

ER/PR May 15 to June 18, 2007

LETTERS TO THE EDITOR

Mr. Tilley should resign

Editor:

Mr. (George) Tilley, in his letter (Southern Gazette, June 5, 2007 - 'Eastern Health open with patients') seems to imply Eastern Health was completely open with the patients and the public regarding the inaccurate breast tissue samples. The facts do not seem to corroborate this.

In July 2005, 939 breast tissue samples were sent to Mount Sinai Hospital in Toronto for retesting. Since that date, 176 women have died.

Of the remaining group of 763 women, more than 300 women were given the wrong test results making them eligible to receive Tamoxifen treatment.

This is what the St. John's Telegram editorial of May 18, 2007 wrote: 'Inside the government and the province's Eastern Health authorities, these facts have been known for months. For legal reasons, Eastern Health had been keeping under wraps information about how many women received inaccurate test result.'

Here is a synopsis of the treatment of breast cancer. Half the breast cancer tumours are hormone sensitive and can be treated with Tamoxifen. Tamoxifen is almost a miracle drug with a cure rate (five years from treatment) of 73 per cent.

According to Dr. Hudson, 36 women have had hormone sensitive cancer tissues but were not given Tamoxifen. That is, 24 women would have been alive and cancer free for five years.

Of the remaining 140 dead patients, whose tissue results are not known at present, at least 70 would be hormone sensitive giving us a total of 106 women who should have received Tamoxifen but did not. If all of them had received the drug 76 women would have been alive and cancer free at the end of five years, and would have been considered cured.

These are horrible numbers. The question to be asked is 'Who killed Cock Robin?'

Mr. George Tilley, the CEO of

the Eastern Health services, is the final authority in the institution. CEOs are an elite group of people. They are the crème de la crème of society.

They have enormous responsibilities and they can make or break an institution. Jack Welsh, Sam Walton and Warren Buffett made their companies world-class companies.

On the other hand, CEOs who bring disrepute to their institutions pay heavily for their transgressions. CEOs of Enron, World Com and Tycho are all serving time in jail. Conrad Black, the CEO of Hollinger, is in Chicago desperately trying to escape a hundred year jail term.

It is to be noted all these companies lost money but no lives were lost.

Here, in the present case, we are talking about 76 women who have lost their lives because of an error in judgment. As the CEO responsible for this, surely Mr. Tilley should resign!

However, if he was given explic-

it orders by his boss, the health minister, to keep quiet then I would think the minister should fall on his sword also.

Mr. Peter Dawe, of the Canadian Cancer Society, says they made a mistake and are sincere in their regret and they have learned from their mistakes. That is well and good, but one cannot ignore the death of 76 women because of a faulty judgment.

No doubt in the coming weeks, more of the elite in the medical establishment will be circling the wagons in defense of the Eastern Health services.

The wanton death of these women calls for a judicial inquiry. But, in the final analysis, this is a question of accountability.

John Donne wrote, "Any man's death diminishes me, because I am involved in Mankind; and therefore never send to know for whom the bell tolls, it tolls for thee."

George Anjilvel,
Marystown

VOCM NIGHT LINE Tuesday, June 12, 2007

EASTERN HEALTH: "Bert" asks if Eastern Health is a separate legal entity from the government. Tilley is appointed by the board. He is wondering who gave George Tilley a bonus last year. AIRED: 11:54 DURATION: 02:00 REPORTER: LINDA SWAIN

CBC RADIO ST JOHN'S MORNING SHOW 6-8AM Wednesday, June 13, 2007

DOCTOR CONCERNED OVER LAB TESTS

JEFF GILHOOLY: More details have surfaced about the kind of concerns a doctor had about a laboratory medical tests carried out by Eastern Health.

As you know the provincial government has launched its own judicial inquiry into inaccurate breast cancer tests and the class action suit has also been filed. In the beginning Eastern Health said it knew about problems as early as 2005. But about three weeks ago now the news came out that Dr. Gershon Egecham was criticizing aspects of lab work as early as 2003. He left Nfld about a year ago and he's now back in his native Nigeria. He's not doing radio interviews. But CBC's National Reporter Vic Adophia had a brief chat with him on a crackly phone line. Vic joins me now in our studio. Good morning.

VIC ADOPHIA: Hi, Jeff.

JEFF GILHOOLY: Look lets just go back over who this doctor was, tell me about Dr. Egecham.

VIC ADOPHIA: Yeah he's Dr. Gershon Egecham and he came to St. John's from Doha, Qatar in August 2002. Qatar is a gulf state in the Middle East and that's where he worked as a chief pathologist and within a few months of arriving in St. John's he was assigned to quality control for amino histo-chemical testing at the pathology lab. Now that amino histo-chemical that's the long word that describes this sophisticated testing that includes the hormone receptor tests that determines if a patient's breast cancer is being spread by hormones.

