

Pedaling Deep into the Heart of Texas to Help Cure Multiple Sclerosis

Editor's Note: With congratulations to Team UT, The Leader is pleased to publish this first-person account by the team co-captain.

By **Dawna Jarvis, Public Affairs**

From the flat land of west Houston to the Texas Hill Country, stroke-by-stroke and hill-by-hill the 95 riders of Team UT pedaled their bikes along 180 miles of Texas roads in the 21st Annual BP MS150, the largest MS150 in the country with more than 12,000 cyclists. Team UT doubled in size from previous years with a fund-raising effort that will exceed \$40,000 to support multiple sclerosis (MS) research and patient care.

Riders began cycling at 7 a.m., Saturday, April 16, traveling from west Houston to Katy, then on through the rolling farm country of Bellville to LaGrange.

UT Health Science Center Board member David Koogler (35th highest MS150 fundraiser in 2004) and Graduate School of Biomedical Sciences Dean George Stancel, Ph.D., joined the usual mix of students and staff members. Koogler and Stancel most likely will win the top two fundraising prizes of a Trek 1000 bike and a mini iPod by collectively raising more than \$13,000.

The first rider into the tent on Saturday was UT Medical School researcher William Lindsey, Ph.D., arriving at 1 p.m. He passed his prize, a new cycling helmet, to fellow early arrival and Medical School resident, Vincent Kau, M.D. Lindsey, from the MS Research Group, and James Grotta, M.D., along with his son Andrew, represented the Medical School faculty.

Riders streamed into the team tent for the next four hours with UT Medical Branch

student Miguel DeValdenegro making it final at 5 p.m. The UTMB student passed his prize of a new bicycle seat to his buddy Abe Rafie, whose backside was feeling the pain. The day of cycling left many in the tent happy but tired — and ready to eat some great barbecue, trade road stories and relax with other team members in the large cot-filled tent.

The second day began at 5 a.m. when the sound of ZZ Top's song "LaGrange" filtered through the crowded fairgrounds. With sore muscles and tired seats, the riders in the team tent shared breakfast tacos and rallied to the starting line. Cyclists began shoving off at 7 a.m.

Clear skies and a light breeze helped them tackle the hardest part of the trek. The brutal second day tested strength and endurance as they and their bikes slowly climbed steep inclines and speedily coasted down hills.

The riders — tired but exuberant — pedaled into Austin to huge crowds of multiple sclerosis patients, friends, family and other citizens cheering them as they entered the grounds of the State Capitol.

The effort was worth it. Long after the sore muscles are gone the riders know that two, possibly three, days of weakness and pain do not match the everyday struggles of MS patients. The efforts of Team UT, the other cyclists and 3,000 volunteers have helped to ease the pain of those living with MS. ★

Note: The Office of Public Affairs organized the three-institution UT team (UT Health Science Center at Houston, UT M. D. Anderson Cancer Center and UT Medical Branch) along with support from Auxiliary Enterprises. The medical school's MS Research Group helped fund the team by recruiting sponsors Betaseron, Biogen idec, Curative, Serono and Teva Neuroscience.



Team UT members from the health science center, UTMB, and UT M. D. Anderson Cancer Center joined to make Team UT a big fund-raiser for multiple sclerosis research. Photo by Bill Olive Photography

When Legal Issues Loom, Call Our Experts

By **Pamela Lewis, Public Affairs**

When faculty or staff members are confronted with legal issues, there's one message that the Office of Legal Affairs and Institutional Compliance would like to get across to the university community. "Think before you act — or before you don't act."

Procrastination, or conversely, taking an action before thinking out the consequences can be problematic for individuals, departments, executive leadership, attorneys and The University of Texas System, says Arlene Staller, J.D., chief legal and compliance officer for the UT Health Science Center at Houston.

"What's the big deal?" you ask. Consider the following examples:

Deposition no-no:

A physician receives a call from an attorney requesting a deposition regarding the care and treatment provided a patient whom the attorney is representing in a lawsuit. The physician gives the deposition. A few weeks later, the

physician receives legal documents stating that the physician is being sued regarding the care and treatment of the patient.

