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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*
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May 4, 2011

Via Electronic Transmission

Cindy Specht
Interim Executive Director
Depression and Bipolar Support Alliance
730 N. Franklin Street, Suite 501
Chicago, IL 60654

Dear Ms. Specht:

In December 2009, I asked for an accounting of industry funding that the Depression and Bipolar Support Alliance (DBSA) receives from pharmaceutical and medical device companies as well as foundations established by these companies or the insurance industry. I appreciate your response, which I have attached to this letter. I write today to follow up on any efforts by your organization to improve transparency and accountability in its relationships with the pharmaceutical and device industries.

As I stated in my previous letter, I started my inquiry, in part, as a result of accounts documenting the lack of transparency in financial relationships between the pharmaceutical industry and nonprofit health and medical organizations. Specifically, I cited the April 2008 article in *The Wall Street Journal*, which reported that industry representatives, including ten major drug companies, had formed a coalition to promote looser restrictions on off-label marketing.¹ The coalition had asked the National Alliance on Mental Illness (NAMI) to speak in favor of this issue.

In response to my concerns in my April 2009 letter to NAMI, NAMI began to voluntarily disclose to the public any amount of funding exceeding \$5,000 that it received from pharmaceutical companies and foundations on its website. Further, NAMI began to provide a brief description of the purpose of the funding on its website. I commend NAMI for its leadership and had hoped that when I reached out to your organization and 32 others, your organization would follow NAMI's example and begin posting similar funding information on DBSA's website.

As of the date of this letter, it appears that your organization has taken steps to identify on its website the corporate or industry sponsors and their range of funding support. However, the website does not specify the purposes of that funding. If DBSA is currently taking steps to

¹ Alicia Mundy, "Off-Label Use of Drugs Gets a Push --- Big Pharma Lobbies Washington to Relax Rules on Marketing," *The Wall Street Journal*, April 18, 2008.

further enhance the transparency of its financial relationships with the pharmaceutical and device industries, I would appreciate information regarding those steps. In particular, please state whether or not DBSA will be adding information in the future about the purpose of the funding it receives. If not, please explain why not.

The Medicare Payment Advisory Commission (MedPAC) recommended in a report to Congress in March 2009 that Congress require that pharmaceutical and device companies report their financial relationships with physician groups, patient organizations, and others. More specifically MedPAC said the following:

Given the potential benefits of public reporting, we recommend that the Congress mandate the reporting of comprehensive information on industry relationships with physicians and other health care entities and that the Secretary post this information on a public searchable website.²

MedPAC then went on to say in Recommendation 5-1 that:

The Congress should require all manufacturers and distributors of drugs, biologicals, medical devices, and medical supplies (and their subsidiaries) to report to the Secretary their financial relationship with: . . . physician groups and other prescribers . . . patient organizations; and professional organizations.³

I look forward to working with you and other health and medical organizations to further increase sunshine on financial relationships.

Thank you for your cooperation and attention in this matter. I would appreciate a response by May 25, 2011. If you have any questions, please do not hesitate to contact Brian Downey for the Committee on the Judiciary at (202) 224-5225.

Sincerely,



Charles E. Grassley
Ranking Member

Attachments

² Medicare Payment Advisory Commission, "Public reporting of physicians' financial relationships," Report to Congress: Medicare Payment Policy, March 2009.

³ *Id.*

Attachment



**Depression and Bipolar
Support Alliance**

December 18, 2009

The Honorable Charles E. Grassley
135 Hart Senate Office Building
United States Senate
Washington, DC 20510-1501

Dear Senator Grassley:

I am writing on behalf of the Depression and Bipolar Support Alliance (DBSA) in response to your letter of December 7, 2009. As you know, DBSA is a consumer-focused, national mental health organization, with the mission “to improve the lives of people living with mood disorders.” Through over 1,000 support groups and 450 national chapters, DBSA reaches nearly 5,000,000 people each year with current, consumer-friendly information about depression and bipolar disorder, as well as empowering tools focused on an integrated approach to wellness and recovery.

