

Note

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In the context of our reconstruction [1 reviewer – 2 opinions](#) we have asked Prof. LETZEL for his comments and to explain the changes in the expert opinions. Mr. LETZEL didn't feel obliged to answer the first inquiry made by the DokZentrum-AnsTageslicht.de. Prof. LETZEL only reacted when our cooperation partner, Süddeutsche Zeitung, inquired. The tenor of his answer was:

- 1) Because of medical confidentiality reasons, he could not comment "on details."
- 2) That he had never written anywhere that 'organic solvents ... do not have the target organ liver'.

Apparently, he did not check his first report. Anyway: Here we document the questions and answers to/by Prof. Stephan LETZEL:

QUESTIONS & ANSWERS

Our Questions (Süddeutsche Zeitung + DokZentrum ansTageslicht.de) to Prof. Dr. med. Stephan LETZEL, the University of Mainz on April 20, 2018:

- 1) In the years 2005, 2010 and 2011, you prepared a total of three expert opinions on the case of Wolfgang Ecker from Mannheim, who died of cirrhosis of the liver. This case went through all instances of the social-law courts and landed after a judgment of the Federal Social Law Court back with the Regional Social Law Court of Baden-Wuerttemberg (see http://lrhw.juris.de/cgi-bin/laender_rechtsprechung/document.py?Gericht=bw&nr=15381_rechtsprechung/document.py?Gericht=bw&nr=15381)
In your two reports from 2010 and 2011, you arrived at entirely different conclusions than in your report from 2005. How do you explain this?
- 2) Why did you state in your first report that organic solvents to which Mr. Ecker was exposed do not have the target organ liver?
- 3) Did you have in the past or do you have at present conflicts of interest concerning occupational medicine reports? Do you, for example, receive payments from industrial associations, companies, or professional associations?
- 4) If so, how do you deal with these conflicts of interest?
- 5) Do you think it is possible that you may be influenced by such conflicts of interest in your expert opinion work?

Answer(s) by Prof. LETZEL on April 26, 2018:

I may answer your questions as follows: Medical confidentiality does not permit me to make public details of a case with which I was entrusted to write an expert opinion unless there is a release from medical confidentiality. You will, therefore, understand that I am unable to make a specific statement about the case you have mentioned. Regardless of this, I would like to point out that I did not write at any point in the 2005 report that "organic solvents to which Mr. E. was exposed do not have the target organ liver." On the contrary, I discussed this problem in great detail - also in the follow-up reports that I was commissioned to prepare.

In principle, the causal relationship between a damaging influence on the workplace and the development of a disease depends on various factors. These include the particular substance or substances to which the person concerned was exposed, the type and level of exposure and non-occupational risk factors. Besides, according to applicable social legislation, exposure must be fully proven in individual cases.

Depending on their chemical composition, some solvents differ considerably in terms of their toxicity and their efficacy profile. In the assessment, dose-response relationships must be taken into account. In the context of the assessment, only the available facts can initially be included in the assessment. Should new findings arise in opposition proceedings, these must be included in the individual assessment, which may then also lead to new assessments of a case of illness.

To some extent, social law courts also specify exposure scenarios, which are then used as the basis for the medical assessment. According to § 407 ZPO (Code of Civil Procedure), every doctor is obliged to give expert opinions for courts, unless there are personal or professional reasons for refusing an expert opinion (e.g., bias). Within the scope of my professional duties, I therefore regularly give expert opinions and compile medical findings - among other things on behalf of professional associations - which are remunerated according to the stringent guidelines. There are no conflicts of interest which could influence the reimbursement of expert opinions or the preparation of medical reports.

*Yours sincerely,
Stephan Letzel*