

1	09:01:57:25	09:02:01:23	WE DON'T ALL START LIFE
2	09:02:01:25	09:02:03:23	ON AN EVEN PLAYING FIELD,
3	09:02:03:25	09:02:07:13	BUT THE RULES ARE THAT
			WE PLAY BY THE RULES
			OF HONESTY AND ETHICS.
4	09:02:07:15	09:02:09:08	BEFORE I TOOK THAT CASE,
5	09:02:09:10	09:02:12:08	I AGREED I WOULD
			DO ANYTHING ETHICAL
6	09:02:12:10	09:02:14:25	TO DEFEND THAT MAN.
7	09:02:14:27	09:02:17:01	I'LL DO MY BEST.
8	09:02:17:03	09:02:19:08	IS IT IMPERFECT?
			YOU BET.
9	09:02:19:10	09:02:21:23	IS IT AWFUL?
			WELL, MAYBE SO.
10	09:02:21:25	09:02:23:08	ISN'T THERE A POINT
11	09:02:23:10	09:02:25:23	WHERE ONE MAN
			HAS TO BE WILLING
12	09:02:25:25	09:02:28:28	TO STEP OUTSIDE
			THE SYSTEM AND SAY,
13	09:02:29:00	09:02:31:00	"I CANNOT DO THIS,
			IT'S WRONG"?
14	09:02:31:02	09:02:35:07	I THINK WE'RE AT THAT POINT,
			WHICH IS NICE, ETHICALLY,
15	09:02:35:09	09:02:38:22	WHERE WE DON'T HAVE
			THE RULES TO PROTECT US.
16	09:02:38:24	09:02:41:19	WE AGONIZE WITH OURSELVES
			AND OUR CONSCIENCE.
17	09:02:47:22	09:02:49:21	IN 1776,
18	09:02:49:23	09:02:52:22	THERE WAS A SMALLPOX EPIDEMIC
			IN ENGLAND,
19	09:02:52:24	09:02:54:21	AND THOUSANDS DIED.
20	09:02:54:23	09:02:56:06	DR. EDWARD JENNER SPECULATED
21	09:02:56:08	09:02:58:21	THAT BY EXPOSING PATIENTS
			TO COWPOX,
22	09:02:58:23	09:03:01:06	A MILD FORM OF THE DISEASE,
23	09:03:01:08	09:03:04:20	HE COULD PROTECT THEM
			FROM THE FATAL DISEASE SMALLPOX.
24	09:03:04:22	09:03:06:07	TO PROVE HIS THEORY,
25	09:03:06:09	09:03:08:07	DR. JENNER, A REAL PIONEER,
26	09:03:08:09	09:03:11:07	INOCULATED A HEALTHY
			8-YEAR-OLD BOY,
27	09:03:11:09	09:03:13:06	ONE JAMES PHIPPS,
			WITH COWPOX.
28	09:03:13:08	09:03:14:21	6 WEEKS LATER,
29	09:03:14:23	09:03:17:21	JENNER EXPOSED PHIPPS
			TO THE DEADLY SMALLPOX VIRUS.
30	09:03:17:23	09:03:19:21	THE BOY REMAINED HEALTHY.
31	09:03:19:23	09:03:22:22	JENNER HAD INDEED DISCOVERED
			THE VACCINE FOR SMALLPOX.
32	09:03:22:24	09:03:25:07	AND IN THE 200 YEARS SINCE,
33	09:03:25:09	09:03:28:06	MILLIONS AND MILLIONS
			OF LIVES HAVE BEEN SAVED.
34	09:03:28:08	09:03:32:04	OF COURSE, FIRST JENNER
			HAD TO MAKE A YOUNG BOY
35	09:03:32:06	09:03:35:19	SERVE AS GUINEA PIG
			FOR THE REST OF US.

36	09:03:35:21	09:03:37:18	THAT 8-YEAR-OLD BOY
37	09:03:37:20	09:03:40:18	MIGHT WELL HAVE DIED
			IN THE UNCONTROLLED EXPERIMENT
38	09:03:40:20	09:03:43:14	IF JENNER HAD GUESSED WRONG.
39	09:03:43:16	09:03:45:03	THE QUESTION IS,
40	09:03:45:05	09:03:49:19	IS IT ETHICAL TO RISK THE LIFE
			OF ONE PATIENT TODAY
41	09:03:49:21	09:03:52:19	IN ORDER TO SAVE
			OTHER PATIENTS TOMORROW?
42	09:03:52:21	09:03:56:04	MODERN MEDICAL RESEARCHERS
			HAVE TRIED TO SET UP GUIDELINES
43	09:03:56:06	09:03:58:05	TO HELP ANSWER THAT QUESTION.
44	09:03:58:07	09:04:00:05	SOMETIMES
			THE GUIDELINES FALL SHORT.
45	09:04:00:07	09:04:04:04	RESEARCHERS USE TECHNICAL TERMS
			YOU AND I NEED TO KNOW.
46	09:04:04:06	09:04:07:19	A PROTOCOL IS SIMPLY
			THE PLAN FOR AN EXPERIMENT.
47	09:04:07:21	09:04:09:19	A PLACEBO--
48	09:04:09:21	09:04:12:18	A WORD YOU'LL HEAR
			OVER AND OVER AGAIN--
49	09:04:12:20	09:04:15:20	IS A SUGAR PILL,
			A HARMLESS SUBSTANCE
50	09:04:15:22	09:04:18:20	SOMETIMES GIVEN TO PATIENTS
			IN AN EXPERIMENT
51	09:04:18:22	09:04:21:19	INSTEAD OF THE REAL MEDICINE
			BEING TESTED.
52	09:04:21:21	09:04:24:04	THAT WAY,
			RESEARCHERS CAN TELL BETTER
53	09:04:24:06	09:04:27:19	WHETHER OR NOT THE EXPERIMENTAL
			MEDICINE IS WORKING.
54	09:04:27:21	09:04:32:01	THIS PROGRAM COULD BE ABOUT
			THE QUEST TO CURE ANY DISEASE--
55	09:04:32:03	09:04:34:02	CANCER, ALZHEIMER'S...
56	09:04:34:04	09:04:36:25	OUR METAPHOR IS AIDS.
57	09:04:36:27	09:04:40:17	OUR MODERATOR
			IS LEWIS KADEN.
58	09:04:40:19	09:04:42:02	DR. KOOP,
59	09:04:42:04	09:04:45:02	I AM ONE
			OF YOUR PATIENTS,
			BILL PARKER.
60	09:04:45:04	09:04:46:16	A SHORT TIME AGO,
			I NOTICED
61	09:04:46:18	09:04:50:01	A RED MARK
			ON MY THIGH.
62	09:04:50:03	09:04:52:25	I CAME TO YOU.
			YOU HAD IT TESTED.
63	09:04:52:27	09:04:56:20	YOU TELL ME
			IT'S KAPOSÍ'S SARCOMA.
64	09:04:56:22	09:04:59:28	WE BEGAN TO TALK
			ABOUT MY OTHER SYMPTOMS,
65	09:05:00:02	09:05:02:17	MY LIFESTYLE,
			HOW I WAS FEELING,
66	09:05:02:19	09:05:05:28	AND YOU SUGGESTED
			A TEST FOR AIDS
67	09:05:06:00	09:05:08:03	MIGHT BE A GOOD IDEA.

68	09:05:08:05	09:05:10:03	IT DIDN'T SURPRISE ME
69	09:05:10:05	09:05:11:17	THAT THEY
			WERE POSITIVE.
70	09:05:11:19	09:05:12:29	I HAVE AIDS.
71	09:05:13:01	09:05:15:15	IT TURNS OUT
			THAT THIS IS
72	09:05:15:17	09:05:18:24	A NEW AND POWERFUL
			STRAIN OF AIDS,
73	09:05:18:26	09:05:21:02	NOT RESPONDING
			TO ANY TREATMENT--
74	09:05:21:04	09:05:23:07	AZT OR ANYTHING ELSE.
75	09:05:23:09	09:05:25:07	AM I GOING TO DIE?
76	09:05:25:09	09:05:28:16	AS FAR AS WE KNOW,
			YOU'RE GOING TO DIE.
77	09:05:28:18	09:05:30:01	EVERYBODY'S GOING TO DIE.
78	09:05:30:03	09:05:33:00	I THINK YOU'LL DIE
			SOONER THAN SOME.
79	09:05:33:02	09:05:35:15	YOU DO HAVE THIS NEW HIV4.
80	09:05:35:17	09:05:39:14	WE DON'T KNOW AS MUCH
			ABOUT IT AS THE OTHERS.
81	09:05:39:16	09:05:41:00	IT IS VERY VIRULENT.
82	09:05:41:02	09:05:44:05	WE CAN ONLY TREAT YOU
			SYMPTOMATICALLY.
83	09:05:44:07	09:05:46:19	SUPPOSE IT TURNS OUT
			THAT DR. DeVITA
84	09:05:46:21	09:05:49:00	OVER AT THE NATIONAL
			DISEASE INSTITUTE
85	09:05:49:02	09:05:51:09	HAS JUST
			STARTED A TEST
86	09:05:51:11	09:05:55:05	OF A NEW THERAPY,
			A NEW DRUG.
87	09:05:55:07	09:05:57:00	IT'S CALLED H.O.P.E.
88	09:05:57:02	09:05:59:14	WILL YOU CALL
			DR. DeVITA?
89	09:05:59:16	09:06:00:26	YES.
90	09:06:00:28	09:06:04:02	I'VE GOT A PATIENT,
			HE'S GOT KAPOSIS.
91	09:06:04:04	09:06:06:00	HE'S ANTIBODY
			POSITIVE FOR HIV4.
92	09:06:06:02	09:06:08:15	I KNOW YOU'RE TRYING
			THIS H-O-P-E.
93	09:06:08:17	09:06:12:09	DO YOU THINK
			HE FITS THE PROTOCOL?
94	09:06:12:11	09:06:15:00	IF THE PATIENT
			FIT THE PROTOCOL
95	09:06:15:02	09:06:17:01	AND WANTED TO JOIN,
96	09:06:17:03	09:06:21:06	WE WOULD ALLOW THE PATIENT
			TO COME ON STUDY.
97	09:06:21:08	09:06:24:00	DR. DeVITA,
			YOU AGREE TO SEE ME.
98	09:06:24:02	09:06:26:21	WHAT DO YOU
			WANT TO KNOW?
99	09:06:26:23	09:06:30:03	I HAVE TO EXPLAIN
			WHAT THE EXPERIMENT'S ALL ABOUT.
100	09:06:30:05	09:06:32:26	FOR EXAMPLE,
			DID YOU UNDERSTAND

101	09:06:32:28	09:06:36:14	YOU MAY BE THE FIRST PATIENT
			GOING ON THIS DRUG?
102	09:06:36:16	09:06:40:13	DO YOU UNDERSTAND WE DON'T KNOW
			THE EFFECT OF THIS DRUG?
103	09:06:40:15	09:06:42:29	YOU'VE PICKED MOST
			OF THE SUBJECTS.
104	09:06:43:01	09:06:45:28	WHAT DO YOU NEED
			TO KNOW ABOUT ME?
105	09:06:46:00	09:06:48:18	YOU ONLY HAVE
			A SPOT OR TWO LEFT.
106	09:06:48:20	09:06:51:12	I'D NEED TO KNOW
			ABOUT YOUR PHYSICAL ILLNESS
107	09:06:51:14	09:06:54:14	IN TERMS OF YOUR ELIGIBILITY
			FOR THE PROTOCOL--
108	09:06:54:16	09:06:55:28	I FIT
			THE PROTOCOL.
109	09:06:56:00	09:06:59:28	AND YOUR UNDERSTANDING
			OF THE PROTOCOL.
110	09:07:00:00	09:07:02:10	WELL, NOW,
			LET'S SUPPOSE
111	09:07:02:12	09:07:03:28	THAT PAUL DUNCAN,
112	09:07:04:00	09:07:06:13	WHO'S EAGER
			TO GET INTO THIS--
113	09:07:06:15	09:07:10:17	INTO THIS TEST,
			MR. CALIFANO,
114	09:07:10:19	09:07:13:10	WAS A MESSENGER
			IN YOUR OFFICE
115	09:07:13:12	09:07:16:14	IN THE GOVERNMENT
			YEARS AGO.
116	09:07:16:16	09:07:17:27	YOU LIKED HIM THEN.
117	09:07:17:29	09:07:19:26	YOU HAPPEN
			TO KNOW HIM.
118	09:07:19:28	09:07:21:28	HE COMES TO SEE YOU.
119	09:07:22:00	09:07:24:09	AND HE SAYS,
			"MY LUCK'S GONE BAD."
120	09:07:24:11	09:07:27:14	OUT OF WORK,
			OUT OF MONEY, HAS AIDS,
121	09:07:27:16	09:07:29:27	TRYING TO GET
			INTO THIS TEST.
122	09:07:29:29	09:07:31:12	WILL YOU HELP ME?
123	09:07:31:14	09:07:32:13	SURE.
124	09:07:32:15	09:07:35:11	WILL YOU CALL UP
			DR. DeVITA FOR ME?
125	09:07:35:13	09:07:38:11	CALL UP PROBABLY
			DR. DeVITA.
126	09:07:38:13	09:07:41:11	I'D CALL UP
			THE SECRETARY OF HHS.
127	09:07:41:13	09:07:42:25	I'D CALL UP SOMEBODY.
128	09:07:42:27	09:07:45:12	YOU USED TO BE
			THE SECRETARY.
129	09:07:45:14	09:07:48:11	I RECEIVED MANY CALLS
			FROM SENATORS OR CONGRESSMEN
130	09:07:48:13	09:07:50:11	TO GET PEOPLE INTO PROGRAMS.
131	09:07:50:13	09:07:52:20	WOULD YOU CALL
			THE PROGRAM DIRECTOR?
132	09:07:52:22	09:07:53:21	YES.

133	09:07:53:23	09:07:55:25	GO AHEAD.
134	09:07:55:27	09:07:57:26	WELL, I'D SAY,
			"DR. DeVITA,
135	09:07:57:28	09:07:59:28	"SENATOR X HAS CALLED ME.
136	09:08:00:01	09:08:03:12	"AND HE'S GOT
			A, UH...NEPHEW
137	09:08:03:14	09:08:05:26	"THAT'S, UH...
			GOT AIDS.
138	09:08:05:28	09:08:07:29	"GOT A PROBLEM.
139	09:08:08:01	09:08:10:26	"AND HE WOULD LIKE
			TO GET HIS NEPHEW
140	09:08:10:28	09:08:13:16	INTO YOUR PROTOCOL--
			INTO YOUR PROGRAM."
141	09:08:13:18	09:08:14:26	WHAT'S YOUR REACTION?
142	09:08:14:28	09:08:16:12	FINE.
143	09:08:16:14	09:08:19:23	WE DON'T DISCRIMINATE
			AGAINST PEOPLE WITH INFLUENCE.
144	09:08:19:25	09:08:22:11	IF THERE IS
			AN ELIGIBLE PATIENT,
145	09:08:22:13	09:08:23:26	WE'LL TAKE THE PATIENT.
146	09:08:23:28	09:08:26:25	BUT EVEN THOUGH
			YOUR PROGRAM IS FULL,
147	09:08:26:27	09:08:30:28	I'D LIKE YOU TO MAKE
			AN EXTRA SLOT FOR HIM.
148	09:08:31:00	09:08:33:24	WE MIGHT TAKE AN EXTRA CASE
			UNDER THOSE CIRCUMSTANCES.
149	09:08:33:26	09:08:37:01	YOU MIGHT TAKE
			AN EXTRA CASE
			IF HE CALLED?
150	09:08:37:03	09:08:40:03	DOES IT MATTER TO YOU
			THAT THE SECRETARY'S CALLING?
151	09:08:40:05	09:08:42:24	IT WOULD DEPEND ON WHETHER
			H.O.P.E. HAD ANOTHER DRUG--
152	09:08:42:26	09:08:45:15	SON OF H.O.P.E.,
			BEING STUDIED SIMULTANEOUSLY.
153	09:08:45:17	09:08:51:24	IF WE DIDN'T HAVE A PROTOCOL,
			WE MIGHT GO LONGER ON THIS ONE.
154	09:08:51:26	09:08:55:24	WE NORMALLY DON'T TAKE A CASE
			NOT ELIGIBLE FOR PROTOCOL
155	09:08:55:26	09:08:57:21	EVEN IF JOE CALIFANO CALLED.
156	09:08:57:23	09:09:00:09	IT'S THE NEPHEW
			OF THE CHAIRMAN
157	09:09:00:11	09:09:02:11	OF THE APPROPRIATIONS
			SUBCOMMITTEE.
158	09:09:02:13	09:09:06:23	IF MR. CALIFANO
			IS STILL SECRETARY CALIFANO,
159	09:09:06:25	09:09:08:25	IT WOULD MAKE A DIFFERENCE.
160	09:09:08:27	09:09:12:17	IT DOESN'T HAPPEN OFTEN,
			BUT IT WOULD MAKE A DIFFERENCE.
161	09:09:12:19	09:09:17:02	MR. CALIFANO, NO QUESTION--
			YOU'D MAKE THAT CALL FOR PAUL?
162	09:09:17:04	09:09:19:09	NO QUESTION,
			I'D MAKE THAT CALL.
163	09:09:19:11	09:09:21:09	JUSTICE SCALIA,
164	09:09:21:11	09:09:24:16	WOULD YOU MAKE THE CALL
			FOR THE NEPHEW?