DBSA could not achieve its mission without the support of charitable gifts from our community. These contributions come from numerous sources, including, as you have noted, the pharmaceutical industry. DBSA is proud of the work it has been able to do thanks—in part—to the support of this industry. Yet we also realize that there are numerous, complex issues surrounding the intersection of pharmaceutical funding and health-related advocacy and education.

In recognition of these sensitive issues, and to ensure the best possible information and programming for our national constituency, DBSA is committed to transparency in and about its relationships with all donors, including those supporters from within the pharmaceutical industry. We hope the following answers to the questions posed within your December 7, 2009 communication will demonstrate clear examples of DBSA’s commitment to openness. These responses are provided in addition to a chart that details annual amounts of industry funding (*attachment 1*).

Question 1) – Please describe the policies for accepting industry funding and whether or not DBSA allows companies to place restrictions or provide guidance on how funding will be spent.

In March 2007, DBSA’s board of directors approved a decision-making matrix (*attachment 2*) regarding the acceptance of funds from pharmaceutical companies. Then, in August 2007, based on recommendations from a task force appointed to look at this issue, the board also drafted a policy statement on funding from the pharmaceutical industry (*attachment 3*). Additionally, the board resolved that no more than 50% of DBSA’s total budgeted revenues may come from the industry. Finally, in December 2007, DBSA’s board updated its 2008-2009 strategic plan (*attachment 4*) to include a specific objective with respect to industry funding. It reads,

Priority Project 5Aa: **Increase non-pharmaceutical company revenues so the percentage of pharmaceutical revenues decreases by five percent each year.**



Depression and Bipolar
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These measures act as safeguards for the integrity of any projects that might be supported by the pharmaceutical industry.

Like all donors, pharmaceuticals may provide grants at their discretion, and DBSA uses donated funds only for the broad purposes outlined within a grant agreement. That is to say, for example, if a grant is made to support educational materials about bipolar disorder, DBSA will use the funds only for this designated purpose. However, as indicated within DBSA's policy statement, point #3, "Any program supported by a pharmaceutical company will be under the sole control of DBSA. Pharmaceutical companies will have no ability to edit the materials."

Question 2) – *If DBSA allows companies to place restrictions on industry funding, then please explain all restrictions and/or guidance for each transfer of value from industry. For every transfer of value with a restriction, please provide the following information: year of transfer, name of company, and restriction placed on funding.*

As noted in the response to question 1), no grant agreement may stipulate that the final content of DBSA's educational or promotional materials be subject to the review or alteration of a donor. To indicate when project-related support (as opposed to general operating grants) has been provided by our healthcare industry donors, please see the "Reason(s) that funding was provided" column within our accounting of all industry grants made between 2006 and 2009 (*attachment 1*).

Question 3) – *Please explain what policies, if any, DBSA plans to adopt to ensure transparency of funding in order to provide a greater public trust in the independence of your organization.*

The measures outlined above represent the proactive steps DBSA has already taken to ensure openness, transparency, and honesty in all its work. No additional policies are in DBSA's immediate plans, yet these existing initiatives and guidelines will certainly be maintained.

Notably, DBSA has for many years included the giving levels of all its donors—including pharmaceutical corporations—within its annual reports (*attachments 5-7*).

Question 4) – *Please explain your policies on disclosure of outside income by your top executives and board members.*

DBSA maintains a conflict of interest policy that covers both board members and senior-level employees (*attachment 8*).

Question 5) – *Please provide the disclosures of outside income filed with your organizations by your top executives and board members.*

Attached is an accounting of all outside income reported by DBSA board members (*attachment 9*). No DBSA senior staff members received any outside compensation from pharmaceuticals during 2006-2009.



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We hope the foregoing responses address your inquiry completely. Should additional information be necessary, I hope you will not hesitate to contact me at (312) 988-1150 or PAshenden@DBSAlliance.org. Note that, because our offices will be closed from December 24, 2009 – January 4, 2010, any follow up will likely need to take place in the New Year.

