

March 20, 1986

Howard W, Fisher, M.D.
10 Sandcastle Court
Pueblo, CO 81001

Dear Dr. Fisher,

In reply to your earlier letter to the APA in June, 1985, I suggested you obtain counsel to advise you as how best to proceed. I am still of the same opinion:

"Your letter to the APA was forwarded to me for comment. You are quite right that there has been an active anti-ECT lobby in this country, best exemplified by the media attention to Peter Breggin and the repeated showing of "One Flew Over the Cuckoo's Nest" and other anti-psychiatry films; by the legal issues in California and Vermont; and by the willingness of many psychiatric leaders to argue that 'after all, we all know that ECT is abused'. It is not clear what can be done in one instance such as yours, other than by the usual legal maneuvers. To that end, the legal firm that is defending your malpractice actions should be acquainted with those of us in the APA who have served as consultants in defending the actions of our members. Your lawyers should be given the names of the following knowledgeable consultants:

Richard Abrams, Chicago Medical School, North Chicago, IL
Gary Aden, San Diego, CA
Fred Frankel, Beth Israel Hospital, Boston, MA
Sidney Malitz, Columbia University, New York, NY
Trevor Price, University of Pennsylvania, PA
Iver Small, University of Indiana, Indianapolis, IN
Richard Weiner, Duke University, Durham, NC

"These men are active fellows of the APA and have ably defended legal issues on behalf of other members with difficulties similar to your own.

"As you already have discovered, the APA lacks a central agency to help our members with ECT problems, despite the fact that the Task Force in 1978 recommended a continuing committee to attend to such matters. You may wish to write a letter reminding the present president, Dr. Nadelson and the medical director, Melvin Sabshin, of this deficiency."

Sincerely yours,

Max Fink, M.D.
Professor of Psychiatry