

## APPENDIX G

Meeting of Committee on Research Integrity (Newark Campus): 12/02/02

Present: Drs. Forrester (Chair), Fine, Cherniak, Turkall, Brown  
Ms. Kligerman

Dr. Forrester called the meeting to order and reminded the members of the Committee of their charge, to find whether there is sufficient credible evidence of scientific misconduct in the allegation brought by Dr. H. Hill against Dr. A. Bushayee. Dr. Forrester then reviewed the evidence before the Committee.

Dr. Forrester made two recommendations, first that Dr. Bishayee be invited to speak to the Committee in response to the allegation, and second that an expert opinion be sought as to the validity of the data analysis conducted by Dr. Hill and presented by her as evidence of scientific misconduct.

Dr. Cherniak responded that he believed that experts at the ORI had already examined the evidence and had closed the case. And if that were true, there would be no need for a response from Dr. Bishayee.

Other members of the Committee referred to specific comments in the ORI report, quoting from page 17, that the ORI observed an unusual repetition of numbers and that it was questionable that this could result from a machine. Ms. Kligerman added that Dr. Hill believes that she has come forward with new evidence because this analysis was not done during the first inquiry.

Dr. Turkall pointed out that the ORI cited a problem in its own analysis with the absence of proper controls and suggested that Dr. Hill herself was providing control data. The ORI

performed two analyses: one utilized data from 3/26/01 compared to Dr. Hill's data from 1999; the other utilized Coulter counter data of 9/24-10/4 but with no control.

The Committee questioned whether Dr. Hill's data was appropriate to use as a control and pointed to the ORI concern for the lack of proper controls in their own analysis. It was suggested that the Committee seek an expert opinion on these questions, as well as an evaluation of the analysis itself.

Dr. Fine also suggested that, in order to be thorough, the Committee needed to ascertain whether Dr. Hill's analysis utilized the same data as that in the ORI analysis.

Dr. Cherniak made a motion to obtain an expert to advise the Committee in the matter of the data analysis performed by Dr. Hill. The motion was seconded by Dr. Fine.

The motion was passed by voice vote: four members in favor and one opposed.

The Committee then discussed ways of identifying an appropriate expert. The members decided to seek names of prospective outside experts from contacts at the Cleveland Clinic and from Dr. Stanley Von Hagen.

Ms. Kligerman then stated that Dr. Bishayee has a right know the nature of the allegation against him and to be heard before the Committee makes its determination; the only question was when that hearing should take place.

The Committee then consulted the letter sent to Dr. Bishayee dated November 25, 2002, informing him of the most recent allegation. The letter states that Dr. Bishayee would be informed of the nature of the allegation.

The Committee discussed the possibility of writing a second letter to Dr. Bishayee, informing him of the nature of the allegation and the type of evidence under review. Ms. Kligerman offered to work with Dr. Forrester in writing this letter. The letter would leave Dr. Bishayee the option of discussing the allegation with Dr. Forrester, and/or appearing before the full Committee. However, it was agreed by the Committee that Dr. Bishayee would not be asked to testify until after the Committee had obtained the opinion of an outside expert, with regard to the evidence of scientific misconduct brought by Dr. Hill.

Dr. Turkall then raised the issue of which experimental data Dr. Hill utilized in her analysis, and whether the same data was utilized by the ORI. Dr. Hill appears to use additional control data, but if the data are the same as that used by the ORI, and the ORI believes that their analysis had inadequate controls, then it is possible that Dr. Hill's analysis would not be sufficient evidence to launch an investigation. Dr. Turkall believed that the Committee, through the Chair, should attempt to get clarification of the ORI position by speaking with the individual who did the analysis. What did the ORI mean by "proper controls"?

The Committee decided that Dr. Forrester would place a phone call to the appropriate person at the ORI to ask for the needed clarification.

The Committee will send an additional letter to Dr. Bishayee, describing the nature of the charge and the evidence being reviewed.

The Committee will begin inquiries about an appropriate outside expert to render an opinion about the validity of Dr. Hill's analysis and its relevance for the allegation of falsification of data.