

Re: JAMA counsel letter of May 5, 2008

Although the JAMA review of my book was not what one would have hoped for, I was willing to post the entire review on my web site in the interest of fairness. For the past 16 years, I have never feared honest criticism.

My request to reprint was summarily denied. I therefore, in the interest of fairness, referenced the entire review on my 'Book Review' page for interested readers. At no time was I informed that it was also impermissible to print an excerpt for the review.

Mr. Thornton's letter has continued the theme of misstatements and misrepresentations that began with the printing of an obvious factual error in the original review of *Anesthesia in Cosmetic Surgery* in JAMA 2008;299,1483-4) by Dr. Ovassapian.

Not being a dedicated anesthesia journal, one could understand that JAMA would not know that an LMA is indeed an advanced airway device. However, once your factual error was revealed, it is intellectually dishonest for you not to print the requested simple correction to 'uses **no** advanced airway devices' to '...**minimal use** of advanced airway devices.' I stand by that request.

Mr. Thornton misrepresents the JAMA request for 'one supporting reference from the medical literature.' In fact, the request was for a reference from the *peer-reviewed* medical literature. (*vide infra* Zeller letter 4/18/2008)

I responded that, according to the Institute for Medical Quality (IMQ), grantors of CME credits, medical books are not considered 'peer reviewed' literature. Therefore, the request for a letter to the editor with a reference from the **peer reviewed** literature was illogical and beneath the dignity of the publication.

JAMA never made the courtesy of a response to the significant point of 'peer reviewed' literature. Had my information been incorrect, JAMA would have rapidly responded by informing me of my error.

Trivializing an obvious statement of factual error by describing it as 'your concern' does a disservice to former glory of your journal. I, too, have had second thoughts about submitting a copy of my book for your review.

I reiterate my request for you to print a correction.

Yours sincerely,

Barry L. Friedberg, M.D.  
Author & editor,  
*Anesthesia in Cosmetic Surgery*

PS Feel free to visit my 'Book Review' page. Thanks to Drs. Zeller and Fontanarosa, as well as yourself, for adding to the enlightenment (and amusement) of the readers of my web site.

April 18, 2008 9:13:43 AM PDT

Dr. Friedberg:

In response to your recent inquiries regarding a comment about the use of "advanced airway devices" in the published review of **Anesthesia in Cosmetic Surgery** (*JAMA* 2008; 299: 1483-1484) and based on a review conducted by members of the editorial staff, we have determined that we would be willing to consider your submission of a "Letter to the Editor" presenting your concerns regarding this issue.

The letter should solely address and focus on your **concern** about the phrase ...."uses no advanced airway devices". The letter should fall within our guidelines of 400 words and a maximum of 5 references (including a reference to the *JAMA* article itself). The letter should explain your position regarding the aforementioned phrase, including why you may consider this phrase inaccurate or misleading. Please note that all assertions must be supported by **peer-reviewed literature**. If the letter is accepted for publication, we will, as is our standard procedure, contact the author of the book review, Dr. Ovassapian to provide a response. Please submit your letter no later than April 23, 2008.

Please submit your letter on-line at <http://manuscripts.jama.com>. If you have any questions or concerns, please feel free to contact me at any time. If you have any problems with the actual submission of the letter, I would refer you to Ms. Lisa Hardin ([lisa.hardin@jama-archives.org](mailto:lisa.hardin@jama-archives.org))

Sincerely yours,

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April 25, 2008

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Barry L. Friedberg, M.D., A.M.C

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Dear Dr. Friedberg-

We have carefully evaluated your response to Dr. Zeller's suggestion that you write a letter to the editor explaining your position regarding the comment ...."uses no advanced airway devices" ... contained in the review of your book, (Anesthesia in Cosmetic Surgery) published in JAMA (2008;299:1 483-4).

As Dr. Zeller explained, our standard approach for fostering scholarly discussion of scientific disagreements about information published in the journal is to publish a letter to the editor describing the point of concern, and to also have an accompanying reply from the author of the article in question.

Since it seems that your position is that the device in question is an advanced airway device, it should have been relatively easy for you to provide evidence from the scientific literature to support your position and to illustrate, as you suggest, that the phrase in the book review "is a clearly erroneous statement" about your work. However, it appears that you do not wish to participate in this scientific dialogue, and therefore, we will not be publishing any letters or corrections about your book.

In addition, it has come to our attention that you have an unauthorized and misleading posting of JAMA copyrighted material from that book review on your website, as follows: "...I recommend this book to those who provide anesthesia in office based surgery units." This quote is taken out of context, and as such misrepresents the content of the review.

As you know, the paragraph from which you inappropriately excerpted warned the procedure was low cost for physicians but in possible conflict with the interests of patients.

The reviewer concluded: "Unfortunately, the deficiencies in this book are substantial. Of most interest to anesthesiologists and nurse anesthetists will be the information about the business and political issues of office-based anesthesia. For that information alone, I recommend this book to those who provide anesthesia in office-based surgery units."

In short, the book was not recommended for its discussion of evidence based

medicine, but its discussion of business and political issues. You do not have permission from JAMA to post its copyrighted material on your website, and we have a procedure for permission requests.

Posting without permission is an unauthorized use of copyrighted JAMA material. We would not grant permission to post a false, incomplete and inaccurate excerpt from a book review, so the qualifiers before the recommendation must be included in any permitted posting.

Accordingly, we expect that you will immediately remove the misleading statement, and its implied endorsement, from your website.

Sincerely yours,  
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