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UW may tighten conflict-of-interest rules after burn-doctor case

The University of Washington may strengthen its conflict-of-interest policies after a retired UW burn specialist was featured in a Chicago Tribune investigative report on flame-retardant chemicals.

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The University of Washington may strengthen its conflict-of-interest policies after a retired UW burn specialist landed on front pages across the country as "exhibit A" in an investigative report on flame-retardant chemicals.

Dr. David Heimbach, who led the burn unit at Harborview Medical Center for 25 years, was being paid by a chemical-industry organization when he testified before several state legislatures to oppose restrictions on the chemicals, according to a four-part series published by The Chicago Tribune in May and distributed widely.

The stories, the first of which also ran in The Seattle Times, questioned the safety and effectiveness of flame retardants and outlined an industry campaign to promote the chemicals, in part by enlisting experts and advocates like Heimbach.

UW officials say Heimbach, who retired last year, never reported or sought approval for the outside work he did on behalf of the industry-funded group Citizens for Fire Safety. "Our conclusion is that he did violate the university's policy," said Mark Green, associate dean for business in the UW School of Medicine.

Green said Heimbach also violated patient privacy laws by recounting the story of a Washington girl who died in a fire in 2009 and by showing photos of her burned body at a scientific conference. Heimbach did not have written permission from the girl's family to use the photos, said UW spokeswoman Tina Mankowski. University officials asked Heimbach to relinquish the photos and agree not to use them again, which he did.

Heimbach and his attorney, Deborah Drooz, dispute the privacy violation. Heimbach said he took care never to reveal any identifying information about the girl, in keeping with patient protections. "There was no way anyone could know who that was," he said.

Chicago Tribune reporters identified the girl by searching state death records. They spoke with her mother and concluded that Heimbach misreported the circumstances of the child's death in a way that bolstered the case for flame retardants. Heimbach said he deliberately altered some of the details in the story to guard the girl's identity.

"I wanted to illustrate the benefits of flame retardant materials without disclosing patient medical/treatment information and without using details that would enable identity to be discovered," he wrote in a statement provided to the UW.

Drooz accused the media and the university of making a scapegoat of Heimbach, who she said has devoted his career to helping burn victims. Among many other honors, Heimbach received an award from the Dalai Lama for his humanitarian work. He also received the International Burn Foundation's most prestigious prize.

Green said the university is continuing to investigate Heimbach's activities but has little leverage over a former employee. Heimbach is an emeritus professor of medicine, an honorary title that carries no salary.

"We are still in conversations ... about whether there is anything more we can or should do relative to the title," Green said.

The university is considering rules that would bar employees from participating in "speakers bureaus" — groups of experts paid by drug companies or medical device manufacturers to tout their products. Several universities already have similar bans.

But it's not clear whether such a rule would have made a difference in Heimbach's case, Green said. Heimbach told the Chicago Tribune that Citizens for Fire Safety paid for his expenses and some of his time when he traveled to testify.

With few exceptions, university employees are free to engage in outside work, as long as they get approval, Green said. Professors and others are also encouraged to share their expertise. Research faculty are supposed to notify administrators of any conflicts of interest that might raise questions about the integrity of their results, such as owning a stake in a drug or accepting research funding from advocates.

Heimbach said his work on behalf of Citizens for Fire Safety was not in any way improper. "I was basically testifying ... for a nonprofit group, which is in the realm of my duties and goals," he said.

Heimbach continues to support the use of flame retardants. "I think the benefits outweigh the risks," he said.

Heimbach urged a Washington state Senate committee in January to vote down a bill that would have banned a flame retardant called chlorinated tris, and several other chemicals, from children's products. Tris is classified as a carcinogen, and one version of the chemical was phased out of use in children's pajamas in the 1970s.

"The safest children's product that I know of is one that doesn't catch on fire, and one that doesn't burn the child," Heimbach told the committee. He was joined in opposing the bill by the American Chemistry Council, the Washington Retail Association, the Toy Industry Association, the Association of Washington Business and the Grocery Manufacturers Association.

Among the ban's supporters were the Washington Fire Chiefs, who worry about firefighter exposure to toxic smoke. Also in support were the Washington chapter of the American Academy of Pediatrics and the Washington State Nursing Association. The bill died in committee.

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