Deposition best practices:

Before agreeing to give a deposition about anything related to one's employment with UT, the faculty or staff member should call Legal Affairs, specifically Risk Management for any situations regarding patient care. The appropriate person in the office will investigate the nature of the requests and determine the best approach to take under the circumstances.

The university may need to hire outside counsel immediately to handle the situation. In the situation described above, the physician may still get sued, but the Legal Affairs officer probably would not have allowed the doctor to give a deposition — at least not without proper representation.

Subpoena no-no:

It is 4 p.m. Legal Affairs gets a phone call from an anxious faculty member who says, "I

have been subpoenaed to appear in court to give testimony at 8:30 tomorrow morning!" to which we respond, "That is an outrageous lack of reasonable notice!" The faculty member responds, "Well, I got the subpoena two Tuesdays ago..."

Subpoena best practices:

Any faculty or staff member who receives a subpoena specifically addressed to him or her should immediately fax it to Legal with a telephone number where the faculty or staff member can be contacted. After the subpoena and issues surrounding it have been reviewed, a Legal Affairs officer will contact the faculty or staff member.

Frequently asked questions regarding subpoenas:

Am I really supposed to bring all these records described on the subpoena? Am I free to answer questions about my patient without violating confidentiality? What if I can't go?

For the most part, these questions must be

answered on a case-by-case basis. So, contact Legal Affairs first.

Confidential information/Public information request no-no:

1) An employee or faculty member gets a request for information and responds by mailing out some of the information but withholding the rest "because it is confidential." The requester receives the partial response and objects, threatening legal action. By the time the Legal Affairs Office learns of the situation, the university may have missed the statutory deadline for taking the proper steps to legally assert protection of the confidential information.

2) Someone gets a request for information and releases it because they think they have to.

Information requests best practices:

In either case, significant civil or even criminal penalties could apply. Learn about the confidential vs. public nature of all the university records that you work with. Call the Legal Affairs Office if there are any questions. ★

Who Ya Gonna Call?

Legal Affairs & Institutional Compliance Offers Staff Expertise to the University

By **Pamela Lewis, Public Affairs**

The Office of Legal Affairs and Institutional Compliance is an even bigger umbrella area than it first appears when you try to wrap your tongue around that departmental title.

But it's one with which we all should make every effort to become familiar. Many of us may need their assistance or counsel at one time or another.

So, who are the people whose skills you may need to call upon?

Chief Legal and Compliance Officer

Arlene Staller, J.D., who has been with the UT Health Science Center since 1983, is the chief legal and compliance officer. She reports to the chief operating officer. She serves as the

on-campus legal counsel and administrator for institutional risk management, contract review, civil and professional liability litigation, institutional compliance, and diversity programs.

Staller coordinates legal management activities of the institution with UT System, the State of Texas Office of the Attorney General and other state and federal agencies. She is a member of many institutional committees, including the Discrimination and Harassment Board, Institutional Biosafety Committee, Physical Safety Committee and Leadership Forum.

Legal Affairs

Senior Legal Officer **Anne Liedtke Brunson, J.D.**, has been employed in the Legal Affairs office since 1988. Her areas of concentration at the health science center are:

general liability, open government and public information, student/academic legal issues, civil and criminal legal process, Texas mental health code, and ethics questions.

Senior Legal Officer **Stephen Mansfield, J.D.**, has been with the Office of Legal Affairs and Institutional Compliance since January 2005. His main areas of concentration include: leases and other real estate matters and contract review.

Legal Officer **Devin Longuet, J.D.**, reviews, negotiates and processes affiliation agreements, professional service agreements and other contracts for the university. He assists with the business aspects of health science center contracting through his review and analysis of the agreements he processes. He also advises on

university tax matters. He works with faculty, administration, UT System, and contracting agencies and organizations to maximize the best opportunities for the health science center.

*Executive Assistant: Susan Kuether
Senior Support Specialist: Reina Saunders
(713) 500-3268*

Healthcare Risk Manager **Catherine Thompson**, who has been employed in Legal Affairs since 1987, oversees all aspects of professional liability activity within the health science center. Other areas of practice include: investigation and management of all medical, dental and nursing school incidents, claims, and lawsuits relating to professional liability; liaison with outside defense counsel, the Office of General

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