165	09:09:24:18	09:09:26:08	SURE.
166	09:09:26:10	09:09:28:06	NO QUESTION?
167	09:09:28:08	09:09:29:26	NO QUESTION.
168	09:09:29:28	09:09:31:23	MISS GOODMAN,
169	09:09:31:25	09:09:33:22	SUPPOSE YOU'RE THE EDITOR
170	09:09:33:24	09:09:35:29	OF THE LOCAL PAPER.
171	09:09:36:01	09:09:38:07	WOULD YOU MAKE THE CALL?
172	09:09:38:09	09:09:40:06	I PROBABLY WOULD, UNCOMFORTABLY.
173	09:09:40:08	09:09:42:06	WHY UNCOMFORTABLY?
174	09:09:42:08	09:09:45:06	BECAUSE YOU KNOW THAT YOU'RE JUMPING AHEAD,
175	09:09:45:08	09:09:48:08	OR YOU'RE TRYING TO USE YOUR OWN INFLUENCE.
176	09:09:48:10	09:09:51:07	YOU KNOW THERE MIGHT BE SOME CHITS
177	09:09:51:09	09:09:55:15	THAT ARE OUT WHEN YOU DO THAT.
178	09:09:55:17	09:09:59:25	BUT THE PRIMACY OF THE SICK NEPHEW
179	09:09:59:27	09:10:01:23	WOULD TAKE PRECEDENCE,
180	09:10:01:25	09:10:06:07	EVEN THOUGH I'D BE UNCOMFORTABLE WITH IT.
181	09:10:06:09	09:10:09:06	AND THE DEGREE OF COMFORT
182	09:10:09:08	09:10:12:18	MIGHT DEPEND ON THE NATURE OF THE RELATIONSHIP?
183	09:10:12:20	09:10:15:07	IT WOULD DEPEND ON-- IT WOULD.
184	09:10:15:09	09:10:18:08	IN HOW YOU FEEL ABOUT IT, IT WOULD.
185	09:10:18:10	09:10:21:07	MOVING ALONG THE CONTINUUM
186	09:10:21:09	09:10:25:06	FROM A READER TO A NEPHEW,
187	09:10:25:08	09:10:26:22	I'D BE MUCH MORE--
188	09:10:26:24	09:10:29:19	I'D MAKE THE CALL FOR THE NEPHEW,
189	09:10:29:21	09:10:33:20	AND I WOULDN'T MAKE THE CALL FOR THE READER DIRECTLY.
190	09:10:33:22	09:10:36:20	ALTHOUGH I MIGHT ASSIGN ONE OF MY REPORTERS
191	09:10:36:22	09:10:40:21	TO DO A STORY ABOUT THIS PERSON IN THE COMMUNITY
192	09:10:40:23	09:10:44:27	WHO NEEDS TO BE A PART OF THE PROTOCOL.
193	09:10:44:29	09:10:47:20	DR. OLDHAM, IF YOU WERE THE DIRECTOR,
194	09:10:47:22	09:10:49:23	WOULD IT MATTER WHO CALLS YOU?
195	09:10:49:25	09:10:53:15	AT THE NATIONAL DISEASE CENTER OR INSTITUTE,

196	09:10:53:17	09:10:55:04	POLITICAL INFLUENCE PLAYS A ROLE
197	09:10:55:06	09:10:58:00	IN ENTERING PATIENTS ON PROTOCOL.
198	09:10:58:02	09:11:00:20	WHAT ARE THE NUMBER OF CALLS?
199	09:11:00:22	09:11:03:25	WHEN I WAS THERE, THEY WERE FREQUENT.
200	09:11:03:27	09:11:06:17	THEY'RE REAL, THEY HAVE INFLUENCE,
201	09:11:06:19	09:11:09:21	IN THE POLITICAL SYSTEM OF RESEARCH IN THIS COUNTRY.
202	09:11:09:23	09:11:11:10	JUSTICE SCALIA?
203	09:11:11:12	09:11:14:05	I THINK A QUALIFICATION HAS TO BE MADE.
204	09:11:14:07	09:11:17:05	MAYBE MY RESPONSE TO YOUR QUESTION EARLIER
205	09:11:17:07	09:11:19:19	WAS TOO QUICK AND TOO UNQUALIFIED.
206	09:11:19:21	09:11:21:19	I'M ASSUMING THAT THE INSTITUTE
207	09:11:21:21	09:11:23:20	DOES NOT HAVE A CASE
208	09:11:23:22	09:11:25:21	CURRENTLY PENDING BEFORE MY COURT.
209	09:11:25:23	09:11:29:06	I DON'T THINK I WOULD EVEN CALL
210	09:11:29:08	09:11:31:05	ON BEHALF OF MY NEPHEW
211	09:11:31:07	09:11:34:04	IF THERE WERE ANY POSSIBILITY OF AN APPEARANCE
212	09:11:34:06	09:11:36:28	THAT THE QUID PRO QUO
213	09:11:37:00	09:11:39:04	FOR THE INSTITUTE TAKING MY NEPHEW
214	09:11:39:06	09:11:41:20	IS MY BEING MORE FAVORABLY DISPOSED
215	09:11:41:22	09:11:43:25	TO THE DISPOSITION OF THAT CASE.
216	09:11:43:27	09:11:46:02	I CAN GET THROUGH TO THE DIRECTOR
217	09:11:46:04	09:11:48:20	BECAUSE HE'S HEARD OF MY NAME
218	09:11:48:22	09:11:51:05	OR HEARD OF THE SUPREME COURT,
219	09:11:51:07	09:11:52:20	WITH NO IMPLICATION THAT,
220	09:11:52:22	09:11:57:09	"YOU DO THIS FOR ME, AND I'LL DO SOMETHING FOR YOU."
221	09:11:57:11	09:11:59:20	SUPPOSE INSTEAD OF BEING A JUSTICE,
222	09:11:59:22	09:12:01:05	YOU'RE THE SENATOR
223	09:12:01:07	09:12:03:14	AND CHAIRMAN OF THE APPROPRIATIONS COMMITTEE.
224	09:12:03:16	09:12:05:05	THERE'S NO QUESTION,
225	09:12:05:07	09:12:08:12	YOU'VE GOT A LOT OF CONTROL

OVER THAT BUDGET.

226 09:12:08:14 09:12:10:05 I SUPPOSE I WOULD.  
227 09:12:10:07 09:12:14:04 I DON'T THINK THERE ARE  
THE SAME BARRIERS BETWEEN--  
228 09:12:14:06 09:12:16:06 SENATOR AND JUSTICE?  
229 09:12:16:08 09:12:18:20 WELL, POLITICS IS,  
TO SOME EXTENT,  
230 09:12:18:22 09:12:21:04 THE TRADING OFF OF FAVORS.  
231 09:12:21:06 09:12:23:05 JUSTICE ISN'T.  
232 09:12:23:07 09:12:24:27 MR. CALIFANO?  
233 09:12:24:29 09:12:26:05 IT'S MORE THAN POLITICS.  
234 09:12:26:07 09:12:28:29 WE SHOULDN'T SPIT OUT  
THE WORD POLITICS  
235 09:12:29:01 09:12:31:10 AS THOUGH  
IT'S A DIRTY WORD.  
236 09:12:31:12 09:12:33:17 PART OF LIVING  
IN THIS WORLD  
237 09:12:33:19 09:12:35:04 AND MOVING FORWARD  
238 09:12:35:06 09:12:37:19 IS WHEN SOMEBODY  
LIKE THE CHAIRMAN  
239 09:12:37:21 09:12:40:03 CALLS TO TAKE  
CARE OF HIM.  
240 09:12:40:05 09:12:43:11 OR THE SENATOR  
OR THE CONGRESSMAN.  
241 09:12:43:13 09:12:45:18 FATHER HEHIR,  
IS IT ETHICAL,  
242 09:12:45:20 09:12:48:01 THAT MY CHANCES  
OF GETTING IN  
243 09:12:48:03 09:12:51:04 MAY DEPEND ON WHETHER  
I'M MR. CALIFANO'S NEPHEW  
244 09:12:51:06 09:12:53:04 OR JUSTICE SCALIA'S NEIGHBOR?  
245 09:12:53:06 09:12:57:02 I THINK THE COMMITMENT  
OF THE LEGAL SYSTEM TO FAIRNESS  
246 09:12:57:04 09:12:59:12 OUGHT TO BE THE PRESUMPTION.  
247 09:12:59:14 09:13:02:07 IN A SENSE,  
I'D BE LIKE  
MISS GOODMAN.  
248 09:13:02:09 09:13:05:03 I'D BE SOMEWHAT HESITANT  
ABOUT THE CALL.  
249 09:13:05:05 09:13:08:04 I'D MAKE THE CALL  
FOR A RELATIVE.  
250 09:13:08:06 09:13:11:00 AFTER I'VE MADE THE CALL,  
THE NEXT STEP COMES.  
251 09:13:11:02 09:13:13:20 THEN THE QUESTION BECOMES,  
252 09:13:13:22 09:13:18:02 HOW MUCH LEVERAGE DO YOU WANT  
TO EXERCISE BEYOND THE CALL?  
253 09:13:18:04 09:13:21:02 THAT CAN GET  
A LITTLE BIT STICKIER.

254 09:13:21:04 09:13:22:19 THE CHAIRMAN CAN CALL.  
255 09:13:22:21 09:13:25:18 IF THE ANSWER COMES BACK,  
"THE PROGRAM'S FILLED,"  
256 09:13:25:20 09:13:28:17 HE SAYS, "IT DAMN WELL  
BETTER BE OPEN,"  
257 09:13:28:19 09:13:31:02 THAT'S A DIFFERENT  
KIND OF LEVERAGE.



258 09:13:31:04 09:13:35:01 DR. DeVITA,  
LET'S GO BACK  
TO BILL PARKER.

259 09:13:35:03 09:13:38:00 IF I GO INTO  
THIS TEST WITH YOU,

260 09:13:38:02 09:13:41:17 ARE YOU GOING TO TRY  
TO MAKE ME BETTER?

261 09:13:41:19 09:13:47:16 YES. WE WOULDN'T HAVE TAKEN  
THIS DRUG AS FAR AS WE HAVE

262 09:13:47:18 09:13:50:01 IF WE DIDN'T HAVE  
SOME EXPECTATION

263 09:13:50:03 09:13:52:29 THAT IT WOULD BE HELPFUL.

264 09:13:53:01 09:13:57:00 YOU'VE EXPLAINED TO ME  
THAT OUT OF THESE 200 PEOPLE,

265 09:13:57:02 09:13:59:15 100 ARE GOING TO GET H.O.P.E.,

266 09:13:59:17 09:14:03:24 AND 100 ARE GOING TO GET  
A PLACEBO.

267 09:14:03:26 09:14:06:01 NOTHING.

268 09:14:06:03 09:14:09:16 NOW, I'M NOT QUITE  
SURE I UNDERSTAND.

269 09:14:09:18 09:14:11:20 IF I TAKE  
THAT CHANCE,

270 09:14:11:22 09:14:14:01 HOW'S THAT GOING  
TO HELP ME?

271 09:14:14:03 09:14:17:02 I ASSUME I'M CONFINED  
TO THAT PARTICULAR PROTOCOL.

272 09:14:17:04 09:14:18:17 THAT'S RIGHT.

273 09:14:18:19 09:14:21:01 THE ONLY WAY TO DEFEND THAT

274 09:14:21:03 09:14:24:00 IS THAT WE DON'T HAVE  
ANY UNDERSTANDING

275 09:14:24:02 09:14:27:28 OF WHETHER THIS DRUG  
WILL DO MORE GOOD THAN HARM.

276 09:14:28:00 09:14:29:14 IT'S A RANDOMIZED TRIAL.

277 09:14:29:16 09:14:32:14 WE HAVE EXPECTATIONS  
IT MIGHT BE USEFUL,

278 09:14:32:16 09:14:35:00 BUT IT MIGHT NOT BE USEFUL.

279 09:14:35:02 09:14:36:29 WE HAVE  
NO STANDARD THERAPY.

280 09:14:37:01 09:14:40:14 A PLACEBO IS A WAY  
OF KEEPING IT UNDERCOVER

281 09:14:40:16 09:14:44:07 AS TO WHETHER OR NOT  
YOU'RE GETTING THE ACTIVE DRUG.

282 09:14:44:09 09:14:47:29 I HAVE SOME DOUBTS  
ABOUT DOING  
A RANDOMIZED TRIAL

283 09:14:48:01 09:14:49:20 IN THIS KIND  
OF SITUATION.

284 09:14:49:22 09:14:52:15 COULD YOU SAY  
YOU WILL HELP ME?

285 09:14:52:17 09:14:55:14 I WOULD SAY THIS IS  
THE BEST WE CAN DO.

286 09:14:55:16 09:14:57:29 IF H.O.P.E. WORKS,  
WE USE THAT INFORMATION

287 09:14:58:01 09:15:00:28 TO TREAT THE PEOPLE  
ON THE OTHER ARM.

288 09:15:01:00 09:15:02:13 I MIGHT BE DEAD!

289 09:15:02:15 09:15:03:15 YES.  
 290 09:15:03:17 09:15:06:14 IS THAT THE BEST  
 THAT CAN BE DONE?  
 291 09:15:06:16 09:15:09:12 IT HAS TO BE MADE  
 CLEAR TO THE PATIENT  
 292 09:15:09:14 09:15:12:14 THAT THERE'S  
 A LARGE NUMBER OF DRUGS  
 293 09:15:12:16 09:15:14:29 INTRODUCED EVERY YEAR  
 FOR SERIOUS DISEASES.  
 294 09:15:15:01 09:15:16:29 VERY FEW OF THEM SURVIVE.  
 295 09:15:17:01 09:15:18:29 THEY MAKE THE PATIENTS WORSE,  
 OR THEY'RE INEFFECTIVE.  
 296 09:15:19:01 09:15:25:03 THE PATIENT GETTING THE PLACEBO  
 IS LIKELY TO BE THE LUCKY ONE.  
 297 09:15:25:05 09:15:28:13 DO WE HAVE A CHANCE  
 TO OBJECT TO THIS?  
 298 09:15:28:15 09:15:30:13 IN THE HYPOTHETICAL  
 SITUATION ESTABLISHED,  
 299 09:15:30:15 09:15:31:27 IT WOULDN'T PROBABLY OCCUR.  
 300 09:15:31:29 09:15:34:26 WE WOULD NOT DO  
 A RANDOMIZED CONTROL TRIAL  
 301 09:15:34:28 09:15:37:06 AS THE FIRST STEP FOR H.O.P.E.  
 302 09:15:37:08 09:15:38:25 I THINK YOU'RE WRONG.  
 303 09:15:38:27 09:15:40:12 I THINK YOU'RE WRONG.  
 304 09:15:40:14 09:15:42:11 MOST PATIENTS  
 ARE NOT HARMED.  
 305 09:15:42:13 09:15:45:13 MANY ARE NOT BENEFITED  
 BY THE NEW DRUG,  
 306 09:15:45:15 09:15:50:12 OR AT LEAST IT TURNS OUT TO BE  
 SUPERSEDED BY ANOTHER DRUG.  
 307 09:15:50:14 09:15:54:11 I DON'T THINK WE SHOULD  
 RANDOMIZE TO A NEW DRUG.  
 308 09:15:54:13 09:15:56:18 MY CONCERN IS,  
 DR. YOUNG,  
 309 09:15:56:20 09:16:03:23 IF THIS IS A RANDOM  
 50% PLACEBO/50% H.O.P.E. TEST,  
 310 09:16:03:25 09:16:06:12 WHAT'S THE ETHICS  
 OF THAT SITUATION?  
 311 09:16:06:14 09:16:09:16 THE NAIL THAT TOM  
 HIT ON THE HEAD  
 312 09:16:09:18 09:16:13:27 WAS WHEN WE LOOK AT ALL  
 THE DRUGS COMING THROUGH,  
 313 09:16:13:29 09:16:15:28 THE CLINICAL INVESTIGATION--  
 73% FAIL.  
 314 09:16:16:00 09:16:18:27 OVER 1/3 FAIL  
 BECAUSE THEY'RE NOT SAFE.  
 315 09:16:18:29 09:16:21:12 SO I WOULD TELL BILL THIS.  
 316 09:16:21:14 09:16:23:27 "I'M GOING TO BE  
 YOUR ADVOCATE.  
 317 09:16:23:29 09:16:26:12 "I WANT TO BE  
 YOUR PHYSICIAN  
 318 09:16:26:14 09:16:29:10 "WHEN YOU COME IN  
 TO THIS TRIAL.  
 319 09:16:29:12 09:16:33:10 "I DON'T KNOW WHETHER  
 YOU'LL BE ON THE DRUG ITSELF,  
 320 09:16:33:12 09:16:35:29 BUT YOU'LL GET

THE BEST MEDICAL CARE."