JEFF GILHOOLY: I remember when we first covered it. It seemed very serious this letter that he wrote. Can we just go back over what his concerns really were.

ER/PR May 15 to June 18, 2007

VIC ADOPHIA: Sure it began in April 2003 so this shortly maybe half a year after he arrived. He wrote a memo to all the hospitals in the province that he was suspending all amino histo-chemical tests for four to six weeks. And he says the testing process was, in his words were unreliable, erratic and unhelpful. So he suspended these tests and this is two years before Eastern Health acknowledged publically that there were problems in the lab.

JEFF GILHOOLY: Alright how did the conditions here then compare with what he was used to in other parts of the world?

VIC ADOPHIA: Well it is surprising that, he said compared to his last job as a pathologist in Doha St. John's was just not up to par and mostly because here they didn't at the time have the staff dedicated solely to this complex amino histocal-chemical testing which requires a bit of experience and expertise. And at the time he came they did not dedicate to this one type of testing. So he said that had to change and he, he urshered in that change.

JEFF GILHOOLY: Okay alright I know that Eastern Health took it fairly seriously it seemed. I talked with George Tilley, the CEO of Eastern Health and said that action was taken. What did they do?

VIC ADOPHIA: Well Dr. Egecham did have the authority to suspend all of those tests and he did do that and after a couple of weeks Dr. Egecham says with the problems with the hormone receptor tests, that's related to the breast cancer testing were resolved, but, you know, in a later memo his tone had an air of alarm. And as I mention the ER, PR testing to do with breast cancer was taken care of but there were still other testing problems with prostate biopsies and there was that alarm. And he said test results could jeopardize patient care, it could open up health officials to litigation. So he really didn't feel like enough was being done. What he said to me was that when he found, he sent this initial memo he received no response from the department, the administration and he said he didn't get a response for

what he calls quite a while. And he's a bit critical here. He says the program director for the Pathology Department isn't a physician and he felt that might have affected how the problem was dealt with because he felt maybe, you know, if there was a doctor in charge of the department, perhaps there would have been action sooner and they would have appreciated the gravity of the situation here.

JEFF GILHOOLY: Oh okay. Because in that interview, I'm just, go back to it on the Morning Show with George Tilley, again he said that he was quite confident that all the problems by Dr. Egecham had been looked after. It caused me to wonder well if that was, especially with the breast cancer testing if that was fixed somewhere around 2003 what happened between then and 2005 when we start to get the misreadings.

VIC ADOPHIA: Exactly that, that is the question. What did happen bet3ween two those years. As you said 2005 was when they announced publically okay we have a problem here but Dr. Egecham said there was a problem two years earlier. So that information has to be released because there is no year by year breakdown just yet of the numbers of false test results. So we don't know if Dr. Egecham, when he said okay I fixed everything in the lab, if false test results continued prior to his, or after his intervention. We don't know that just yet. But we do know that the percentage of patients rejected for the anti-hormone therapy was closer to what was considered normal after he made these changes.

JEFF GILHOOLY: Okay.

VIC ADOPHIA: Prior to him intervening we got a high rate of people rejected for this treatment to do with breast cancer. And this is what Ches Crosbie, the lawyer is saying, that you know, the red flag should have gone up sooner, in 2002 even, in 2001, that you know, a lot of people are being rejected for this treatment that should not have been rejected just by, based on percentage not even their test results. Just, they're out of whack. So we do know that after he did make these changes the

ER/PR May 15 to June 18, 2007

levels are, the percentage of people who are getting the treatment was up to normal.

JEFF GILHOOLY: Vic, has Dr. Egecham been following this story here now?

VIC ADOPHIA: Well when, when I did contact him and he's now back in Nigeria where he is the chief of a Pathology Department and is trying to start up a med school there, he knew all about the class action lawsuit and you, as you can imagine was a little reluctant to speak to me at first. I mean in the end he said he was not at all surprised at the high percentage of women rejected for this therapy given the problems in the lab and given the way they were doing things. But he said, you know,

they're not completely out of whack with maybe some other labs across North America. Of course we don't have the benefit of comparing us to anyone else because really who out there would do a mass retesting.

JEFF GILHOOLY: Right.

VIC ADOPHIA: [inaudible]

JEFF GILHOOLY: Alright, we appreciate this. Thanks, Vic.

VIC ADOPHIA: You're welcome, Jeff.

JEFF GILHOOLY: That's Vic Adophia, he's CBC Radio's National Reporter based here in St. John's.