Sincerely,

Peter C. Ashenden
President
Depression and Bipolar Support Alliance

Attachments (9): Amounts of industry funding (*attachment 1*)
 Pharma decision-making matrix (*attachment 2*)
 Pharma funding policy statement (*attachment 3*)
 2008-2009 strategic plan (*attachment 4*)
 2006 annual report (*attachment 5*)
 2007 annual report (*attachment 6*)
 2008 annual report (*attachment 7*)
 Conflict of interest policy (*attachment 8*)
 Amounts of DBSA board members' outside income (*attachment 9*)

cc: Mr. Stephen Propst, Chair, DBSA Board of Directors
 Ms. Christy B. Beckmann, Secretary, Chair-Elect, DBSA Board of Directors
 Dr. Allen S. Daniels, Executive Vice President and Director of Scientific Affairs, DBSA
 Mr. Allen Doederlein, Director of Development, DBSA
 Ms. Madalyn Kenney, Development Manager, DBSA
 Ms. Paula Cozzi Goedert, Partner, Barnes & Thornburg LLP

Depression and Bipolar Support Alliance
Funding from the Pharmaceutical Industry - 2006-2009
Last revised December 18, 2009

Year	Name of Company	Amount of funding	Reason that funding was provided
1/30/2006	Abbott Laboratories	\$250,000.00	Project support - dual diagnosis information
7/5/2006	Abbott Laboratories	\$15,000.00	Rebecca's Dream gala sponsorship
10/25/2006	Abbott Laboratories	\$40,648.00	General operations
11/3/2006	Abbott Laboratories	\$48,927.95	Project support - dual diagnosis and hospitalization information
12/31/2006	Abbott Laboratories	\$355,000.00	General operations
2/22/2007	Abbott Laboratories	\$24,659.68	General operations
8/28/2007	Abbott Laboratories	\$10,214.40	Project support - dual diagnosis information
12/31/2007	Abbott Laboratories	\$40,000.00	General operations
3/18/2008	Abbott Laboratories	\$12,984.16	Project support - dual diagnosis information and personal calendar printing
7/22/2008	Abbott Laboratories	\$3,248.84	General operations
10/27/2008	Alexza Pharmaceuticals, Inc	\$1,000.00	Rebecca's Dream gala sponsorship
4/7/2006	AstraZeneca	\$25,000.00	Project support - sleep information
6/14/2006	AstraZeneca	\$100,000.00	Project support - new diagnosis information
6/14/2006	AstraZeneca	\$50,000.00	Project support - sleep information
6/28/2006	AstraZeneca	\$100,000.00	General operations
7/26/2006	AstraZeneca	\$15,000.00	Rebecca's Dream gala sponsorship
7/26/2006	AstraZeneca	\$50,000.00	Project support - mood disorders information
7/26/2006	AstraZeneca	\$50,000.00	Project support - mood disorders information
12/1/2006	AstraZeneca	\$125,000.00	Project support - new diagnosis information
3/26/2007	AstraZeneca	\$50,000.00	Conference sponsorship
4/10/2007	AstraZeneca	\$2,500.00	Conference sponsorship
5/17/2007	AstraZeneca	\$200,000.00	Project support - FacingUs website
8/16/2007	AstraZeneca	\$25,000.00	Rebecca's Dream gala sponsorship
11/19/2007	AstraZeneca	\$50,000.00	Project support - mood disorders information
12/27/2007	AstraZeneca	\$25,000.00	General operations
2/19/2008	AstraZeneca	\$50,000.00	General operations
2/19/2008	AstraZeneca	\$10,000.00	Project support - new diagnosis information
2/19/2008	AstraZeneca	\$60,000.00	Project support - DBSAllianza.org Spanish-language website
3/6/2008	AstraZeneca	\$75,000.00	Project support - FacingUs website
3/6/2008	AstraZeneca	\$25,000.00	Project support - mood disorders information
8/18/2008	AstraZeneca	\$45,000.00	Rebecca's Dream gala sponsorship
8/18/2008	AstraZeneca	\$35,000.00	Rebecca's Dream gala sponsorship

