboratory at the University of Pittsburgh for use in further research by Drs. Yu and Stout.

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