321 09:16:36:01 09:16:37:11 JUSTICE SCALIA?  
322 09:16:37:13 09:16:41:01 I CAN'T--I JUST  
CAN'T BELIEVE THIS.

323 09:16:41:03 09:16:42:25 WHAT PERCENTAGE  
OF PLACEBOS FAIL?

324 09:16:42:27 09:16:46:01 IF 75%  
OF EVERYTHING ELSE FAILS,

325 09:16:46:03 09:16:48:24 AND 100% OF PLACEBOS FAIL,  
326 09:16:48:26 09:16:50:25 I WANT THE 75.  
327 09:16:50:27 09:16:53:11 I THINK IT'S  
ABSOLUTELY UNREAL

328 09:16:53:13 09:16:54:26 TO TELL THIS PATIENT,  
329 09:16:54:28 09:16:57:25 "WE DON'T KNOW  
THIS THING IS VERY--"

330 09:16:57:27 09:17:01:10 OF COURSE, YOU SUSPECT  
IT'S MORE USEFUL THAN ASPIRIN,

331 09:17:01:12 09:17:04:14 OR YOU'D BE GIVING EVERYONE  
ASPIRIN AND PLACEBOS.

332 09:17:04:16 09:17:08:11 IT ISN'T REAL TO SAY  
YOU WON'T HAVE A BETTER CHANCE

333 09:17:08:13 09:17:10:26 IF YOU GET THIS NEW DRUG.  
334 09:17:10:28 09:17:12:25 THE IMPORTANT THING  
TO UNDERSTAND--

335 09:17:12:27 09:17:15:25 OVER 1/3 OF THESE  
ARE SAFETY PROBLEMS.

336 09:17:15:27 09:17:18:24 THOSE PEOPLE MAY HAVE  
ACCELERATION OF DEATH.

337 09:17:18:26 09:17:21:25 TOMORROW THERE MIGHT  
BE SON OF H.O.P.E.

338 09:17:21:27 09:17:23:11 THAT ACCELERATION  
OF DEATH

339 09:17:23:13 09:17:27:27 COULD REALLY BE  
A MAJOR PROBLEM.

340 09:17:27:29 09:17:29:24 PROFESSOR CADRON.  
341 09:17:29:26 09:17:32:20 I'M HAPPY  
TO SEE THE PHYSICIANS

342 09:17:32:22 09:17:35:22 INSISTING TO BILL  
THAT THERE IS A REASON

343 09:17:35:24 09:17:37:08 FOR DOING THE PLACEBO.  
344 09:17:37:10 09:17:40:05 I HAVEN'T HEARD ANYBODY  
ACKNOWLEDGE CONFLICT OF ROLES.

345 09:17:40:07 09:17:43:07 WE'RE USING THE PLACEBO  
TO GAIN KNOWLEDGE.

346 09:17:43:09 09:17:47:01 AND THE RESEARCHER  
IS WEARING BOTH OF THOSE HATS.

347 09:17:47:03 09:17:51:23 AND I HAVEN'T REALLY HEARD  
THAT ACKNOWLEDGED HERE YET.

348 09:17:51:25 09:17:54:13 DR. RELMAN?  
349 09:17:54:15 09:17:57:07 DR. DeVITA POINTED OUT  
SOMETHING VERY IMPORTANT.

350 09:17:57:09 09:18:02:19 A RANDOMIZED CONTROL TRIAL  
WITH PLACEBO AS ONE ARM

351 09:18:02:21 09:18:05:23 IS NOT JUSTIFIED  
FOR A DEADLY DISEASE

352 09:18:05:25 09:18:08:23 IF YOU'RE SURE

353 09:18:08:25 YOU COULD TELL THE EFFECT  
 09:18:15:03 OF A NEW DRUG  
 WITHOUT A PLACEBO.  
 354 09:18:15:05 09:18:18:24 IF YOU HAD A DISEASE  
 THAT WAS RAPIDLY FATAL,  
 355 09:18:18:26 09:18:21:16 AND YOU KNEW  
 THAT ANY CHANGE  
 356 09:18:21:18 09:18:26:07 IN THAT RAPIDLY FATAL COURSE  
 WOULD BE AN EFFECT OF THE DRUG,  
 357 09:18:26:09 09:18:28:04 DR. DeVITA  
 AND HIS COLLEAGUES  
 358 09:18:28:06 09:18:29:21 PROBABLY WOULD  
 NOT SUGGEST--  
 359 09:18:29:23 09:18:31:05 THEY SHOULD  
 GIVE EVERYBODY--  
 360 09:18:31:07 09:18:36:07 IF BEFORE, 95% OR 100% DIED  
 IN A MONTH OR TWO MONTHS,  
 361 09:18:36:09 09:18:40:07 AND NOW, WITHOUT A PLACEBO,  
 20% DIED OR 40% DIED,  
 362 09:18:40:09 09:18:42:06 IT WOULD BE VERY CLEAR.  
 363 09:18:42:08 09:18:45:06 I DON'T THINK  
 IT WOULD BE ETHICAL  
 364 09:18:45:08 09:18:48:05 IF THEY FELT THEY COULD  
 FIND THEIR ANSWER  
 365 09:18:48:07 09:18:49:21 WITHOUT A PLACEBO.  
 366 09:18:49:23 09:18:52:12 SUPPOSE INSTEAD  
 OF THE PLACEBO  
 367 09:18:52:14 09:18:55:07 THEY HAVE DESIGNED  
 THE PROTOCOL TO USE AZT--  
 368 09:18:55:09 09:18:58:07 TO USE AN EXISTING DRUG  
 THAT HAS SOME BENEFIT.  
 369 09:18:58:09 09:19:01:05 NOT CLEAR HOW MUCH  
 ON THIS STRAIN.  
 370 09:19:01:07 09:19:03:19 HALF THE PEOPLE GET AZT,  
 371 09:19:03:21 09:19:05:17 HALF THE PEOPLE  
 GET H.O.P.E.  
 372 09:19:05:19 09:19:07:02 WELL,  
 I THINK THAT'S--  
 373 09:19:07:04 09:19:08:11 IS THE CONFLICT  
 CHANGED?  
 374 09:19:08:13 09:19:10:07 IF THERE'S REASON TO BELIEVE  
 375 09:19:10:09 09:19:13:06 THAT AZT WOULD BE HELPFUL  
 AGAINST HIV4--  
 376 09:19:13:08 09:19:14:21 SOME HELP.  
 SOME HELP.  
 377 09:19:14:23 09:19:17:28 IT'S NOT CLEAR  
 HOW MUCH.  
 378 09:19:18:00 09:19:20:21 WHY IS THAT DIFFERENT  
 THAN THE PLACEBO?  
 379 09:19:20:23 09:19:23:10 BECAUSE THE PLACEBO  
 DOESN'T KILL YOU,  
 380 09:19:23:12 09:19:25:05 AND THE NEW DRUG MIGHT.  
 381 09:19:25:07 09:19:26:22 THAT'S A BIG DIFFERENCE.  
 382 09:19:26:24 09:19:30:03 WE HAVEN'T TESTED  
 THIS NEW DRUG IN HUMANS YET.  
 383 09:19:30:05 09:19:32:20 THEIR LIVERS

MAY ALL TURN YELLOW.  
 384 09:19:32:22 09:19:35:00 THEY MAY DIE OR GO BLIND.  
 385 09:19:35:02 09:19:37:04 THEIR KIDNEYS  
 MAY STOP FUNCTIONING.  
 386 09:19:37:06 09:19:39:12 SOMETHING YOU CAN'T  
 TELL FROM A TEST TUBE,  
 387 09:19:39:14 09:19:42:04 AND YOU CAN'T ALWAYS TELL  
 FROM ANIMAL EXPERIMENTATION.  
 388 09:19:42:06 09:19:43:29 IT'S A REAL RISK.  
 389 09:19:44:01 09:19:46:18 DR. DeVITA,  
 LET'S GO BACK  
 TO OUR INTERVIEW.  
 390 09:19:46:20 09:19:49:19 I MUST AGREE TO GO  
 INTO THIS PROGRAM?  
 391 09:19:49:21 09:19:51:04 YES.  
 392 09:19:51:06 09:19:53:02 YOU TELL ME  
 THE CHOICES  
 393 09:19:53:04 09:19:54:19 AND THE RISKS.  
 394 09:19:54:21 09:19:57:09 AND AS YOU  
 TELL ME THAT,  
 395 09:19:57:11 09:19:59:04 I'M JUMPING  
 UP AND DOWN.  
 396 09:19:59:06 09:20:01:17 THIS IS MY ONLY HOPE.  
 397 09:20:01:19 09:20:04:19 I KEEP ASKING YOU,  
 "WHERE DO I SIGN?  
 398 09:20:04:21 09:20:06:22 WHAT DO I HAVE TO DO?"  
 399 09:20:06:24 09:20:08:03 I'D KEEP  
 REMINDING YOU  
 400 09:20:08:05 09:20:11:04 THAT YOU MAY  
 GET THE PLACEBO.  
 401 09:20:11:06 09:20:14:08 IF I *DON'T* GO IN,  
 I CAN'T GET H.O.P.E.  
 402 09:20:14:10 09:20:16:20 GIVE IT TO YOU AND SIGN.  
 403 09:20:16:22 09:20:18:03 HERE'S THE INFORMED  
 CONSENT FORM  
 404 09:20:18:05 09:20:20:19 WHICH EXPLAINS  
 IN PAGE AFTER PAGE--  
 405 09:20:20:21 09:20:23:10 I KNOW THERE ARE  
 LOTS OF FORMS.  
 406 09:20:23:12 09:20:25:19 JUST TELL ME  
 WHERE TO SIGN.  
 407 09:20:25:21 09:20:27:04 SIGN IT RIGHT HERE.  
 408 09:20:27:06 09:20:28:16 MR. CAPRON...  
 409 09:20:28:18 09:20:31:17 WE HAVE CONFLICT  
 OF THE MEANING  
 OF AUTONOMY.  
 410 09:20:31:19 09:20:34:14 THE IDEA OF SIGNING  
 THE CONSENT FORM  
 411 09:20:34:16 09:20:36:02 IS MAKING THE CHOICE.  
 412 09:20:36:04 09:20:40:03 BUT WE HAVE SOME HOPE  
 THAT THE PROTOCOL EXPERT HERE  
 413 09:20:40:05 09:20:43:02 IS GOING TO TAKE TIME TO SAY,  
 414 09:20:43:04 09:20:46:02 "I THINK WE NEED  
 SOME PSYCHOLOGICAL UNDERSTANDING  
 415 09:20:46:04 09:20:48:01 "OF WHAT'S GOING ON HERE.  
 416 09:20:48:03 09:20:49:17 "LET'S TALK FURTHER.

417 09:20:49:19 09:20:52:16 "I WANT TO GIVE YOU  
 418 09:20:52:18 09:20:55:11 SOME INFORMATION.  
 419 09:20:55:13 09:20:58:17 I WANT TO TALK  
 420 09:20:58:19 09:21:01:02 AGAIN TOMORROW."  
 421 09:21:01:04 09:21:04:01 THIS IS WHERE YOU MAY BE  
 422 09:21:04:03 09:21:06:02 MAKING A DECISION  
 423 09:21:06:04 09:21:09:16 THAT YOU DON'T  
 424 09:21:09:18 09:21:12:18 FULLY UNDERSTAND YET.  
 425 09:21:12:20 09:21:14:02 THE TEST DIRECTOR  
 426 09:21:14:04 09:21:16:02 WILL TELL ME THAT?  
 427 09:21:16:04 09:21:18:02 I WOULD HOPE HE WOULD.  
 428 09:21:18:04 09:21:19:16 HE SEEMED RATHER EAGER  
 429 09:21:19:18 09:21:21:16 TO GIVE YOU THE FORM.  
 430 09:21:21:18 09:21:24:17 I HOPE THAT WASN'T  
 431 09:21:24:19 09:21:27:03 PART OF THAT CONFLICT.  
 432 09:21:27:05 09:21:30:06 WHAT'S THE PROBLEM?  
 433 09:21:30:08 09:21:33:22 THE PROBLEM  
 434 09:21:33:24 09:21:36:22 IS THIS NOTION--  
 435 09:21:36:24 09:21:39:13 WE TALK ABOUT CHOICE,  
 436 09:21:39:15 09:21:40:24 AUTONOMY.  
 437 09:21:40:26 09:21:44:02 INFORMED CONSENT.  
 438 09:21:44:04 09:21:47:17 THAT'S WHY WE HAVE THIS.  
 439 09:21:47:19 09:21:52:03 SOMETIMES A PERSON  
 440 09:21:52:05 09:21:55:20 WON'T BE IN A POSITION  
 441 09:21:55:22 09:21:59:02 TO MAKE THAT KIND  
 442 09:21:59:04 09:22:02:10 OF CHOICE.  
 443 09:22:02:12 09:22:04:24 IN ORDINARY LIFE,  
 444 09:22:04:26 09:22:07:02 WE'D SAY TO A FRIEND,  
 445 09:22:07:04 09:22:10:02 "I THINK YOU NEED TO  
 446 09:22:10:04 09:22:12:02 HEAR THIS INFORMATION."  
 447 09:22:12:04 09:22:14:16 CAN SOMEBODY IN BILL'S STATE  
 MAKE A CONSENT  
 REASONABLE PEOPLE  
 WOULD VIEW AS INFORMED?  
 I THINK SO.  
 IF YOU'RE DYING  
 AND THIS IS YOUR LAST CHANCE,  
 IT IS INEVITABLE THAT YOU'LL  
 TAKE THAT LAST CHANCE.  
 I DON'T KNOW WHY THAT MAKES IT  
 AN UNINFORMED CHOICE.  
 IF ALL YOU'RE SAYING  
 IS THAT BECAUSE YOU'RE DYING  
 AND BECAUSE IT SEEMS  
 THERE ARE NO OTHER OPTIONS,  
 YOU'RE BOUND TO SIGN THE FORM.  
 SHOULD THE SYSTEM REQUIRE  
 MORE OF A PAUSE?  
 WELL, OF COURSE,  
 THERE SHOULD BE.  
 I'M SURE FOR SERIOUS DECISIONS  
 SUCH AS THIS,  
 THERE MUST BE  
 ADEQUATE DELIBERATION.  
 THE MERE FACT  
 THAT THE INDIVIDUAL

448 09:22:14:18 09:22:18:17 IS UNDER A LOT OF PRESSURE  
 449 09:22:18:19 09:22:21:17 TO MAKE THE CHOICE  
 450 09:22:21:19 09:22:23:17 ONE WAY OR ANOTHER  
 451 09:22:23:19 09:22:27:15 BY THE CIRCUMSTANCES,  
 452 09:22:27:17 09:22:29:15 DOESN'T ESTABLISH TO ME  
 453 09:22:29:17 09:22:32:20 THAT THE CHOICE IS COERCED,  
 454 09:22:32:22 09:22:34:25 UNFAIR, OR UNINFORMED.  
 455 09:22:34:27 09:22:37:00 MR. CALIFANO?  
 456 09:22:37:02 09:22:40:00 I THINK THERE'S  
 457 09:22:40:02 09:22:42:00 A DESPERATION  
 458 09:22:42:02 09:22:44:15 WHEN YOU'RE FACING DEATH  
 459 09:22:44:17 09:22:49:00 THAT CLOSELY.  
 460 09:22:49:02 09:22:52:00 I WOULD SAY  
 461 09:22:52:02 09:22:54:00 WITH DR. RELMAN,  
 462 09:22:54:02 09:22:57:14 I THINK SOMEBODY BESIDES  
 463 09:22:57:16 09:23:00:05 THE INDIVIDUAL PATIENT--  
 464 09:23:00:07 09:23:03:20 OUGHT TO BE  
 465 09:23:03:22 09:23:06:01 BROUGHT IN?  
 466 09:23:06:03 09:23:07:23 I THINK IT IS A SITUATION  
 467 09:23:07:25 09:23:10:01 WHICH THE PRIMARY PHYSICIAN  
 468 09:23:10:03 09:23:12:29 SHOULD BE A BIG PART OF IT.  
 469 09:23:13:01 09:23:16:06 I THINK IT'S IMPOSSIBLE  
 470 09:23:16:08 09:23:17:15 FOR DR. DeVITA,  
 471 09:23:17:17 09:23:19:00 AS SPECTACULAR AS HE IS,  
 472 09:23:19:02 09:23:21:07 NOT TO HAVE HIS MAIN FOCUS  
 473 09:23:21:09 09:23:24:15 ON THAT PROTOCOL  
 474 09:23:24:17 09:23:26:00 AND HIS OBLIGATION RUNNING  
 475 09:23:26:02 09:23:27:24 THE NATIONAL DISEASE INSTITUTE  
 476 09:23:27:26 09:23:30:20 TO FIND A CURE  
 477 09:23:30:22 09:23:33:12 FOR THIS DISEASE.  
 478 09:23:33:14 09:23:35:13 IN A SENSE,  
 479 09:23:35:15 09:23:37:22 THE INDIVIDUAL PATIENT  
 IS SACRIFICING HIMSELF.  
 WOULD DR. DeVITA  
 TELL HIM  
 THAT YOU CAN'T TELL  
 THE EFFECTS IMMEDIATELY,  
 EVEN IF HE WAS  
 GETTING THE PLACEBO?  
 I WOULDN'T KNOW.  
 I MIGHT KNOW, BUT--  
 LET'S ASSUME  
 YOU DON'T KNOW.  
 THAT'S CALLED  
 A DOUBLE-BLIND  
 EXPERIMENT?  
 THAT'S CORRECT.  
 MY PROBLEM IS,  
 DR. YOUNG,  
 I KEEP LOOKING  
 FOR SOMEBODY  
 TO HAVE MY  
 INTEREST AT HEART,  
 TO BE MY CHAMPION.  
 NOW I'M TOLD  
 THAT EVERYBODY'S BLIND.