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Funding from the Pharmaceutical Industry - 2006-2009
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Year	Name of Company	Amount of funding	Reason that funding was provided
10/23/2008	AstraZeneca	\$50,000.00	General operations
12/1/2008	AstraZeneca	\$50,000.00	Rebecca's Dream gala sponsorship
12/1/2008	AstraZeneca	\$40,000.00	Conference sponsorship
12/31/2008	AstraZeneca	\$225,000.00	Project support - FacingUs website
8/26/2009	AstraZeneca	\$25,000.00	Industry Advisory Board membership
10/5/2009	AstraZeneca	\$350,000.00	Project support - FacingUs website
10/5/2009	AstraZeneca	\$18,000.00	Rebecca's Dream gala sponsorship
11/5/2009	AstraZeneca	\$25,000.00	Conference sponsorship
11/12/2009	AstraZeneca	\$10,000.00	Project support - mood disorders information
11/27/2006	Bristol-Myers Squibb Company	\$320,000.00	General operations
6/25/2008	Bristol-Myers Squibb Company	\$37,500.00	General operations
7/31/2008	Bristol-Myers Squibb Company	\$37,500.00	General operations
10/14/2008	Bristol-Myers Squibb Company	\$37,500.00	General operations
8/11/2008	Bristol-Myers Squibb Company	\$10,000.00	Rebecca's Dream gala sponsorship
12/3/2008	Bristol-Myers Squibb Company	\$25,000.00	Project support - treatment-resistant depression information
1/20/2009	Bristol-Myers Squibb Company	\$25,000.00	Project support - treatment-resistant depression information
4/14/2009	Bristol-Myers Squibb Company	\$25,000.00	Project support - treatment-resistant depression information
7/16/2009	Bristol-Myers Squibb Company	\$25,000.00	Project support - treatment-resistant depression information
8/16/2006	Cyberonics, Inc.	\$25,000.00	Conference sponsorship
11/8/2006	Cyberonics, Inc.	\$1,000.00	Rebecca's Dream gala sponsorship
12/8/2006	Cyberonics, Inc.	\$12,500.00	Project support - treatment-resistant depression information
2/6/2007	Cyberonics, Inc.	\$12,500.00	Project support - treatment-resistant depression information
5/4/2007	Cyberonics, Inc.	\$12,500.00	Project support - treatment-resistant depression information
7/17/2007	Cyberonics, Inc.	\$10,000.00	Conference sponsorship
8/3/2007	Cyberonics, Inc.	\$12,500.00	Project support - treatment-resistant depression information
10/15/2007	Eli Lilly and Company	\$15,000.00	Rebecca's Dream gala sponsorship

