



BY EMAIL AND CERTIFIED MAIL

March 5, 2019

Medical Board of California
Central Complaint Unit
2005 Evergreen Street, Suite 1200
Sacramento, CA 95815-5401

Re: John G. Brock-Utne, M.D., PhD., LICENSE NUMBER: A 32932

To Whom It May Concern:

I am the executive director of [Checks and Balances Project](#) (C&BP), a nine-year-old investigative watchdog blog and member of the Online News Association. C&BP is concerned about the lack of disclosure by lobbyists, [corporate managers](#), [college professors](#) and others trying to influence public policy.

Since October 2018, after receiving a tip, we've been looking into an organization called [Physicians Against Drug Shortages](#) (PADS) and its media campaign against group purchasing organizations (GPOs). The group's members claim to be involved pro-bono and cover their own expenses with no financial conflicts, but our investigation has found that [six co-chairs received a total of \\$122,454](#) from medical device and drug companies over five years.

One of those co-chairs is California physician John G. Brock-Utne, M.D., PhD. Brock-Utne is affiliated with Stanford University's Lucille Packard [Children's Hospital](#) and is a [Professor](#) (Clinical) of Anesthesia, Emeritus at Stanford Medicine's Department of Anesthesiology, Perioperative and Pain Medicine. He is also a co-chair of [Physicians Against Drug Shortages](#).

We're concerned about how Dr. Brock-Utne failed to disclose more than \$48,000 in fees from drug and medical device companies while espousing views in a medical society publication that could benefit certain drug and medical device companies.

[His article](#) was published in the November/December 2018 issue of the Bay-area medical society publication [The Bulletin](#), a publication of the Santa Clara County Medical Association and the Monterey County Medical Society. Brock-Utne made the case that hospital drug shortages were due to many drug makers and other suppliers being locked out of the marketplace. What Brock-Utne didn't reveal in his article is that, according to the federal Open Payments Database, he has received [payments of \\$48,245](#) over five years from drug makers and other medical device suppliers.

In his *Bulletin* article, Brock-Utne writes,

"Please cite the extensive documentation on this national scandal on the website for Physicians Against Drug Shortages (PADS)."

Brock-Utne has disclosure responsibilities as laid out in the [Stanford Industry Interactions Policy](#). Section V.D.3 states:

"If a faculty member is listed as an author on any publication resulting from performance of their consulting services, the following disclosure must be made in the publication: Dr. [NAME]'s

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contribution to this publication was as a paid consultant to [COMPANY NAME]. Dr. [NAME] is not providing this material as part of his/her Stanford University duties or responsibilities.”

Although Dr. Brock-Utne lists articles that he has written on his [Stanford profile page](#), he neglects to list the article written for the medical society’s publication *The Bulletin*.

Several years ago, Dr. Brock-Utne co-authored [an article](#) for the California Society of Anesthesiologists in which he and his co-author argued for disclosure by physicians speaking at industry sponsored events:

“[T]he speaker should always declare any conflict of interest prior to the lecture starts. At any such lecture or meeting, it is important that attendees be sensitive to the interpretations of endorsements.”

Speakers “should always declare any conflict of interest,” he declares. Dr. Brock-Utne's comments in the California Society of Anesthesiologists article seem to contradict his lack of disclosure about potential conflicts of interest in his *Bulletin* article.

Dr. Brock-Utne could easily have avoided the issue raised by his article in *The Bulletin* by disclosing that he has received remuneration from certain drug makers and other suppliers. But he refuses to do so.

We sent an email to Professor Brock-Utne on January 16, 2019, that asked him about his article in *The Bulletin* and the payments. To date, we have received no reply.

Stanford Professor John Brock-Utne has a right to his opinion. When he asks the question in his *Bulletin* article, “How Could Drug Shortages Happen in a Free Enterprise Country Like the U.S.,” he may believe that the pharmaceutical and medical device industries can solve what he has witnessed in hospitals. But whether he believes it or not, he needs to be transparent about the payments he has received from drug and medical supply companies.

We bring this to the attention on the Medical Board of California as it involves one of its licensees. Transparency and accountability should be the hallmarks of licensed medical professionals. Therefore, we ask that you investigate our allegation and consider strengthening your ethical standards regarding financial conflicts of interest to help prevent this type of behavior from happening again.

We look forward to hearing from you.

Sincerely,



Scott Peterson
Executive Director
[Checks and Balances Project](#)

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cc: Dalia Demian