480 09:23:37:24 09:23:40:13 IS IT ETHICAL  
 481 09:23:40:15 09:23:42:26 TO HAVE A TEST  
 482 09:23:42:28 09:23:44:14 IN WHICH THE RESEARCHER  
 483 09:23:44:16 09:23:48:28 DOESN'T KNOW  
 484 09:23:49:00 09:23:52:12 WHAT I'M GETTING?  
 485 09:23:52:14 09:23:53:28 I THINK IT'S HIGHLY ETHICAL  
 486 09:23:54:00 09:23:56:28 FOR THE RESEARCHER NOT TO KNOW.  
 487 09:23:57:00 09:24:00:14 THE RESEARCHER IS NOT  
 488 09:24:00:16 09:24:03:05 GOING TO BE UNDULY INFLUENCED  
 489 09:24:03:07 09:24:05:28 AND WILL BE OBJECTIVE.  
 490 09:24:06:00 09:24:07:04 SOMETIMES, AS THE RESEARCHER  
 491 09:24:07:06 09:24:09:19 WORKS WITH YOU,  
 492 09:24:09:21 09:24:13:17 UNLESS HE CAN FULLY LOOK AT YOU  
 493 09:24:13:19 09:24:17:14 VERY CAREFULLY,  
 494 09:24:17:16 09:24:20:27 HE MIGHT MISS SOME THINGS  
 495 09:24:20:29 09:24:22:12 AND NOT HAVE THE RESULTS  
 496 09:24:22:14 09:24:25:13 REALLY OBSERVED CORRECTLY.  
 497 09:24:25:15 09:24:29:08 PROFESSOR CAPRON?  
 498 09:24:29:10 09:24:31:26 ANY ETHICAL PROBLEM HERE  
 499 09:24:31:28 09:24:34:08 IN DR. DeVITA  
 500 09:24:34:10 09:24:37:11 NOT KNOWING WHAT  
 501 09:24:37:13 09:24:40:11 I'M GETTING?  
 502 09:24:40:13 09:24:46:29 IT UNDERLINES THE FACT  
 503 09:24:44:07 09:24:48:11 THAT THERE ARE THESE TWO ROLES.  
 504 09:24:47:01 09:24:50:27 THE MAJOR ADVANTAGE  
 505 09:24:48:13 09:24:52:10 WHEN ONE GETS TO DOUBLE-BLINDING  
 506 09:24:50:29 09:24:55:11 IS THE SCIENTIFIC RESULTS.  
 507 09:24:52:12 09:24:57:25 THE FDA COMMISSIONER  
 508 09:24:55:13 09:25:02:26 WILL WANT TO SEE RESULTS  
 509 09:24:57:27 09:25:05:25 WHICH AREN'T THE PROJECTION  
 510 09:24:59:27 09:25:02:26 OF THE RESEARCHER SAYING,  
 511 09:25:02:28 09:25:05:25 "I KNOW THIS PERSON'S  
 GETTING NOTHING.  
 I KNOW THIS PERSON'S  
 GETTING MY DRUG."  
 SO YOU CAN'T HAVE  
 GOOD SCIENCE WITHOUT--  
 THERE ARE OTHER WAYS  
 TO DESIGN PROTOCOLS,  
 BUT THAT IS THE JUSTIFICATION  
 FOR THIS DESIGN.  
 WHO'S LOOKING AFTER  
 BILL'S INTEREST?  
 UNTIL THAT POINT,  
 WE WANT TO BE  
 CONDUCTING SCIENCE.  
 EVERYBODY BENEFITS FROM THAT.  
 PART OF WHAT  
 BILL'S BEING ASKED TO DO  
 IS TO GIVE SOMETHING  
 TO SOCIETY--  
 TO GIVE TO FUTURE PATIENTS  
 THE POSSIBILITY THAT THEY'LL  
 HAVE AN EFFECTIVE TREATMENT.  
 IF HE SIGNS QUICKLY  
 AND DOESN'T KNOW THAT,



512 09:25:05:27 09:25:08:12 HE MAY END UP VERY UNHAPPY  
 513 09:25:08:14 09:25:12:17 WHEN HE DISCOVERS  
 514 09:25:12:19 09:25:13:26 THAT THERE ARE CONSTRAINTS.  
 515 09:25:13:28 09:25:16:10 DR. OLDHAM,  
 516 09:25:16:12 09:25:20:11 YOU'VE LEFT  
 517 09:25:20:13 09:25:22:12 THE NATIONAL  
 518 09:25:22:14 09:25:25:11 DISEASE INSTITUTE  
 519 09:25:25:13 09:25:27:25 SOME TIME AGO,  
 520 09:25:27:27 09:25:29:10 AND YOU'VE MOVED  
 521 09:25:29:12 09:25:33:09 TO TENNESSEE,  
 522 09:25:33:11 09:25:35:09 AND YOU'VE STARTED  
 523 09:25:35:11 09:25:39:23 A COMPANY CALLED  
 524 09:25:39:25 09:25:41:15 BIOCLINICS.  
 525 09:25:41:17 09:25:43:10 ONE OF THE THERAPIES  
 526 09:25:43:12 09:25:45:25 YOU'VE RECENTLY  
 527 09:25:45:27 09:25:48:26 DEVELOPED  
 528 09:25:48:28 09:25:51:09 IS A THERAPY FOR  
 529 09:25:51:11 09:25:54:09 KAPOSIS'S SARCOMA.  
 530 09:25:54:11 09:25:56:23 BILL PARKER  
 531 09:25:56:25 09:25:59:19 HEARS ABOUT THAT  
 532 09:25:59:21 09:26:01:25 AND COMES TO SEE YOU.  
 533 09:26:01:27 09:26:04:24 HE TELLS YOU THAT,  
 534 09:26:04:26 09:26:06:08 "YOU KNOW, DOCTOR,  
 535 09:26:06:10 09:26:08:03 "I'M IN  
 536 09:26:08:05 09:26:10:08 DR. DeVITA'S STUDY  
 537 09:26:10:10 09:26:12:15 "OVER AT THE NATIONAL  
 538 09:26:12:17 09:26:16:02 DISEASE INSTITUTE.  
 539 09:26:16:04 09:26:19:09 I'D LIKE TO TRY  
 540 09:26:19:11 09:26:21:08 YOUR PROGRAM."  
 541 09:26:21:10 09:26:23:24 YOU CAN, BUT YOU'LL  
 542 09:26:23:26 09:26:25:09 HAVE TO STOP H.O.P.E.  
 543 09:26:25:11 09:26:26:24 I DON'T KNOW  
 WHAT MIGHT HAPPEN  
 IF WE PUT MY TREATMENT  
 WITH THEIRS.  
 THE TWO MIGHT  
 INTERACT UNFAVORABLY.  
 BUT IF I DROP OUT  
 OF THIS PROGRAM,  
 YOU'LL TAKE ME ON?  
 YES.  
 DR. DeVITA,  
 SUPPOSE I COME BACK  
 AFTER THIS VISIT  
 WITH DR. OLDHAM.  
 "I WENT TO TENNESSEE.  
 I SAW DR. OLDHAM.  
 CAN I DROP OUT?  
 CAN I GO SEE HIM?"  
 YES.  
 YOU CAN DROP OUT.  
 THE PROTOCOL  
 IS NOT OVER YET.  
 THE STUDY'S NOT OVER.  
 PERHAPS A PREMATURE  
 CONCLUSION,

544 09:26:26:26 09:26:30:22 BUT IF YOU FEEL THAT WAY,  
YOU CAN DROP OUT.

545 09:26:30:24 09:26:34:22 YOU GOING TO TRY TO  
TALK ME OUT OF IT?

546 09:26:34:24 09:26:37:22 I THINK IT'S UNFORTUNATE  
TO LEAVE A PROTOCOL

547 09:26:37:24 09:26:39:08 BEFORE THE STUDY'S FINISHED.

548 09:26:39:10 09:26:42:06 THERE HAVE BEEN MANY EXAMPLES  
WHERE THE INFORMATION

549 09:26:42:08 09:26:46:22 WAS USEFUL LATER IN THE STUDY,  
OR WE BROKE THE ARM,

550 09:26:46:24 09:26:50:20 WE PUT YOU ON H.O.P.E. LATER,  
AND YOU MIGHT BENEFIT.

551 09:26:50:22 09:26:52:27 DR. OLDHAM,  
I COME BACK.

552 09:26:52:29 09:26:55:07 WHAT DO I NEED  
TO KNOW?

553 09:26:55:09 09:26:58:07 YOU HAVE TO BE  
OFF YOUR TREATMENT

554 09:26:58:09 09:27:02:22 SO I KNOW IT'S NOT HAVING  
AN EFFECT ON YOUR BODY.

555 09:27:02:24 09:27:05:07 YOU'RE GOING TO HAVE  
TO UNDERSTAND

556 09:27:05:09 09:27:08:23 THAT WE WORK NOT AS  
A GOVERNMENT-FUNDED INSTITUTION.

557 09:27:08:25 09:27:12:07 WE HAPPEN TO BE  
OUT IN THE PRIVATE SECTOR.

558 09:27:12:09 09:27:13:29 WHAT DOES THAT MEAN?

559 09:27:14:01 09:27:16:21 WE DON'T HAVE  
A GRANT OR PUBLIC MONEY

560 09:27:16:23 09:27:18:07 TO DO THIS RESEARCH.

561 09:27:18:09 09:27:22:04 IT MAY BE NECESSARY FOR YOU  
OR YOUR INSURANCE COMPANY--

562 09:27:22:06 09:27:26:01 I'M GOING TO HAVE TO  
PAY YOU FOR THIS?

563 09:27:26:03 09:27:27:21 IT'S VERY MUCH  
LIKE TREATMENTS

564 09:27:27:23 09:27:30:21 YOU MIGHT GET  
AT YOUR LOCAL UNIVERSITY.

565 09:27:30:23 09:27:34:20 YOU MAY HAVE TO HAVE INSURANCE  
OR DIRECT PAY CAPABILITY.

566 09:27:34:22 09:27:37:20 HOW MUCH IS IT  
GOING TO COST ME?

567 09:27:37:22 09:27:39:20 THE TREATMENT  
I'M THINKING OF

568 09:27:39:22 09:27:42:19 IS A COMBINATION  
OF INTERLUKEN-2  
AND TUMINOCHROSIS FACTOR.

569 09:27:42:21 09:27:45:06 THE COST ON THAT  
RELATES ONLY

570 09:27:45:08 09:27:47:21 TO TESTS DONE  
IN THE LABORATORY.

571 09:27:47:23 09:27:49:22 IT WILL COST  
ABOUT \$4,000.

572 09:27:49:24 09:27:52:04 SUPPOSE THIS THERAPY  
THAT YOU'VE DEVELOPED

573	09:27:52:06	09:27:55:05	FOR KAPOSII'S SARCOMA
574	09:27:55:07	09:27:58:05	IS SIMILAR TO THE THERAPY
575	09:27:58:07	09:28:01:06	YOU'VE BEEN USING
			OF MONOCLONAL ANTIBODIES.
576	09:28:01:08	09:28:03:13	THAT WOULD BE
			MUCH MORE EXPENSIVE.
577	09:28:03:15	09:28:06:05	IT MIGHT COST
			\$30,000 TO \$35,000.
578	09:28:06:07	09:28:07:20	\$30,000 TO \$35,000?
579	09:28:07:22	09:28:09:14	DR. KOOP?
580	09:28:09:16	09:28:12:05	SHOULD I GO
			INTO THIS PROGRAM?
581	09:28:12:07	09:28:14:19	BEFORE YOU GO
			INTO THE PROGRAM,
582	09:28:14:21	09:28:17:21	BE SURE YOU DON'T HAVE
			THE SAME DISCOURAGEMENT.
583	09:28:17:23	09:28:20:20	YOU HAVE TO
			MAKE UP YOUR MIND
584	09:28:20:22	09:28:24:20	THAT THINGS DON'T ALWAYS
			WORK OUT THE WAY YOU'D LIKE.
585	09:28:24:22	09:28:28:19	YOU JUST CAN'T GO JUMPING
			FROM PROTOCOL TO PROTOCOL.
586	09:28:28:21	09:28:31:17	DR. PETERSON,
			IF YOU WERE MY DOCTOR,
587	09:28:31:19	09:28:34:17	COULD YOU EVALUATE
			WHETHER DR. OLDHAM'S PROGRAM
588	09:28:34:19	09:28:36:02	MIGHT BE SOMETHING FOR ME?
589	09:28:36:04	09:28:38:03	BILL, YOU'VE GOT A DISEASE
590	09:28:38:05	09:28:45:03	THAT WILL ALMOST CERTAINLY
			KILL YOU IN THE NEXT MONTHS.
591	09:28:45:05	09:28:49:18	THERE'S NO MEDICINE NOW KNOWN
			TO EXPERIMENTAL SCIENCE
592	09:28:49:20	09:28:52:19	OR TO ANY
			INVESTIGATIVE COMPANY
593	09:28:52:21	09:28:55:04	THAT'S LIKELY
			TO SAVE YOUR LIFE.
594	09:28:55:06	09:28:56:18	NOW--
595	09:28:56:20	09:28:58:03	I KNOW THAT.
596	09:28:58:05	09:29:00:03	BUT DR. OLDHAM
			TELLS ME
597	09:29:00:05	09:29:02:07	THAT HE'S GOING
			TO BE DEVOTED
598	09:29:02:09	09:29:04:03	TO TRYING TO HELP ME.
599	09:29:04:05	09:29:06:15	I'D SERIOUSLY
			CONSIDER THAT,
600	09:29:06:17	09:29:08:19	BECAUSE IT REPRESENTS
			REAL HOPE.
601	09:29:08:21	09:29:11:19	BUT DON'T DO IT
			IN THE CONTEXT--
602	09:29:11:21	09:29:13:03	IN A NAIVE CONTEXT.
603	09:29:13:05	09:29:16:02	DO IT IN THE CONTEXT
			OF SAYING,
604	09:29:16:04	09:29:19:17	I'M DYING, AND I'M DYING
			IN THE IMMEDIATE FUTURE.
605	09:29:19:19	09:29:23:18	NOW, IF IT'S USEFUL FOR ME
			TO MAKE A CONTRIBUTION

606	09:29:23:20	09:29:26:04	BY JOINING A PROTOCOL AT NDI
607	09:29:26:06	09:29:30:02	OR GOING WITH A PRIVATE COMPANY AND THEIR PROTOCOL,
608	09:29:30:04	09:29:33:01	I SHOULD DERIVE SOME SATISFACTION FROM THAT,
609	09:29:33:03	09:29:37:13	BUT NOT VERY MUCH HOPE-- WITHOUT THE PERIODS IN BETWEEN.
610	09:29:37:15	09:29:40:10	I SHOULD NOT HAVE MUCH EXPECTATION.
611	09:29:40:12	09:29:44:17	I WOULDN'T TAKE ALL YOUR MONEY OUT OF THE BANK.
612	09:29:44:19	09:29:47:07	I WOULDN'T ASK YOUR SIBLINGS TO RAISE MONEY.
613	09:29:47:09	09:29:51:16	I WOULDN'T CALL THE GOVERNOR TO HAVE A FUND-RAISING DRIVE.
614	09:29:51:18	09:29:55:16	THE CHANCES OF THIS HELPING YOU IN THE NEAR FUTURE,
615	09:29:55:18	09:29:58:11	IN YOUR LIFETIME, ARE VERY SMALL.
616	09:29:58:13	09:30:00:22	IF I DON'T TRY IT, I'M DEAD.
617	09:30:00:24	09:30:04:17	YOU WANT TO LIVE YOUR DEATH WITH AS MUCH DIGNITY
618	09:30:04:19	09:30:07:15	AS YOU WANT TO LIVE YOUR LIFE.
619	09:30:07:17	09:30:10:00	YOU SHOULD NOT BANKRUPT YOUR FAMILY
620	09:30:10:02	09:30:11:16	FOR A SMALL POINT.
621	09:30:11:18	09:30:15:08	I KNOW THIS MAN'S COMPANY DOES VERY EXCITING WORK.
622	09:30:15:10	09:30:17:02	WE CAN WORK THIS OUT.
623	09:30:17:04	09:30:19:21	YOU CAN DO THAT FOR \$5,000.
624	09:30:19:23	09:30:21:16	THAT WOULD BE WORTH DOING.
625	09:30:21:18	09:30:22:16	DR. OLDHAM?
626	09:30:22:18	09:30:24:01	HE SHOULD UNDERSTAND
627	09:30:24:03	09:30:27:01	WHAT YOU'VE BEEN TOLD BY OTHER PHYSICIANS.
628	09:30:27:03	09:30:29:29	THIS IS UNPROVEN TREATMENT. THIS IS RESEARCH.
629	09:30:30:01	09:30:32:28	YOU HAVE TO MAKE THE DECISION FOR YOURSELF
630	09:30:33:00	09:30:34:28	WHAT YOU WANT TO DO.
631	09:30:35:00	09:30:36:13	THESE EXPENSES ARE REAL.
632	09:30:36:15	09:30:38:15	YOU NEED TO DISCUSS THIS
633	09:30:38:17	09:30:40:29	WITH YOUR BROTHER, CHURCH, SUPPORT GROUPS.
634	09:30:41:01	09:30:43:28	IF YOU WERE TO HAVE A HEART TRANSPLANT,
635	09:30:44:00	09:30:45:29	YOU NEED TO DISCUSS THIS
636	09:30:46:01	09:30:48:29	AND DECIDE IF YOU WANT TO MOVE FORWARD.

