

Published online 20 September 2011 | Nature | doi:10.1038/477384a

News

## Austria reinstates disgraced doctor

Physician at heart of retracted clinical trial can return to work.

Alison Abbott

He carried out clinical trials without ethical approval. He failed to provide raw data for his high-profile publications. He falsified legal documents. But despite this record, an employment commission has ordered that Austrian urologist Hannes Strasser be readmitted to his teaching post at the Medical University of Innsbruck.

Now the university is trying to find a way out of the embarrassing situation — one that highlights the weakness and tardiness of Austria's system for dealing with research misconduct. "We are being forced by a legal decision to let him back when we think he has no place here," says the university's rector, Herbert Lochs.

The university suspended Strasser three years ago after serious concerns were first raised about his trial of a novel stem-cell therapy for urinary incontinence. The therapy relied on injecting stem cells and fibroblasts derived from the patients' own tissue into the urinary sphincter; it had been developed by Innovacell Biotechnologie in Innsbruck, a company co-founded by Strasser, and with which he is no longer involved. But many patients reported no improvement after the therapy, and others claim that it caused their bladders to seal over.

A subsequent investigation by the Austrian government's Agency for Health and Food Safety (AGES) found a series of ethical and legal misdemeanours, which led them to conclude that the trial was illegal and invalid (see [Nature 454, 922–923; 2008](#)). *The Lancet* withdrew Strasser's paper reporting the trial's results ([S. Kleinert and R. Horton Lancet 372, 789–790; 2008](#)).

But on 8 September the Vienna-based National Disciplinary Committee — which adjudicates on employment issues relating to civil servants (including university professors) — revoked Strasser's suspension. The committee based its decision on the outcome of a case brought to an Innsbruck court in which the university hospital sued Strasser and his department head Georg Bartsch for €1.2 million (US\$1.6 million) — its estimated cost for giving Strasser's treatment to 400 patients not involved in clinical trials. The court refused the claim on 3 August, stating that there was no proof that Strasser had intended financial deception. Bartsch was too ill to stand trial.

However, the court also stated that Strasser had provided false testimony during a 2008 civil damages case brought by a patient who had received the treatment, and that he had falsified evidence in the AGES investigation, which considered legal issues surrounding the clinical trials. It fined him €4,500.

The university plans to appeal against Strasser's reinstatement. In the meantime, the university has asked Strasser only to prepare unscheduled lectures: "We don't want him to get into clinical work," says Lochs.

In separate legal cases, several patients who say the treatment harmed them are now trying to bring charges of grievous bodily harm against Strasser, according to the Innsbruck-based lawyer [Thomas Juen](#), who has previously represented trial patients seeking damages.

Earlier this year, the Medical University of Innsbruck completed its own investigation into the scientific aspects of the case, finding that Bartsch and Strasser had engaged in what Lochs views as "massive scientific misconduct".

The university's slowness in carrying out the investigation has been widely criticized. One academic, who asked to remain anonymous, said he believed that a timely, formal statement that Strasser had perpetrated serious scientific misconduct might have helped avert the disciplinary committee's revocation of his dismissal. [Juen](#) adds that he is surprised that the disciplinary committee revoked Strasser's suspension so quickly, "given that appeals are ongoing, and that looming cases of grievous bodily harm on the part of patients have not yet come to court".

ADVERTISEMENT

Strasser did not respond to *Nature*'s request for an interview, and Bartsch was unavailable for comment as a result of his illness. Strasser, however, was quoted in a local newspaper as saying that he wants to return to clinical practice and that the hospital administration may not be able to stop him. ■

## Add your own comment

This is a public forum. Please keep to our **Community Guidelines**. You can be controversial, but please don't get personal or offensive and do keep it brief. Remember our threads are for feedback and discussion - not for publishing papers, press releases or advertisements.

You need to be registered with Nature to leave a comment. Please log in or register as a new user. You will be re-directed back to this page.

[Log in / register](#)

Nature ISSN 0028-0836 EISSN 1476-4687

[About NPG](#)  
[Contact NPG](#)  
[RSS web feeds](#)  
[Help](#)

[Privacy policy](#)  
[Legal notice](#)  
[Accessibility statement](#)  
[Terms](#)

[Nature News](#)  
[Naturejobs](#)  
[Nature Asia](#)  
[Nature Education](#)

[About Nature News](#)  
[Nature News Sitemap](#)

Search:



© 2011 Nature Publishing Group, a division of Macmillan Publishers Limited. All Rights Reserved.  
 partner of AGORA, HINARI, OARE, INASP, ORCID, CrossRef and COUNTER