

Testimony on VA's lab closing 'hard to believe'

Wednesday, September 10, 2008

By Joe Fahy and Paula Reed Ward, Pittsburgh Post-Gazette

The chairman of a U.S. House subcommittee yesterday challenged testimony by officials for the VA Pittsburgh Healthcare System that defended their abrupt closing of a local laboratory and the destruction of thousands of biomedical samples.

"I found a lot of the testimony very hard to believe," said Rep. Brad Miller, chairman of a subcommittee of the Committee On Science and Technology. He said it seemed "designed to cover the posterior of people who made decisions that they should not have made."

Mr. Miller, D-N.C., also was highly critical of VA officials' decisions during yesterday's hearing of the Subcommittee on Investigations and Oversight in Washington, even suggesting that Drs. Victor Yu and Janet Stout, two researchers who had collected the samples for years, seek legal counsel.

"It occurs to me that you have been wronged," he said.

They and other local researchers discovered a link between drinking water supplies, which can harbor Legionella bacteria, and the spread of Legionnaires' disease, a form of bacterial pneumonia that especially affects the elderly and people with compromised immune systems.

Dr. Yu, a VA employee for 30 years, filed a federal lawsuit last month alleging that he was wrongfully fired. He also alleges retaliation and defamation. He is seeking back wages, as well as compensatory and punitive damages.

Testimony from VA officials yesterday differed sharply from that provided by Drs. Yu and Stout and their supporters, who portrayed the closure of the VA Special Pathogens Laboratory as needless and the destruction of the samples an incalculable loss for research.

Dr. Yu testified that he was given only two weeks to complete requests for lab tests before the closure in July 2006. The samples were destroyed in December of that year as Dr. Stout was working to arrange their transfer to a University of Pittsburgh lab.

A report by the subcommittee staff said a VA supervisor, Dr. Mona Melhem, ordered the samples destroyed without discussing the action or getting research officials' approval.

Dr. David Snyderman, a professor of medicine and pathology at the Tufts University School of Medicine, testified the collection was invaluable to science and called its destruction "a wanton, thoughtless act."

Mr. Miller said a probe by the committee staff revealed "no credible reason for the destruction of the collection."

But Michael Moreland, then VA Pittsburgh's director, testified that agency reviews suggested that the Special Pathogens Lab had "evolved into an unauthorized commercial enterprise," conducting testing for outside companies and engaging in research without required approvals.

Dr. Melhem, an associate chief of staff, said her review suggested the lab was "not productive" and a drain on resources. She said she directed the samples be destroyed because they were inappropriately identified and there was "no way of knowing their risks."

Drs. Yu and Stout denied VA officials' allegations.

Joe Fahy can be reached at jfahy@post-gazette.com or 412-263-1722. Paula Reed Ward can be reached at pward@post-gazette.com or 412-263-2620.

First published on September 10, 2008 at 12:00 am