637	09:30:49:01	09:30:50:26	DR. RELMAN?
638	09:30:50:28	09:30:53:06	YOU'VE HEARD ABOUT DR. OLDHAM'S THERAPY.
639	09:30:53:08	09:30:54:15	YES, I HAVE.
640	09:30:54:17	09:30:56:07	YOU'RE MY FAMILY DOCTOR.
641	09:30:56:09	09:30:57:28	SHOULD I DO IT?
642	09:30:58:00	09:31:01:13	I'D BE VERY CONCERNED ABOUT IT, BILL.
643	09:31:01:15	09:31:04:29	I'D LIKE TO KNOW MORE THAN I KNOW NOW
644	09:31:05:01	09:31:08:15	BEFORE I COULD RECOMMEND THAT YOU DO THIS.
645	09:31:08:17	09:31:10:15	HOW CAN YOU FIND OUT?
646	09:31:10:17	09:31:13:14	I WOULD LIKE TO KNOW, FOR EXAMPLE,
647	09:31:13:16	09:31:16:14	WHETHER DR. OLDHAM IS FOLLOWING A PROTOCOL
648	09:31:16:16	09:31:19:14	WHICH IS GOING TO ANSWER THE QUESTION,
649	09:31:19:16	09:31:22:13	WHETHER HIS TREATMENT IS EFFECTIVE OR NOT.
650	09:31:22:15	09:31:24:14	I READ THE MEDICAL LITERATURE
651	09:31:24:16	09:31:26:16	VERY CAREFULLY, BILL.
652	09:31:26:18	09:31:29:03	I HAVEN'T SEEN ANY REPORTS INDICATING
653	09:31:29:05	09:31:32:04	THAT WHAT DR. OLDHAM IS GOING TO DO
654	09:31:32:06	09:31:33:24	HELPS ANYBODY.
655	09:31:33:26	09:31:35:28	WE'RE TALKING ABOUT THE ETHICS
656	09:31:36:00	09:31:38:02	OF RESPONSIBLE RESEARCH.
657	09:31:38:04	09:31:41:28	WHEN YOU USE A NEW DRUG OR A NEW TREATMENT,
658	09:31:42:00	09:31:45:14	THE SAFETY AND EFFECTIVENESS OF WHICH IS NOT KNOWN,
659	09:31:45:16	09:31:47:29	THE ETHICAL JUSTIFICATION FOR DOING IT
660	09:31:48:01	09:31:51:28	IS THAT IT'S GOING TO BE ADMINISTERED IN A WAY
661	09:31:52:00	09:31:53:29	THAT'S GOING TO TELL YOU
662	09:31:54:01	09:31:56:24	AS QUICKLY AND SAFELY AS POSSIBLE
663	09:31:56:26	09:31:59:28	WHETHER IT'S ANY GOOD, WHETHER IT'S DANGEROUS.
664	09:32:00:02	09:32:02:14	THEN, IF THERE'S NO OTHER TREATMENT,
665	09:32:02:16	09:32:04:13	IT'S JUSTIFIABLE TO DO IT.
666	09:32:04:15	09:32:06:14	I WOULD LIKE TO KNOW
667	09:32:06:16	09:32:09:14	IF DR. OLDHAM IS GOING TO FOLLOW
668	09:32:09:16	09:32:12:14	THE SAME RIGOROUS, APPROPRIATELY CONTROLLED PROTOCOL,

669 09:32:12:16 09:32:15:15 WHICH WILL BE OPEN  
 670 09:32:15:17 09:32:17:00 TO PUBLIC SCRUTINY,  
 671 09:32:17:02 09:32:18:29 AS ANY PROTOCOL WOULD  
 672 09:32:19:01 09:32:22:13 BEING FOLLOWED  
 673 09:32:22:15 09:32:24:07 AT THE NDI,  
 674 09:32:24:09 09:32:25:29 WHICH WOULD, WITHIN  
 675 09:32:26:01 09:32:29:12 A FINITE PERIOD OF TIME,  
 676 09:32:29:14 09:32:32:28 GIVE US AN ANSWER.  
 677 09:32:33:00 09:32:36:07 DR. OLDHAM?  
 678 09:32:36:09 09:32:38:08 THE LAST STUDIES WE DID  
 679 09:32:38:10 09:32:41:07 WERE ON OTHER DISEASES,  
 680 09:32:41:09 09:32:44:26 AND WE PUBLISHED THEM  
 681 09:32:44:28 09:32:46:27 IN THE *NEW ENGLAND JOURNAL*.  
 682 09:32:46:29 09:32:48:28 WE FELT LIKE THOSE RESULTS  
 683 09:32:49:00 09:32:50:27 WERE WELL-RECEIVED.  
 684 09:32:50:29 09:32:52:28 BUT NOT ABOUT  
 685 09:32:53:00 09:32:54:27 THIS TREATMENT.  
 686 09:32:54:29 09:32:57:27 THIS IS NOT  
 687 09:32:57:29 09:33:00:27 A RANDOMIZED TRIAL.  
 688 09:33:00:29 09:33:02:27 I DON'T BELIEVE,  
 689 09:33:02:29 09:33:05:28 IN THIS KIND  
 690 09:33:06:00 09:33:07:28 OF SERIOUS DISEASE,  
 691 09:33:08:00 09:33:11:12 YOU SHOULD RECEIVE  
 692 09:33:11:14 09:33:14:27 A PLACEBO.  
 693 09:33:14:29 09:33:18:08 I BELIEVE  
 694 09:33:18:10 09:33:20:12 YOU SHOULD RECEIVE  
 695 09:33:20:14 09:33:23:28 WHATEVER I  
 BELIEVE TO BE  
 THE BEST  
 POTENTIAL TREATMENT.  
 IT'S CALLED  
 AN OPEN STUDY.  
 IF, AFTER TREATING  
 20 OR 30 PATIENTS,  
 WE SEE THE EFFECTS  
 OF THOSE TREATMENTS  
 AND SHRINKAGE  
 OF YOUR KAPOSIS,  
 WE'LL REPORT THAT  
 IN THE MEDICAL  
 LITERATURE  
 AND DECIDE  
 HOW TO PROCEED.  
 HOW MANY PATIENTS  
 HAVE YOU TREATED  
 WITH THIS THERAPY  
 AND HOW MANY  
 REPORTS ON THIS  
 HAVE YOU PUBLISHED,  
 SO I CAN TELL  
 WHETHER IT LOOKS PROMISING?  
 I CAN'T HELP YOU,  
 DOCTOR.  
 THIS IS  
 THE FIRST PATIENT  
 THAT'S COME TO ME,

696 09:33:24:00 09:33:26:12 AND THIS TREATMENT  
 I JUST DEVELOPED.  
 697 09:33:26:14 09:33:29:05 DO WE MAKE  
 ANY DISTINCTIONS HERE?  
 698 09:33:29:07 09:33:31:25 NOBODY HAS YET  
 MADE A DISTINCTION  
 699 09:33:31:27 09:33:33:24 BETWEEN  
 A FOR-PROFIT RESEARCH--  
 700 09:33:33:26 09:33:35:25 WHICH IS  
 CHARGING THE PATIENT  
 701 09:33:35:27 09:33:37:25 A CONSIDERABLE AMOUNT  
 OF MONEY  
 702 09:33:37:27 09:33:39:25 IN ORDER TO FINISH RESEARCH  
 703 09:33:39:27 09:33:43:26 FOR WHICH THEY WILL THEN,  
 I ASSUME, MAKE A DRUG  
 704 09:33:43:28 09:33:47:21 WHICH THEY WILL MAKE  
 A LOT OF MONEY OFF OF--  
 705 09:33:47:23 09:33:50:26 OR A PUBLICLY FUNDED  
 RESEARCH  
 706 09:33:50:28 09:33:53:25 WHICH DOESN'T HAVE  
 THE PROFIT MOTIVE.  
 707 09:33:53:27 09:33:57:04 DR. RELMAN,  
 IS THAT A DISTINCTION?  
 708 09:33:57:06 09:33:59:10 IT'S A TERRIBLY  
 IMPORTANT DISTINCTION.  
 709 09:33:59:12 09:34:00:20 WHY?  
 710 09:34:00:22 09:34:02:05 I'LL ANSWER THAT,  
 711 09:34:02:07 09:34:05:08 BUT I'D LIKE TO  
 ELABORATE ONE POINT  
 712 09:34:05:10 09:34:07:10 CONCERNING  
 THE PREVIOUS ISSUE.  
 713 09:34:07:12 09:34:10:25 DR. OLDHAM NOW TELLS US  
 THAT THE "TREATMENT,"  
 714 09:34:10:27 09:34:12:25 OR THE EXPERIMENTAL  
 TREATMENT,  
 715 09:34:12:27 09:34:16:26 THAT HE PROPOSES TO GIVE  
 TO MY PATIENT  
 716 09:34:16:28 09:34:18:25 AND CHARGE \$30,000 FOR,  
 717 09:34:18:27 09:34:22:01 HE'S NEVER GIVEN  
 TO ANYBODY ELSE BEFORE.  
 718 09:34:22:03 09:34:25:10 HE DOESN'T KNOW  
 WHETHER IT'S GOING TO WORK.  
 719 09:34:25:12 09:34:27:22 I WOULD HAVE  
 VERY SERIOUS DOUBTS  
 720 09:34:27:24 09:34:29:23 IN MY MIND  
 721 09:34:29:25 09:34:32:08 WHETHER I COULD,  
 IN GOOD CONSCIENCE,  
 722 09:34:32:10 09:34:35:09 TELL MY PATIENT  
 TO TAKE THIS TREATMENT  
 723 09:34:35:11 09:34:38:23 WHEN THERE'S NO EVIDENCE,  
 BY DR. OLDHAM'S STATEMENT,  
 724 09:34:38:25 09:34:40:23 THAT IT'S GOING TO WORK.  
 725 09:34:40:25 09:34:44:08 ADD TO THAT THE FACT  
 THAT I KNOW  
 726 09:34:44:10 09:34:46:22 THAT DR. OLDHAM  
 IS THE OFFICER

727	09:34:46:24	09:34:48:23	OF AN INVESTOR-OWNED
			COMPANY.
728	09:34:48:25	09:34:50:19	WHY DOES THAT
			MATTER?
729	09:34:50:21	09:34:52:23	BECAUSE THEIR
			FINANCIAL INTEREST
730	09:34:52:25	09:34:54:23	AND THEIR FINANCIAL FUTURE
731	09:34:54:25	09:34:56:23	DEPENDS ON
			THEIR PERSUADING PATIENTS
732	09:34:56:25	09:34:58:23	LIKE MY BILL PARKER
733	09:34:58:25	09:35:00:23	TO TAKE
			THIS UNPROVEN TREATMENT
734	09:35:00:25	09:35:03:22	OF UNKNOWN SAFETY
			AND UNKNOWN VALUE
735	09:35:03:24	09:35:08:28	AT A TIME WHEN THEY'RE
			SCARED TO DEATH,
736	09:35:09:00	09:35:11:14	THEY'RE DESPERATELY
			SEEKING FOR SOMETHING.
737	09:35:11:16	09:35:14:02	IT AWAKENS MEMORIES
			IN MY MIND
738	09:35:14:04	09:35:16:04	OF SNAKE-OIL SALESMEN,
739	09:35:16:06	09:35:19:01	WHO USED TO DO
			THIS SORT OF THING
740	09:35:19:03	09:35:20:23	WITH UNPROVEN,
			UNTESTED REMEDIES,
741	09:35:20:25	09:35:22:24	SAYING, "TRUST ME.
			IT'LL WORK.
742	09:35:22:26	09:35:24:24	JUST GIVE ME YOUR MONEY."
743	09:35:24:26	09:35:28:06	POOR, DESPERATE, SICK PEOPLE
			WOULD EXTEND THEMSELVES
744	09:35:28:08	09:35:30:07	TO PAY FOR IT.
745	09:35:30:09	09:35:33:15	NOW, I'M NOT IMPUGNING
			DR. OLDHAM'S INTEGRITY.
746	09:35:33:17	09:35:37:21	I'M JUST SAYING
			THAT THE SITUATION
			HE PUTS ME IN
747	09:35:37:23	09:35:39:08	IS VERY
			UNCOMFORTABLE.
748	09:35:39:10	09:35:43:05	DR. OLDHAM,
			IS THAT WHAT YOU'RE
			TRYING TO DO?
749	09:35:43:07	09:35:45:07	I WOULDN'T SAY SO.
750	09:35:45:09	09:35:47:21	I BELIEVE THERE ARE
			ALTERNATIVE WAYS
751	09:35:47:23	09:35:50:06	TO SOLVE PROBLEMS
			FOR YOU, BILL.
752	09:35:50:08	09:35:52:06	ONE POSSIBILITY
			IS FOR YOU
753	09:35:52:08	09:35:53:21	TO PRESENT YOURSELF
754	09:35:53:23	09:35:55:28	TO THE NATIONAL
			DISEASE INSTITUTE
755	09:35:56:00	09:35:58:20	AND GO ON
			A RANDOMIZED TRIAL
756	09:35:58:22	09:36:00:21	OF PLACEBO VERSUS H.O.P.E.
757	09:36:00:23	09:36:03:21	YOU CAN TAKE
			SOME OF THESE EFFORTS YOURSELF



758	09:36:03:23	09:36:07:06	BY GOING TO MY INSTITUTE
			OR ANY OTHER COMPANY
759	09:36:07:08	09:36:09:21	AND TRYING TO GET
			A TREATMENT.
760	09:36:09:23	09:36:12:06	THAT'S WITHIN YOUR RIGHTS
			AND PURVIEW.
761	09:36:12:08	09:36:14:08	DR. DeVITA?
762	09:36:14:10	09:36:16:26	I DON'T BELIEVE
			WE SHOULD SELL
763	09:36:16:28	09:36:18:26	UNPROVEN METHODS
			OF TREATMENT.
764	09:36:18:28	09:36:22:16	I'VE NOW LOOKED INTO
			DR. OLDHAM'S OPERATION.
765	09:36:22:18	09:36:25:21	THESE TREATMENTS ARE AVAILABLE
			IN EXPERIMENTAL PROGRAMS.
766	09:36:25:23	09:36:30:04	I CAN FIND A PLACE FOR YOU
			TO GET THOSE PROGRAMS
767	09:36:30:06	09:36:32:19	AT NO ADDITIONAL COST
			TO YOU.
768	09:36:32:21	09:36:35:18	I WOULD RECOMMEND
			THAT YOU DO THAT.
769	09:36:35:20	09:36:39:08	DR. YOUNG, THIS IS
			A PROFIT-MAKING COMPANY.
770	09:36:39:10	09:36:43:04	DOES THAT AFFECT
			THE EVALUATION
			OF THIS THERAPY?
771	09:36:43:06	09:36:46:19	I DON'T THINK
			YOU MAKE THE CUT
772	09:36:46:21	09:36:49:22	ON WHETHER IT'S
			A PROFIT-MAKING COMPANY.
773	09:36:49:24	09:36:52:05	THE CRITICAL THING
			IS YOUR ESTIMATE
774	09:36:52:07	09:36:54:05	OF WHETHER OR NOT
775	09:36:54:07	09:36:56:19	YOU'LL GET SOME BENEFIT
			OF THIS.
776	09:36:56:21	09:36:58:29	ALL THESE PEOPLE
			TELL ME
777	09:36:59:01	09:37:01:02	ESSENTIALLY
			THEY DON'T KNOW.
778	09:37:01:04	09:37:04:03	BILL, THE TERRIBLE PROBLEM
			THAT YOU HAVE
779	09:37:04:05	09:37:08:20	IS THAT THAT'S WHERE
			THE STATE OF THE ART IS TODAY.
780	09:37:08:22	09:37:11:04	I WISH THAT I HAD A CURE.
781	09:37:11:06	09:37:13:20	I CAN'T GIVE YOU
			A GUARANTEE--
782	09:37:13:22	09:37:15:19	BUT HE'S
			GOT SOMETHING.
783	09:37:15:21	09:37:19:19	IT COSTS \$35,000,
			BUT MAYBE IT'LL DO
			SOME GOOD.
784	09:37:19:21	09:37:21:20	WHY SHOULDN'T I
			TRY IT?
785	09:37:21:22	09:37:24:06	HE <i>THINKS</i> IT MAY HELP YOU.
786	09:37:24:08	09:37:26:27	I'D GO BACK
			TO DR. KOOP.