CBC RADIO NEWS AT 7:00AM Wednesday, June 13, 2007

CBC RADIO NEWS AT 8:00AM Wednesday, June 13, 2007

PATHOLOGIST SPEAKS OUT: A pathologist who warned Eastern Health about problems with cancer tests four years ago is speaking publicly for the first time. [Reporter "Mark Quinn"; "Dr. Gershon Ejeckam (sp?)"] **AIRD:**7:01 A.M. **DURATION:** 1:30 **REPORTER:** NANCY WALSH

CBC WEBSITE: June 13, 2007: 7:26am

Inadequate response to lab warning, pathologist says

A pathologist who warned health authorities in St. John's about flawed cancer tests four years ago said he could not trust laboratory results, told CBC News this week that he was not satisfied with how officials immediately responded. Gershon Ejeckam wrote an internal memo in 2003 about a list of problems at the lab, including lack of training, high turnover and inappropriate working spaces.

The memo, which CBC News reported on two weeks ago, showed authorities were aware of serious problems at the lab now managed by the Eastern Health regional authority.

The memo flagged issues two years before Eastern Health disclosed it was having serious problems with hormone receptor tests, which help determine which course

of treatment is appropriate for breast cancer patients.

A judicial inquiry is pending on those tests, in which more than 300 breast cancer patients were given wrong results. A class action lawsuit has also been certified by Newfoundland Supreme Court.

Speaking publicly on the issue for the first time, Ejeckam, who now lives in Nigeria, said in an interview that a shortage of pathologists was one of the reasons he wrote his memo.

"Situations where today the results were very good, tomorrow it's a bad result or no result at all, so there is no question that there was no consistency in the testing at that time," Ejeckam told CBC News.

Despite saying he could not trust the Health Sciences Centre lab's results, and that the authority could be legally liable for errors,

ER/PR May 15 to June 18, 2007

Ejeckam said he was not pleased with what happened next.

"Well, there was no immediate response," he said.

"There was no question about it. The chairman, the program director ... there was no response to it."

In the spring of 2003, Ejeckam suspended hormone receptor tests for several weeks, to address a number of problems.

A month later, Ejeckam wrote that he was satisfied that the problems with those tests had been solved, although he cautioned that quality control at the lab was still "unsatisfactory."

Earlier this month, Eastern Health released other memos suggesting that problems at the lab were addressed.

In 2005, Eastern Health suspended hormone receptor testing at the lab again and began retesting results dating back to 1997.

Late last year, Eastern Health disclosed that those tests had had an error rate ranging between 10 per cent and 15 per cent. However, documents registered with Newfoundland Supreme Court showed the error rate was several times higher.

Those disclosures sparked a furor, and the Newfoundland and Labrador government last month announced it would hold a judicial inquiry into the flawed tests. The inquiry has yet to be appointed.

Ejeckam left the Health Sciences Centre in St. John's in 2006, and is now practising in Nigeria.

VOCM NIGHT LINE Wednesday, June 13, 2007

EASTERN HEALTH / FEDERAL BUDGET VOTE / PROVINCIAL POLITICAL ISSUES: "Bert" calling about the Eastern Health board. He says they are funded by the government. He talks about the bonus given to George Tilley. He asks if Judge Green was paid extra for his constituency allowance recommendations. He is also wondering if there is a new Lieutenant Governor being appointed soon? He says the vote for the budget by the Conservative MPs is mind boggling. He talks about the enumeration process. **Aired: 11:10 DURATION: 07:00 REPORTER: LINDA SWAIN**

CBC RADIO NEWS AT 7:00AM Thursday, June 14, 2007

CBC RADIO NEWS AT 8:00AM Thursday, June 14, 2007

PREMIER APPOINTS JUDGE: Premier Danny Williams will appoint a judge today to look into the flawed cancer treatment tests at Eastern Health. [Reporter "David Cochrane"; Premier "Danny Williams"] **Aired: 7:08 A.M. DURATION: 1:30 REPORTER: NANCY WALSH**

VOCM RADIO NEWS AT 7:45AM Thursday, June 14, 2007

JUDICIAL INQUIRY DETAILS TO BE RELEASED: Government is getting set to release details of a judicial inquiry into the controversy surrounding faulty tests that helped determine treatment options for breast cancer patients. **Aired: 7:52 DURATION: 00:15 REPORTER: GERRY PHELAN**

CBC WEBSITE: June 14, 2007 2:53pm

Appeal Court judge takes on N.L. cancer probe

Premier Danny Williams appointed a veteran of the Newfoundland Supreme Court Thursday to oversee a judicial inquiry into erroneous tests involving hundreds of breast cancer patients.

Margaret Cameron, who has served for 15 years in the Court of Appeal, will begin

work on the inquiry on July 3, Williams told the legislature Thursday.

The government announced last month it would hold an inquiry, amid revelations that the error rate of hormone receptor tests — which help determine the type of treatment that a breast cancer