Depression and Bipolar Support Alliance
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Year	Name of Company	Amount of funding	Reason that funding was provided
12/31/2007	Eli Lilly and Company	\$100,000.00	Project support - peer-specialist training
10/9/2008	Eli Lilly and Company	\$5,000.00	Rebecca's Dream gala sponsorship
9/8/2009	Eli Lilly and Company	\$5,000.00	Rebecca's Dream gala sponsorship
9/8/2009	Eli Lilly and Company	\$60,000.00	General operations
12/31/2006	Forest Laboratories	\$75,000.00	Project support - anxiety information
8/8/2007	Forest Laboratories	\$115,000.00	Project support - anxiety information
2/3/2006	GlaxoSmithKline	\$53,300.00	Project support - finding a mental health professional
6/14/2006	GlaxoSmithKline	\$50,000.00	General operations
2/27/2007	GlaxoSmithKline	\$100,000.00	General operations
4/26/2006	Janssen	\$125,000.00	Project support - advocacy training
10/25/2006	Janssen	\$10,000.00	General operations
11/8/2007	Janssen	\$15,000.00	Rebecca's Dream gala sponsorship
11/8/2007	Janssen	\$25,000.00	General operations
11/8/2007	Janssen	\$35,000.00	Project support - family education
8/9/2006	Neuronetics, Inc.	\$18,000.00	Project support - function/symptom management information
9/20/2006	Neuronetics, Inc.	\$2,000.00	General operations
10/27/2008	Neuronetics, Inc.	\$1,000.00	Rebecca's Dream gala sponsorship
7/31/2009	Neuronetics, Inc.	\$20,000.00	General operations
10/23/2009	Neuronetics, Inc.	\$15,000.00	Conference sponsorship
9/29/2006	Organon, Inc.	\$50,000.00	General operations
12/7/2006	Organon, Inc.	\$30,000.00	General operations
9/17/2007	Organon, Inc.	\$80,000.00	Rebecca's Dream gala sponsorship
9/17/2007	Organon, Inc.	\$80,000.00	General operations
2/2/2007	Otsuka America Pharmaceutical Inc.	\$10,000.00	General operations
10/15/2007	Otsuka America Pharmaceutical Inc.	\$10,000.00	General operations
11/1/2006	Pfizer Inc	\$5,000.00	Project support - whole-health/wellness information
11/28/2006	Pfizer Inc	\$100,000.00	General operations
10/3/2007	Pfizer Inc	\$30,000.00	Rebecca's Dream gala sponsorship
10/3/2007	Pfizer Inc	\$120,000.00	Conference sponsorship
10/27/2008	Pfizer Inc	\$30,000.00	Rebecca's Dream gala sponsorship
11/17/2008	Pfizer Inc	\$120,000.00	Conference sponsorship
11/16/2009	Pfizer Inc	\$60,000.00	Rebecca's Dream gala sponsorship
10/6/2008	Schering-Plough Corporation	\$10,000.00	General operations

Depression and Bipolar Support Alliance
Funding from the Pharmaceutical Industry - 2006-2009
Last revised December 18, 2009

Year	Name of Company	Amount of funding	Reason that funding was provided
9/14/2009	Schering-Plough Corporation	\$25,000.00	Industry Advisory Board membership
1/13/2006	Shire Pharmaceuticals Inc.	\$40,000.00	Project support - treatment strategies information
6/9/2006	Wyeth Pharmaceuticals	\$40,000.00	Project support - educational information dissemination
10/11/2006	Wyeth Pharmaceuticals	\$20,000.00	General operations
10/11/2006	Wyeth Pharmaceuticals	\$5,000.00	General operations
12/7/2006	Wyeth Pharmaceuticals	\$75,000.00	Project support - "Depression is Real" public education campaign
3/16/2007	Wyeth Pharmaceuticals	\$65,000.00	Project support - "Depression is Real" public education campaign
5/7/2007	Wyeth Pharmaceuticals	\$45,000.00	SAB Luncheon sponsorship
9/18/2007	Wyeth Pharmaceuticals	\$60,000.00	General operations
10/26/2007	Wyeth Pharmaceuticals	\$5,000.00	Rebecca's Dream gala sponsorship
2/25/2008	Wyeth Pharmaceuticals	\$10,000.00	SAB Luncheon sponsorship
2/25/2008	Wyeth Pharmaceuticals	\$60,000.00	Conference sponsorship
6/2/2008	Wyeth Pharmaceuticals	\$40,000.00	General operations
10/27/2008	Wyeth Pharmaceuticals	\$40,000.00	General operations
5/7/2009	Wyeth Pharmaceuticals	\$236,000.00	Project support - "Blueprint for Hope" public education campaign
7/1/2009	Wyeth Pharmaceuticals	\$28,000.00	Project support - "Depression is Real" public education campaign
10/20/2009	Wyeth Pharmaceuticals	\$5,000.00	Project support - "Blueprint for Hope" public education campaign