787	09:37:26:29	09:37:28:26	HE'S TAKEN CARE OF YOU
788	09:37:28:28	09:37:30:18	ALL THESE YEARS.
789	09:37:30:20	09:37:33:02	ASK HIM FOR HIS UNBIASED JUDGMENT.
790	09:37:33:04	09:37:35:02	HE'S THE ONE THAT HAS
791	09:37:35:04	09:37:37:13	NO VESTED INTEREST IN THE TRIAL.
792	09:37:37:15	09:37:39:16	HE'S ONLY CONCERNED WITH YOU.
793	09:37:39:18	09:37:41:26	ARE YOU AFFECTED BY THE FACT
794	09:37:41:28	09:37:43:18	THAT IT'S SO EXPENSIVE?
795	09:37:43:20	09:37:47:03	I JUST DON'T WANT TO SEE YOU DISAPPOINTED.
796	09:37:47:05	09:37:49:02	I CAN UNDERSTAND YOUR DESPERATION.
797	09:37:49:04	09:37:52:17	WITH A FATAL DIAGNOSIS, NO CURE ON THE HORIZON
798	09:37:52:19	09:37:55:02	THAT ANYBODY HAS ANY FAITH IN,
799	09:37:55:04	09:37:57:13	YOU GET THIS DESPERATE FEELING
800	09:37:57:15	09:37:59:21	THAT YOU'VE GOT TO DO SOMETHING.
801	09:37:59:23	09:38:01:21	I UNDERSTAND THAT,
802	09:38:01:23	09:38:05:08	BUT I THINK I SHOULD PROTECT YOU A LITTLE
803	09:38:05:10	09:38:07:07	FROM ONE FURTHER DISAPPOINTMENT.
804	09:38:07:09	09:38:09:22	I DON'T THINK THERE'S ENOUGH CREDIBILITY
805	09:38:09:24	09:38:13:04	IN WHAT'S GOING ON IN DR. OLDHAM'S LABORATORY
806	09:38:13:06	09:38:15:07	TO GIVE YOU THE SATISFACTION
807	09:38:15:09	09:38:17:21	THAT YOU'RE GOING TO DO SOMETHING
808	09:38:17:23	09:38:19:07	THAT MIGHT WORK.
809	09:38:19:09	09:38:21:02	IT'S ONE MORE DISAPPOINTMENT.
810	09:38:21:04	09:38:23:03	YOU CAN'T TAKE MANY MORE.
811	09:38:23:05	09:38:26:21	IF WE ASSUME THERE IS AS MUCH MEDICAL CREDIBILITY
812	09:38:26:23	09:38:29:07	IN WHAT DR. OLDHAM IS DOING,
813	09:38:29:09	09:38:34:00	THE FACT THAT IT'S FOR-PROFIT SHOULDN'T MATTER.
814	09:38:34:02	09:38:36:01	PHARMACEUTICAL COMPANIES, EVERY DAY,
815	09:38:36:03	09:38:39:15	ARE OPERATING AT A PROFIT AND TESTING DRUGS
816	09:38:39:17	09:38:42:15	AND HAVE BROUGHT UPON US MANY MIRACLES.
817	09:38:42:17	09:38:44:02	IN A MEDICAL SYSTEM
818	09:38:44:04	09:38:46:20	IN WHICH THERE'S SO MUCH DOUBT,

819	09:38:46:22	09:38:49:00	IF YOU TALK
			ABOUT AIDS,
820	09:38:49:02	09:38:51:01	YOU WANT
			EVERY OPPORTUNITY
821	09:38:51:03	09:38:53:16	TO TRY AND FIND
			A CURE.
822	09:38:53:18	09:38:55:15	UNIVERSITIES,
			IN THEIR OWN WAYS--
823	09:38:55:17	09:38:57:15	YOU MAY NOT
			CALL IT PROFIT,
824	09:38:57:17	09:38:59:09	BUT THEY
			HIRE PEOPLE,
825	09:38:59:11	09:39:02:00	THEY WANT THEM
			TO BE SUPERSTARS,
826	09:39:02:02	09:39:04:19	THEY WANT TO GET
			RESEARCH BUCKS.
827	09:39:04:21	09:39:07:24	THAT'S PROFIT.
			IT HELPS PAY
			THEIR OVERHEAD.
828	09:39:07:26	09:39:10:16	DOES IT MAKE SENSE
			TO TALK
829	09:39:10:18	09:39:13:00	AS THOUGH THERE'S
			A CLEAR LINE
830	09:39:13:02	09:39:14:29	BETWEEN ORDINARY
			MEDICAL TREATMENT
831	09:39:15:01	09:39:16:15	AND EXPERIMENTATION?
832	09:39:16:17	09:39:19:00	WHEN YOU GO
			TO THE DOCTOR
833	09:39:19:02	09:39:21:29	WITH A PAIN
			IN YOUR SIDE,
834	09:39:22:01	09:39:24:16	THE DOCTOR MAY TRY
			VARIOUS TECHNIQUES
835	09:39:24:18	09:39:27:12	THAT HAVE BEEN USEFUL
			IN OTHER CONTEXTS,
836	09:39:27:14	09:39:30:14	BUT UNTIL HE KNOWS
			WHAT'S CAUSING THE PAIN,
837	09:39:30:16	09:39:32:13	WHAT'S GOING ON
			IS EXPERIMENTATION.
838	09:39:32:15	09:39:35:23	SO WHY SHOULDN'T I PAY
			FOR THE EXPERIMENT?
839	09:39:35:25	09:39:38:28	WE'RE TALKING ABOUT
			THE LIKELIHOOD THAT HE'S RIGHT
840	09:39:39:00	09:39:42:13	ABOUT HIS GUESS
			THAT THIS MAY DO YOU GOOD.
841	09:39:42:15	09:39:44:07	IN ANY MEDICAL TREATMENT,
842	09:39:44:09	09:39:45:23	WE'RE DISCUSSING
			THE LIKELIHOOD
843	09:39:45:25	09:39:47:22	THAT THE DOCTOR
			GUESSED RIGHT
844	09:39:47:24	09:39:49:27	ABOUT WHAT'S CAUSING
			YOUR PAIN.
845	09:39:49:29	09:39:51:28	IT ALL COMES DOWN TO,
846	09:39:52:00	09:39:55:13	WHAT IS THE MEDICAL BASIS
			FOR HIS GUESS?
847	09:39:55:15	09:39:56:28	DR. RELMAN?
848	09:39:57:00	09:39:59:13	THE ANALOGY THAT

JUSTICE SCALIA DREW  
 849 09:39:59:15 09:40:00:29 IS NOT VERY GOOD.  
 850 09:40:01:01 09:40:03:14 THERE'S A GOOD DEAL  
 OF UNCERTAINTY  
 851 09:40:03:16 09:40:05:13 IN THE PRACTICE  
 OF MEDICINE.  
 852 09:40:05:15 09:40:07:28 MANY THINGS THAT  
 RESPONSIBLE PHYSICIANS DO  
 853 09:40:08:00 09:40:10:13 IN THE FACE  
 OF INADEQUATE INFORMATION  
 854 09:40:10:15 09:40:12:13 HAVE UNCERTAIN  
 CONSEQUENCES,  
 855 09:40:12:15 09:40:16:12 BUT WHAT THE PHYSICIAN DOES  
 IN THE FACE OF UNCERTAINTY  
 856 09:40:16:14 09:40:18:13 IS PRETTY WELL AGREED ON  
 857 09:40:18:15 09:40:22:13 TO BE THE BEST THING TO DO  
 UNDER THE CIRCUMSTANCES.  
 858 09:40:22:15 09:40:25:11 IT'S CLEARLY ADVANCING  
 THE PATIENT'S WELFARE  
 859 09:40:25:13 09:40:28:28 AND CLEARLY CALCULATED  
 NOT TO DO HARM.  
 860 09:40:29:00 09:40:30:26 IN THIS CIRCUMSTANCE,  
 861 09:40:30:28 09:40:33:26 WHAT DR. OLDHAM  
 IS PROPOSING TO DO  
 862 09:40:33:28 09:40:35:27 HAS NEVER BEEN DONE BEFORE.  
 863 09:40:35:29 09:40:40:07 IF YOU COME TO ME  
 WITH A PAIN IN YOUR SIDE  
 864 09:40:40:09 09:40:41:26 OF UNCERTAIN ETIOLOGY,  
 865 09:40:41:28 09:40:44:26 I'VE DEALT WITH THAT  
 MANY TIMES BEFORE.  
 866 09:40:44:28 09:40:48:10 I MAY NOT KNOW  
 WHAT IS CAUSING THE PAIN,  
 867 09:40:48:12 09:40:51:11 BUT I KNOW  
 HOW TO FIND OUT.  
 868 09:40:51:13 09:40:53:28 THERE'S  
 A BIG DIFFERENCE  
 IN DEGREE.  
 869 09:40:54:00 09:40:55:16 WELL, THAT'S IT.  
 870 09:40:55:18 09:40:57:17 THAT'S WHAT  
 WE'RE TALKING ABOUT.  
 871 09:40:57:19 09:41:00:29 IT ISN'T JUST A QUESTION  
 OF UNCERTAINTY AND PROFIT  
 872 09:41:01:01 09:41:03:19 BECAUSE WE KNOW  
 THERE'S HUGE VARIATIONS  
 873 09:41:03:21 09:41:07:10 IN WHAT PHYSICIANS DO  
 WHEN FACED WITH A DIAGNOSIS.  
 874 09:41:07:12 09:41:09:26 THERE CAN BE  
 TENFOLD DIFFERENCES.  
 875 09:41:09:28 09:41:11:27 YOU DON'T SAY THAT DOCTORS  
 876 09:41:11:29 09:41:14:11 WHO ARE DOING IT  
 MORE FREQUENTLY  
 877 09:41:14:13 09:41:15:26 ARE SELLING SNAKE OIL.  
 878 09:41:15:28 09:41:17:25 YOU SAY  
 IT'S MEDICAL JUDGMENT.  
 879 09:41:17:27 09:41:20:26 MEDICAL RESEARCH  
 ISN'T PAID FOR BY PATIENTS

880 09:41:20:28 09:41:24:01 ONLY BECAUSE IT'S PAID FOR  
BY THE GOVERNMENT

881 09:41:24:03 09:41:25:21 AND BY RESEARCH  
FOUNDATIONS.

882 09:41:25:23 09:41:29:26 OR BY DRUG COMPANIES,  
WHO STAND TO PROFIT BY IT.

883 09:41:29:28 09:41:33:11 THERE'S SOME SENSE THAT EITHER  
YOU'RE GIVING THE BENEFIT

884 09:41:33:13 09:41:36:11 TO THE DRUG COMPANY  
OR TO SCIENCE,

885 09:41:36:13 09:41:38:11 BUT THERE'S NOTHING  
THAT SAYS

886 09:41:38:13 09:41:41:27 THAT THE INDIVIDUAL  
WHO WANTS TO PAY FOR IT

887 09:41:41:29 09:41:43:27 IS PUT IN  
AN UNACCEPTABLE POSITION

888 09:41:43:29 09:41:45:11 WITH THE PHYSICIAN.

889 09:41:45:13 09:41:48:24 IT'S A QUESTION,  
"WILL THIS BE GOOD SCIENCE?"

890 09:41:48:26 09:41:51:29 YOU MAY HAVE DOUBTS  
ABOUT ANY PARTICULAR PROTOCOL,

891 09:41:52:01 09:41:53:26 BUT THE PROFIT MOTIVE,

892 09:41:53:28 09:41:56:27 COMPARED TO OTHER MOTIVES  
THAT DRIVE PEOPLE,

893 09:41:56:29 09:41:59:12 THAT DRIVE SCIENTISTS  
AND NONPROFIT INSTITUTIONS

894 09:41:59:14 09:42:01:26 WITH THEIR EYE  
ON THE PRIZE.

895 09:42:01:28 09:42:04:25 I WANT TO FIND OUT  
FROM DR. OLDHAM--

896 09:42:04:27 09:42:08:08 YOU'VE BEEN A RESEARCHER  
IN THE INSTITUTE

897 09:42:08:10 09:42:10:01 AND AT BIOCLINICS.

898 09:42:10:03 09:42:13:02 IS THERE A DIFFERENCE  
IN YOUR APPROACH?

899 09:42:13:04 09:42:14:27 NOT REALLY.

900 09:42:14:29 09:42:17:26 WE USE THE SAME  
KINDS OF SCIENTISTS.

901 09:42:17:28 09:42:19:11 WE USE PROTOCOLS.

902 09:42:19:13 09:42:21:11 I DON'T SEE  
A DIFFERENCE

903 09:42:21:13 09:42:23:11 IN THE CONDUCT  
OF SCIENCE.

904 09:42:23:13 09:42:25:10 THERE IS  
A DIFFERENT MECHANISM

905 09:42:25:12 09:42:27:09 FOR FUNDING THE SCIENCE.

906 09:42:27:11 09:42:29:24 INSTEAD OF TAKING  
A GOVERNMENT GRANT,

907 09:42:29:26 09:42:32:03 WE RAISE MONEY  
FROM INVESTORS.

908 09:42:32:05 09:42:35:04 A PARTNERSHIP  
BETWEEN THE INVESTOR  
AND THE PATIENT

909 09:42:35:06 09:42:37:06 WITH THE INSURANCE  
COMPANY FUNDING

910 09:42:37:08 09:42:38:24 IS A LITTLE

DIFFERENT.

911 09:42:38:26 09:42:42:09 IF YOU DON'T  
GET BILL PARKER  
INTO THIS PROGRAM

912 09:42:42:11 09:42:45:08 AND YOU DON'T COLLECT  
THOSE \$35,000 CHECKS,

913 09:42:45:10 09:42:48:25 YOU WON'T HAVE  
AS EASY A TIME NEXT TIME

914 09:42:48:27 09:42:50:24 IN RAISING  
INVESTOR MONEY.

915 09:42:50:26 09:42:52:10 YOU'RE ABSOLUTELY RIGHT.

916 09:42:52:12 09:42:55:23 IF, WHEN I WAS AT  
THE NATIONAL DISEASE INSTITUTE,

917 09:42:55:25 09:42:57:15 I WROTE A PROTOCOL

918 09:42:57:17 09:43:00:21 AND NOBODY CAME  
TO BE PART OF IT,

919 09:43:00:23 09:43:03:28 I WOULDN'T GO FROM ASSOCIATE  
TO FULL PROFESSOR.

920 09:43:04:00 09:43:05:25 MY SUPERIOR WOULD SAY,

921 09:43:05:27 09:43:08:10 "YOU'RE NOT  
A VERY SMART SCIENTIST,

922 09:43:08:12 09:43:11:08 WRITING SUCH PROTOCOLS  
AND NO PATIENTS CAME IN."

923 09:43:11:10 09:43:12:26 DR. MARKS?

924 09:43:12:28 09:43:15:29 CENTRAL TO THE ISSUE  
ON CLINICAL TRIALS

925 09:43:16:01 09:43:17:24 IS QUALITY CONTROL.

