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October 19, 2010

Michael S. Wilkes, MD
Professor, UC Davis School of Medicine
Medical Sciences Building, 1-C
UC Davis Main Campus

Dear Dr. Wilkes:

I am writing to express the University's concern about factual inaccuracies pertaining to UC Davis contained in your October 1, 2010 article in the San Francisco Chronicle entitled "PSA tests can cause more harm than good." These inaccuracies stem from the fact that you neither attended the Men's Health program held on September 28, 2010 nor reviewed the presentation materials prior to the article being written and published. I understand that you subsequently reviewed the presentation materials.

The article opens with an inaccuracy, stating: "UC Davis just announced a seminar for the public on 'men's health.' That title notwithstanding, the program appears to be *entirely about prostate cancer and in particular about the prostate specific antigen [PSA] screening test.*" Emphasis added. While you used the qualifier "appears to be," the factual assertion conveyed is that UC Davis' program's broad title/subject (men's health) was misleading, and that the "entire" program was about prostate cancer and PSA screening. By no measure was that a true statement.

Of the 27 program slides, the first 10 introduced men's health issues broadly, including the gender gap in life expectancy, cardiovascular disease and other risk factors in males, and not surprisingly issues unique to the male anatomy (including prostate health and sexual dysfunction). Slides 11, 12 and 13 were specific to PSA and screening. The first part of the program concluded with a slide summarizing men's health issues, and the second part of the program addressed male sexual dysfunction.

The second false statement concerning UC Davis appears in the seventh paragraph, which starts: "Sadly, most men are never told the facts about the test, nor are they encouraged to make their own informed decision. *The UC Davis course doesn't even acknowledge a problem with prostate cancer screening.*" Emphasis added.

Slide 11 clearly conveys that the presence of PSA in the bloodstream could be caused by various things (an enlarged prostate, inflammation, infection or cancer), and that the actual incidence of cancer with an elevated PSA is only 30%. Slide 12 (entitled "PSA Screening") states that PSA screening "has limitations and is controversial," gives the specific reasons why this is so, and concludes by stating that "PSA should be individualized between the doctor and patient." Slide

14 addresses prostate cancer risk factors, the use of PSA for risk stratification at age 40, and that “informed PSA testing” is available through UC Davis’ Men’s Health clinic.

The third false statement of fact is that the course “ignores scientific evidence” concerning prostate cancer and PSA screening. Slides 11, 12 and 13 are based on scientific evidence. This statement is the springboard for your eye-catching implication that UC Davis and its urologists are consorting with the surgical device industry and mislead their patients for profit. Indeed, the penultimate sentence of the article implies that the University received financial support for the course from one or more surgical device companies, which is also false.

The final sentence of the article characterizes the UC Davis program as an “infomercial endorsement to unsuspecting men without telling them they might end up being harmed as a result of a simple PSA blood test.” This is the fifth false statement, given the content of Slides 11, 12 and 13.

The purpose of this letter is not to stifle legitimate public debate, academic freedom or policy advocacy about the role of PSA screening or broader issues – far from it. I am simply pointing out that there are numerous errors of fact in your article, that they were injurious to the University interests and reputation and thus potentially actionable under the law of defamation.

Sincerely,

A handwritten signature in black ink, appearing to read 'David M. Levine', with a long horizontal flourish extending to the right.

David M. Levine
Health System Counsel
UC Davis Health System