926 09:43:17:26 09:43:20:28 A GREAT CONCERN  
HAS TO BE THAT

927 09:43:21:00 09:43:22:24 IN A SITUATION

928 09:43:22:26 09:43:25:09 LIKE A PRIVATE  
CORPORATION,

929 09:43:25:11 09:43:27:07 YOU ARE REMOVING

930 09:43:27:09 09:43:30:07 FROM THE ESTABLISHED  
QUALITY-CONTROL MECHANISMS

931 09:43:30:09 09:43:33:20 THE OVERVIEW  
OF THE POTENTIAL EFFICACY

932 09:43:33:22 09:43:35:22 OF THESE  
CLINICAL TRIALS.

933 09:43:35:24 09:43:37:21 THAT IS  
A BASIC CONCERN.

934 09:43:37:23 09:43:39:12 THERE ARE MECHANISMS

935 09:43:39:14 09:43:41:26 TO BE REASSURED  
ABOUT IT, BUT--

936 09:43:41:28 09:43:45:03 DOES IT MAKE  
ANY DIFFERENCE  
IN THAT REGARD

937 09:43:45:05 09:43:46:26 WHETHER IT'S  
PROFIT-MAKING

938 09:43:46:28 09:43:48:17 WITH INVESTORS  
BEHIND IT,

939 09:43:48:19 09:43:50:22 OR THE GOVERNMENT  
BEHIND IT?

940 09:43:50:24 09:43:53:06 IT MIGHT.  
IT DOESN'T HAVE TO.

941 09:43:53:08 09:43:55:26 THERE ARE HIGHLY ETHICAL

PHARMACEUTICAL COMPANIES  
 942 09:43:55:28 09:43:57:26 THAT GO TO GREAT LENGTHS  
 943 09:43:57:28 09:43:59:22 TO ESTABLISH  
 QUALITY CONTROL.  
 944 09:43:59:24 09:44:03:06 THEY SEE IT AS  
 IN THEIR BEST BUSINESS INTEREST.  
 945 09:44:03:08 09:44:05:07 THE CENTRAL ISSUE  
 946 09:44:05:09 09:44:08:21 AS TO WHETHER AN OPEN PROTOCOL  
 IS OF VALUE  
 947 09:44:08:23 09:44:10:13 WITH THESE DRUGS  
 948 09:44:10:15 09:44:13:08 IS SOMETHING THAT MUST  
 BE EXAMINED.  
 949 09:44:13:10 09:44:16:27 NOBODY KNOWS WHO TO TURN TO  
 FOR AN ANSWER.  
 950 09:44:16:29 09:44:18:22 ONE REASON NOBODY KNOWS  
 951 09:44:18:24 09:44:22:07 IS THERE IS AN INADEQUATE  
 QUALITY-CONTROL MECHANISM  
 952 09:44:22:09 09:44:24:29 BUILT IN  
 TO THIS APPROACH TODAY.  
 953 09:44:25:01 09:44:26:20 JUSTICE SCALIA.  
 954 09:44:26:22 09:44:29:19 IT SEEMS LIKE  
 THE BOTTOM LINE FOR BILL  
 955 09:44:29:21 09:44:31:20 IS SIMPLY GOING TO BE,  
 956 09:44:31:22 09:44:35:05 HOW MUCH MEDICAL REASON  
 IS THERE TO BELIEVE  
 957 09:44:35:07 09:44:38:05 THAT THIS PROCEDURE,  
 WHOEVER IS SUPPLYING IT,  
 958 09:44:38:07 09:44:41:14 IS GOING TO HELP  
 WHATEVER'S WRONG WITH HIM?  
 959 09:44:41:16 09:44:44:29 LET'S DRAW A CURTAIN  
 ON BILL PARKER  
 960 09:44:45:01 09:44:47:05 AND TURN  
 TO ANOTHER PROBLEM.  
 961 09:44:47:07 09:44:49:21 DR. DeVITA,  
 H.O.P.E. DIDN'T WORK.  
 962 09:44:49:23 09:44:51:20 YOU'RE BACK  
 IN THE LABORATORY,  
 963 09:44:51:22 09:44:55:13 AND YOU'VE MADE WHAT  
 YOU ARE BEGINNING TO THINK  
 964 09:44:55:15 09:44:59:15 MAY BE  
 THE MOST IMPORTANT BREAKTHROUGH  
 965 09:44:59:17 09:45:02:05 OF YOUR CAREER--  
 966 09:45:02:07 09:45:05:21 A KILLED-VIRUS VACCINE  
 AGAINST AIDS.  
 967 09:45:05:23 09:45:08:05 YOU'RE STILL AT A STAGE  
 968 09:45:08:07 09:45:10:20 WHERE YOU'RE NOT  
 COMPLETELY SURE.  
 969 09:45:10:22 09:45:14:09 YOU'RE WORKING  
 VERY HARD ON IT  
 970 09:45:14:11 09:45:17:13 BECAUSE IN THE PRIVACY  
 OF YOUR OWN MIND,  
 971 09:45:17:15 09:45:20:04 YOU THINK,  
 "THIS MAY BE IT."  
 972 09:45:20:06 09:45:23:21 THIS IS WHAT YOU'VE WORKED FOR  
 ALL YOUR LIFE.  
 973 09:45:23:23 09:45:26:05 YOU GET A CALL ONE DAY

974	09:45:26:07	09:45:28:25	FROM A COLLEAGUE
			AT RIVAL UNIVERSITY,
975	09:45:28:27	09:45:30:18	FRANK SMITH.
976	09:45:30:20	09:45:33:18	HE'S BEEN WORKING
			IN THE SAME AREA,
977	09:45:33:20	09:45:37:03	PROBABLY NOT MAKING
			AS MUCH PROGRESS AS YOU.
978	09:45:37:05	09:45:40:23	HE SAYS, "DR. DeVITA,
			I'VE BEEN WORKING ON THIS.
979	09:45:40:25	09:45:42:13	"IT LOOKED PROMISING.
980	09:45:42:15	09:45:44:13	"I'VE RUN
			INTO SOME ROADBLOCKS.
981	09:45:44:15	09:45:46:03	"IF WE WORK TOGETHER,
982	09:45:46:05	09:45:48:18	"IF WE SHARE
			WHAT WE'VE GOT,
983	09:45:48:20	09:45:50:23	WE'LL MAKE PROGRESS
			MORE QUICKLY."
984	09:45:50:25	09:45:54:03	IF I THINK WE CAN GAIN SOMETHING
			BY COLLABORATING,
985	09:45:54:05	09:45:55:28	I'LL COLLABORATE.
986	09:45:56:00	09:45:58:13	THE GAIN IS BOTH SIDES.
987	09:45:58:15	09:46:01:00	YOU'RE FARTHER ALONG
			THAN HE IS.
988	09:46:01:02	09:46:05:10	IF I THOUGHT THERE WAS
			NO ADVANTAGE, I WOULDN'T.
989	09:46:05:12	09:46:07:02	PROFESSOR CAPRON?
990	09:46:07:04	09:46:09:13	ADVANTAGE TO WHOM?
991	09:46:09:15	09:46:12:02	SOMETHING YOU HAVE
			MIGHT LEAD HIM
992	09:46:12:04	09:46:13:24	ONTO
			THE RIGHT TRACK.
993	09:46:13:26	09:46:15:18	SHOULD HE SHARE?
994	09:46:15:20	09:46:17:11	HE SHOULD SHARE.
995	09:46:17:13	09:46:20:03	DR. COOPER,
			INSTEAD OF THE INSTITUTE
996	09:46:20:05	09:46:22:02	AND RIVAL UNIVERSITY,
997	09:46:22:04	09:46:24:17	IT'S ONE
			OF THE RESEARCHERS
998	09:46:24:19	09:46:27:06	IN YOUR COMPANY,
			LIFETECH INDUSTRIES.
999	09:46:27:08	09:46:30:01	HE SAYS HE GOT A CALL
1000	09:46:30:03	09:46:33:19	FROM HIS FRIEND DR. SUNG
			IN TOKYO,
1001	09:46:33:21	09:46:36:01	LIKE TO SHARE
			THE INFORMATION.
1002	09:46:36:03	09:46:37:16	ANY PROBLEM?
1003	09:46:37:18	09:46:39:01	YOU BET.
1004	09:46:39:03	09:46:40:16	WHAT?
1005	09:46:40:18	09:46:44:01	IF WE'RE ON THE VERGE
			OF A BREAKTHROUGH
1006	09:46:44:03	09:46:47:15	AND DR. SUNG WOULD LIKE
			SOME OF HIS MATERIAL,
1007	09:46:47:17	09:46:49:01	I'D WANT TO KNOW
1008	09:46:49:03	09:46:52:01	WHAT HE WOULD EXPECT
			TO GET BACK
1009	09:46:52:03	09:46:55:01	AND WHY WOULD HE



1010 09:46:55:03 09:46:58:00 IF HE WERE GIVING IT  
 1011 09:46:58:02 09:46:59:29 I WOULD ASK DR. SUNG  
 1012 09:47:00:03 09:47:02:24 WHAT ARRANGEMENT  
 1013 09:47:02:26 09:47:06:02 YOU'RE CONCERNED ABOUT  
 1014 09:47:06:04 09:47:07:22 DR. CHALMERS?  
 1015 09:47:07:24 09:47:10:16 THIS IS A PANEL  
 1016 09:47:10:18 09:47:14:01 WE'VE HEARD REPEATEDLY  
 1017 09:47:14:03 09:47:16:01 THAT BAD SCIENCE  
 1018 09:47:16:03 09:47:18:01 IS UNETHICAL. GOOD SCIENCE REQUIRES  
 1019 09:47:18:03 09:47:20:16 FREE COMMUNICATION--  
 1020 09:47:20:18 09:47:24:02 FREE, FREQUENT, COMPLETE,  
 1021 09:47:24:04 09:47:26:25 DETAILED COMMUNICATION.  
 1022 09:47:26:27 09:47:30:09 TO THE EXTENT THAT WE'RE FORCED  
 1023 09:47:30:11 09:47:33:14 BY ECONOMIC CIRCUMSTANCES  
 1024 09:47:33:16 09:47:35:29 TO CUT BACK  
 1025 09:47:36:01 09:47:40:14 ON FREE COMMUNICATION,  
 1026 09:47:40:16 09:47:42:12 WE CUT BACK ON THE QUALITY  
 1027 09:47:42:14 09:47:45:15 OF THE SCIENCE  
 1028 09:47:45:17 09:47:47:14 AND, THEREFORE, ON THE ETHICS  
 1029 09:47:47:16 09:47:49:24 OF OUR EFFORT.  
 1030 09:47:49:26 09:47:52:29 HOWEVER, WE HAVE TO  
 1031 09:47:53:01 09:47:55:24 BE REALISTS  
 1032 09:47:55:26 09:48:01:15 AND RECOGNIZE THAT ONE  
 1033 09:48:01:17 09:48:04:14 MAY HAVE TO DIP INTO THIS POT  
 1034 09:48:04:16 09:48:08:14 TO GET THINGS DONE.  
 1035 09:48:08:16 09:48:10:14 LET'S GO BACK  
 1036 09:48:10:16 09:48:13:17 TO OUR VACCINE  
 1037 09:48:13:19 09:48:20:21 FOR A MOMENT.  
 1038 09:48:20:23 09:48:22:09 DR. DeVITA SHARES  
 1039 09:48:22:11 09:48:24:14 THE INFORMATION  
 1040 09:48:24:16 09:48:27:26 WITH DR. SMITH  
 FROM RIVAL UNIVERSITY.  
 DR. DeVITA HAS MADE  
 TREMENDOUS PROGRESS,  
 AND HE'S IN THE PROCESS  
 OF WRITING IT UP  
 FOR PUBLICATION  
 IN A PROFESSIONAL JOURNAL.  
 DR. SMITH HAS  
 SOME DIFFERENT IDEAS, THOUGH,  
 MISS GOODMAN,  
 AND HE CALLS YOU UP  
 AND SAYS,  
 "I THINK WE'RE ON THE VERGE  
 OF AN AIDS VACCINE.  
 "IT WILL COME OUT  
 "IN THE PROFESSIONAL JOURNALS  
 EVENTUALLY,  
 BUT I CAN

GIVE IT TO YOU NOW."

1041 09:48:27:28 09:48:29:23 INTERESTED IN THE STORY?

1042 09:48:29:25 09:48:32:27 I'M VERY INTERESTED  
IN HEARING THE STORY.

1043 09:48:32:29 09:48:34:13 FROM DR. SMITH?

1044 09:48:34:15 09:48:36:27 YES. PRESUMABLY,  
I KNOW DR. SMITH,

1045 09:48:36:29 09:48:38:27 AND HE'S  
A REPUTABLE...

1046 09:48:38:29 09:48:42:08 WELL, HE'S A RESEARCHER  
AT RIVAL UNIVERSITY.

1047 09:48:42:10 09:48:48:27 SUPPOSE HE TELLS YOU,  
THOUGH, OR YOU FIND OUT

1048 09:48:48:29 09:48:52:18 THAT THE FACT IS  
THAT MOST OF THIS WORK,

1049 09:48:52:20 09:48:55:27 90% OF IT,  
WAS DONE BY DR. DeVITA.

1050 09:48:55:29 09:48:58:00 DO YOU WRITE IT?

1051 09:48:58:02 09:49:01:12 YOU MEAN WITHOUT SPEAKING  
TO DR. DeVITA?

1052 09:49:01:14 09:49:03:12 YOU CAN  
SPEAK TO HIM.

1053 09:49:03:14 09:49:07:26 DR. DeVITA, WE GOT A CALL  
FROM A COLLEAGUE OF YOURS,

1054 09:49:07:28 09:49:12:04 AND I IMAGINE A COMPETITOR  
OF YOURS, AS WELL.

1055 09:49:12:06 09:49:15:06 HE SAYS HE'S ON THE VERGE  
OF A BREAKTHROUGH

1056 09:49:15:08 09:49:16:26 ON THE AIDS VACCINE,

1057 09:49:16:28 09:49:20:12 AND MUCH OF HIS WORK  
IS CONNECTED TO YOURS.

1058 09:49:20:14 09:49:23:17 COULD I COME TALK  
ABOUT YOUR WORK?

1059 09:49:23:19 09:49:26:05 I'LL TALK TO YOU  
IN PERSON,

1060 09:49:26:07 09:49:27:20 IF YOU LIKE.

1061 09:49:27:22 09:49:30:19 YOU'RE PREPARED TO  
LAY IT OUT FOR HER?

1062 09:49:30:21 09:49:32:19 NO. I'M PREPARED  
TO DISCUSS

1063 09:49:32:21 09:49:35:03 THAT WE'RE WORKING  
IN THAT AREA

1064 09:49:35:05 09:49:37:10 AND COLLABORATING  
WITH DR. SMITH

1065 09:49:37:12 09:49:40:25 AND THAT THE RESULTS  
ARE VERY PRELIMINARY.

1066 09:49:40:27 09:49:42:26 SUPPOSE, IN FACT,

1067 09:49:42:28 09:49:46:10 THAT YOU'VE GOT IT  
ALL WRITTEN UP.

1068 09:49:46:12 09:49:47:25 YOU FINISHED THE ARTICLE.

1069 09:49:47:27 09:49:49:10 YOU SUBMITTED IT

1070 09:49:49:12 09:49:52:14 TO THE *NEW ENGLAND JOURNAL  
OF MEDICINE*.

1071 09:49:52:16 09:49:55:18 IT WILL BE PUBLISHED  
IN ABOUT A MONTH.

1072 09:49:55:20 09:49:57:10 A YEAR OR TWO.

1073 09:49:57:12 09:49:59:12 HA HA HA!  
 1074 09:49:59:14 09:50:02:26 NO, HE'S READY TO  
 MOVE IT RIGHT ALONG.  
 1075 09:50:02:28 09:50:05:09 IT'S IN THE FINAL  
 EDITING STAGES,  
 1076 09:50:05:11 09:50:08:25 AND IT'LL BE OUT  
 IN A MONTH OR TWO.  
 1077 09:50:08:27 09:50:11:10 DO YOU GIVE HER A COPY?  
 1078 09:50:11:12 09:50:12:24 NO.  
 1079 09:50:12:26 09:50:14:10 WHY?  
 1080 09:50:14:12 09:50:16:26 PRESUMABLY,  
 THIS KIND OF INFORMATION  
 1081 09:50:16:28 09:50:20:14 NEEDS TO BE DIGESTED  
 BY THE MEDICAL COMMUNITY.  
 1082 09:50:20:16 09:50:23:16 I PREFER TO HAVE  
 THE PAPER PUBLISHED  
 1083 09:50:23:18 09:50:25:23 IN THE SCIENTIFIC JOURNAL  
 FIRST  
 1084 09:50:25:25 09:50:27:23 RATHER THAN TO RELEASE IT  
 1085 09:50:27:25 09:50:30:21 AND HAVE PEOPLE  
 MISINTERPRET THE INFORMATION.  
 1086 09:50:30:23 09:50:34:08 ARE YOU SUGGESTING  
 THAT I WOULD MISWRITE THIS?  
 1087 09:50:34:10 09:50:37:23 NO, BUT I DON'T THINK  
 THE PUBLIC WOULD UNDERSTAND  
 1088 09:50:37:25 09:50:39:08 ALL THE NUANCES,  
 1089 09:50:39:10 09:50:42:23 NOR WILL YOUR EDITOR  
 PROBABLY GIVE YOU ENOUGH SPACE  
 1090 09:50:42:25 09:50:44:22 TO COVER THE MATERIAL  
 SUFFICIENTLY,  
 1091 09:50:44:24 09:50:48:04 NOR WILL ANY SCIENTIST  
 REVIEW YOUR ARTICLE.  
 1092 09:50:48:06 09:50:50:06 YOU'D LIKE IT TO BE  
 1093 09:50:50:08 09:50:53:02 IN THE *NEW ENGLAND*  
*JOURNAL*.  
 1094 09:50:53:04 09:50:54:24 YES.  
 1095 09:50:54:26 09:50:59:07 IF IT'S IN THE *JOURNAL*,  
 IT WILL BE IN *THE GLOBE*.  
 1096 09:50:59:09 09:51:01:08 IF IT'S IN *THE GLOBE*,  
 1097 09:51:01:10 09:51:04:22 IT MAY QUEER THE DEAL  
 FOR THE *JOURNAL*.  
 1098 09:51:04:24 09:51:07:09 SUPPOSE MISS GOODMAN  
 WRITES THE STORY  
 1099 09:51:07:11 09:51:10:13 AFTER TALKING TO DR. DeVITA  
 AND DR. SMITH.  
 1100 09:51:10:15 09:51:13:22 YOU WAKE UP ONE MORNING,  
 DR. RELMAN,  
 1101 09:51:13:24 09:51:18:28 AND THERE IT IS,  
 ALL LAID OUT IN HER COLUMN.  
 1102 09:51:19:00 09:51:22:29 YOU'RE NOW THREE WEEKS  
 FROM PUBLICATION.  
 1103 09:51:23:01 09:51:25:26 WHAT'S YOUR REACTION?  
 1104 09:51:25:28 09:51:29:23 WHEN DR. DeVITA  
 SUBMITTED HIS MANUSCRIPT TO US--  
 1105 09:51:29:25 09:51:32:07 A COUPLE OF WEEKS  
 BEFORE THAT,

1106	09:51:32:09	09:51:34:08	BECAUSE THIS WAS
			EXPEDITED REVIEW--
1107	09:51:34:10	09:51:36:01	HA HA HA!
1108	09:51:36:03	09:51:38:02	THERE WAS
			AN EXPLICIT UNDERSTANDING
1109	09:51:38:04	09:51:41:09	IN THE FORM LETTER
			THAT HE GOT
1110	09:51:41:11	09:51:44:23	THAT WE UNDERTOOK TO CONSIDER
			HIS WORK FOR PUBLICATION
1111	09:51:44:25	09:51:46:23	ON THE CONDITION
1112	09:51:46:25	09:51:49:23	THAT HE WITHHOLD DISSEMINATING
			ADVANCE INFORMATION
1113	09:51:49:25	09:51:53:07	UNTIL WE HAD A CHANCE
			TO PUBLISH IT.
1114	09:51:53:09	09:51:55:09	THERE'S AN EXCEPTION
			TO THAT.
1115	09:51:55:11	09:51:57:09	IF HE WERE
			REPORTING SOMETHING
1116	09:51:57:11	09:52:00:08	OF URGENT CONCERN
			TO THE PUBLIC HEALTH
1117	09:52:00:10	09:52:02:22	WHERE A FEW DAYS
			MATTERED ENORMOUSLY
1118	09:52:02:24	09:52:04:23	IN TERMS
			OF LIVES LOST,
1119	09:52:04:25	09:52:06:23	THEN OUR POLICY
			DOESN'T APPLY.
1120	09:52:06:25	09:52:09:22	FOR THE VAST MAJORITY
			OF MEDICAL RESEARCH,
1121	09:52:09:24	09:52:11:22	THAT'S NOT TRUE.
1122	09:52:11:24	09:52:15:23	WE EXPECT HIM TO LIVE UP
			TO THAT AGREEMENT.
1123	09:52:15:25	09:52:18:14	HE TRIED.
			SHE GOT THE STORY.
1124	09:52:18:16	09:52:21:08	NOTHING I CAN DO
			ABOUT THAT.
1125	09:52:21:10	09:52:23:07	WHAT HAPPENS
			TO HIS ARTICLE?
1126	09:52:23:09	09:52:24:22	WE PUBLISH IT.
1127	09:52:24:24	09:52:26:21	HE'S HONORED
			THE AGREEMENT.
1128	09:52:26:23	09:52:28:09	SUPPOSE INSTEAD
			HE SAYS,
1129	09:52:28:11	09:52:31:05	"MISS GOODMAN CAME
			TO SEE ME.
1130	09:52:31:07	09:52:33:22	"SHE HAD THE GIST OF IT.
1131	09:52:33:24	09:52:36:00	"SHE ASKED ME
			SOME QUESTIONS.
1132	09:52:36:02	09:52:40:12	"I WANTED TO MAKE SURE
			SHE DIDN'T GET IT WRONG,
1133	09:52:40:14	09:52:42:06	SO I TALKED."
1134	09:52:42:08	09:52:43:26	BAD JUDGMENT, VINCE.
1135	09:52:43:28	09:52:46:28	I'M NOT SURE I WOULD
			PULL THE ARTICLE.
1136	09:52:47:00	09:52:48:20	I MIGHT.
1137	09:52:48:22	09:52:50:07	WHY?
1138	09:52:50:09	09:52:52:21	BECAUSE DR. DeVITA

1139 09:52:52:23 VIOLATED AN AGREEMENT  
 09:52:55:06 THAT HE MADE WITH ME  
 VOLUNTARILY  
 1140 09:52:55:08 09:52:58:21 WHICH PRESUMABLY HE MADE  
 BECAUSE HE AGREES WITH ME  
 1141 09:52:58:23 09:53:01:20 AND THE VAST MAJORITY  
 OF HIS COLLEAGUES  
 1142 09:53:01:22 09:53:06:22 THAT THAT IS NOT THE BEST WAY,  
 IN THE PUBLIC INTEREST  
 1143 09:53:06:24 09:53:09:13 AND IN THE INTERESTS  
 OF SCIENCE,  
 1144 09:53:09:15 09:53:12:20 TO DISSEMINATE  
 NEW SCIENTIFIC INFORMATION.  
 1145 09:53:12:22 09:53:15:00 UNETHICAL.  
 1146 09:53:15:02 09:53:17:21 HE MAY HAVE VIOLATED  
 THAT AGREEMENT.  
 1147 09:53:17:23 09:53:19:22 IS IT UNETHICAL FOR HIM  
 1148 09:53:19:24 09:53:22:06 TO DISSEMINATE IT  
 TO THE PUBLIC?  
 1149 09:53:22:08 09:53:23:22 YES.  
 1150 09:53:23:24 09:53:25:06 I DON'T THINK SO.  
 1151 09:53:25:08 09:53:28:19 PART OF BUD DENIES  
 THAT I GOT THE STORY.  
 1152 09:53:28:21 09:53:30:04 I BEAT HIM.  
 1153 09:53:30:06 09:53:33:18 ARE YOU IN  
 ANY DIFFERENT POSITION  
 THAN SHE IS?  
 1154 09:53:33:20 09:53:35:03 OF COURSE.  
 1155 09:53:35:05 09:53:38:04 OUR JOB IS NOT  
 TO SIMPLY SPREAD  
 1156 09:53:38:06 09:53:40:05 THE BOTTOM LINE  
 1157 09:53:40:07 09:53:42:09 IN NIFTY,  
 WELL-CHOSEN PARAGRAPHS  
 1158 09:53:42:11 09:53:44:08 IN *THE BOSTON GLOBE*.  
 1159 09:53:44:10 09:53:46:08 I BEG YOUR PARDON!  
 1160 09:53:46:10 09:53:47:29 NIFTY.  
 WELL-CHOSEN.  
 1161 09:53:48:01 09:53:50:04 IT'S MEANT  
 TO BE APPROVAL.  
 1162 09:53:50:06 09:53:54:06 WE'RE NOT IN THE BUSINESS  
 OF DOING THAT.  
 1163 09:53:54:08 09:53:56:09 OUR JOB  
 AND OUR RESPONSIBILITY  
 1164 09:53:56:11 09:53:59:20 IS TO REVIEW THE DATA  
 VERY CAREFULLY,  
 1165 09:53:59:22 09:54:02:19 TO HAVE EXPERTS  
 IN DR. DeVITA'S FIELD,  
 1166 09:54:02:21 09:54:05:14 RECOGNIZED EXPERTS,  
 AND STATISTICANS REVIEW IT,  
 1167 09:54:05:16 09:54:07:03 SUGGEST CHANGES--  
 1168 09:54:07:05 09:54:09:04 BUT IT'S STILL  
 AS IMPORTANT  
 1169 09:54:09:06 09:54:11:19 TO GET INTO  
 THE PROFESSIONAL  
 COMMUNITY  
 1170 09:54:11:21 09:54:14:13 AS IT WAS

BEFORE HER STORY.

1171 09:54:14:15 09:54:16:05 BUT THE FACT IS  
1172 09:54:16:07 09:54:18:10 THAT MEDICAL SCIENTISTS  
AND PHYSICIANS  
1173 09:54:18:12 09:54:21:19 WHO MIGHT HAVE TO USE  
THAT INFORMATION  
1174 09:54:21:21 09:54:23:19 CANNOT POSSIBLY  
BASE THEIR JUDGMENTS  
1175 09:54:23:21 09:54:27:01 AND THEIR DECISIONS  
AND THEIR ADVICE TO PATIENTS  
1176 09:54:27:03 09:54:30:02 ON THE BASIS  
OF MISS GOODMAN'S ARTICLE.  
1177 09:54:30:04 09:54:32:13 DR. YOUNG,  
IS IT ETHICAL  
1178 09:54:32:15 09:54:35:02 TO HAVE THIS MOST  
IMPORTANT JOURNAL  
1179 09:54:35:04 09:54:37:17 DECIDING NOT TO  
PUBLISH THE RESULTS  
1180 09:54:37:19 09:54:39:13 OF THIS IMPORTANT  
BREAKTHROUGH  
1181 09:54:39:15 09:54:41:25 BECAUSE *THE GLOBE*  
WROTE A COLUMN?  
1182 09:54:41:27 09:54:44:28 MAY I GO BACK  
TO THE FIRST POINT?  
1183 09:54:45:00 09:54:45:28 SURE.  
1184 09:54:46:00 09:54:48:01 THERE'S A MAJOR  
ETHICAL ARGUMENT  
1185 09:54:48:03 09:54:51:02 IF IT'S BROKEN  
IN THE LAY PRESS  
1186 09:54:51:04 09:54:53:02 BEFORE THE SCIENTIFIC ISSUES  
1187 09:54:53:04 09:54:55:17 IN AN AGENCY  
SUCH AS MINE.  
1188 09:54:55:19 09:54:58:17 SOMETIMES THOUSANDS OF CALLS  
MAY COME IN--  
1189 09:54:58:19 09:55:01:02 "IS THIS TRUE?  
IS THIS APPROPRIATE?"  
1190 09:55:01:04 09:55:03:17 AND WE DON'T HAVE  
THE EVIDENCE.  
1191 09:55:03:19 09:55:06:01 IT MIGHT BE  
A BREAKTHROUGH DRUG  
1192 09:55:06:03 09:55:08:02 THAT HAS A GOOD POSSIBILITY.  
1193 09:55:08:04 09:55:09:17 ON THE OTHER SIDE,  
1194 09:55:09:19 09:55:12:17 SOMEONE MIGHT DISCREDIT  
A DRUG THAT'S LIFESAVING  
1195 09:55:12:19 09:55:16:02 AND PEOPLE WILL BE GOING AROUND  
WITHOUT THE FACTS.  
1196 09:55:16:04 09:55:17:25 ALL THE MORE REASON  
1197 09:55:17:27 09:55:21:01 TO PRINT IT  
IN THE *NEW ENGLAND JOURNAL*.  
1198 09:55:21:03 09:55:23:07 I'M ONLY TALKING RIGHT NOW  
1199 09:55:23:09 09:55:25:24 ABOUT BREAKING IT  
IN THE PRESS  
1200 09:55:25:26 09:55:28:00 BEFORE THE ARTICLE  
COMES OUT.  
1201 09:55:28:02 09:55:31:15 I WOULD PART COMPANY  
WITH DR. RELMAN STRONGLY

1202	09:55:31:17	09:55:35:05	IN REGARDS TO PUBLISHING
			THE ARTICLE IN THE <i>JOURNAL</i>
1203	09:55:35:07	09:55:38:15	EVEN THOUGH IT'S BROKEN
			BY THE PRESS.
1204	09:55:38:17	09:55:41:10	I'D TAKE ACTION
			IN SUBSEQUENT EVENTS,
1205	09:55:41:12	09:55:42:26	NOT JERK THE ARTICLE,
1206	09:55:42:28	09:55:46:00	BECAUSE IF IT'S
			A SENSATIONALLY IMPORTANT EVENT,
1207	09:55:46:02	09:55:49:14	THE AMERICAN PEOPLE
			AND THE SCIENTIFIC COMMUNITY
1208	09:55:49:16	09:55:51:15	NEED TO KNOW IT EARLY.
1209	09:55:51:17	09:55:55:24	IN THAT CASE,
			I WOULD AGREE WITH YOU.
1210	09:55:55:26	09:55:57:16	JUSTICE SCALIA,
1211	09:55:57:18	09:56:00:10	DOES THIS
			MAKE SENSE TO YOU?
1212	09:56:00:12	09:56:02:15	YES. YOU MAKE
			YOUR JUDGMENTS
1213	09:56:02:17	09:56:05:29	ON THE BASIS OF WHAT PRODUCES
			THE BEST GOOD
1214	09:56:06:01	09:56:07:15	IN THE LONG RUN.
1215	09:56:07:17	09:56:11:00	IN THIS CASE,
			IT MAY DO MORE GOOD
1216	09:56:11:02	09:56:13:14	TO PUBLISH IT
			IN THE <i>JOURNAL</i>
1217	09:56:13:16	09:56:16:15	DESPITE THE FACT
			THAT IT'S BEEN LEAKED,
1218	09:56:16:17	09:56:20:15	BUT IF THE CONSEQUENCE OF THAT
			IS TO INDUCE LEAKS
1219	09:56:20:17	09:56:23:00	IN INNUMERABLE CASES
			IN THE FUTURE--
1220	09:56:23:02	09:56:25:16	IF THAT'S THE ONLY
			FEASIBLE SANCTION--
1221	09:56:25:18	09:56:28:13	THEN IN THE LONG-RANGE GOOD,
1222	09:56:28:15	09:56:31:28	THE THING TO DO
			IS TO FORCE PEOPLE
1223	09:56:32:00	09:56:33:29	TO ABIDE BY THEIR CONTRACTS
1224	09:56:34:01	09:56:35:28	BY REFUSING
			TO PUBLISH THIS.
1225	09:56:37:00	09:56:38:28	AS ALEX CAPRON POINTED OUT
1226	09:56:39:00	09:56:40:22	DURING THIS BROADCAST,
1227	09:56:40:24	09:56:43:13	MEDICAL SCIENTISTS
			DO WEAR TWO HATS--
1228	09:56:43:15	09:56:45:13	PHYSICIAN AND RESEARCHER.
1229	09:56:45:15	09:56:47:12	WHEN THOSE TWO ROLES
			INTERSECT
1230	09:56:47:14	09:56:49:12	AND SOMETIMES COLLIDE,
1231	09:56:49:14	09:56:51:14	AN ETHICAL DILEMMA OCCURS,
1232	09:56:51:16	09:56:54:28	AND HUMAN LIFE CAN HANG
			IN THE BALANCE.
1233	09:56:55:00	09:56:57:28	NEXT WEEK
			ON <i>ETHICS IN AMERICA</i> ,
1234	09:56:58:00	09:57:01:28	POLITICIANS, THE PRESS,
			AND THE ETHICS OF PRIVACY.
1235	09:57:02:00	09:57:04:02	TRY TO JOIN US.

1236	09:57:24:20	09:57:26:22	CAPTIONING MADE POSSIBLE BY THE ANNENBERG/CPB PROJECT
1237	09:57:26:24	09:57:28:21	CAPTIONING PERFORMED BY THE NATIONAL CAPTIONING INSTITUTE, INC.
1238	09:57:28:23	09:57:30:26	CAPTIONS COPYRIGHT 1989 THE TRUSTEES OF COLUMBIA UNIVERSITY
1239	09:57:30:28	09:57:32:25	IN THE CITY OF NEW YORK