

GRUBER DID NOT DISCLOSE CONFLICT TO THE WAPO

One of the biggest puzzles in Jonathan Gruber's explanation for why he hasn't been disclosing his \$400,000 HHS contract as he has led the campaign to support the bill is timing. By his own admission, he revealed the contract for a disclosure form associated with a December New England Journal of Medicine article. That form was dated November 30.

But the WaPo did not disclose the relationship for an op-ed published almost a month after he filled out that disclosure form.

Now, Gruber says he has disclosed the contract whenever he has been asked.

Gruber told POLITICO that he has told reporters of the contract "whenever they asked."

But in a follow-up with the WaPo, Ben Smith reports that Gruber was asked by the WaPo, and he said he didn't have any financial conflicts.

Washington Post op-ed editor Autumn Brewington emails that the Post, as a practice, asks writers to disclose any "conflicts of interest that might be relevant to this op-ed, including but not limited to financial or family relationships with any of the subjects of the article" and that Gruber, when asked whether he "received any funding, for research or otherwise, from organizations or persons identified in the column," answered "no."

Now, perhaps there's some wiggle room here. Perhaps, since Gruber's op-ed doesn't mention HHS, even though it mentions the health care reform he was hired to consult on repeatedly, he

felt he didn't need to reveal the conflict. Perhaps there's some confusion at the WaPo, which itself is having problems disclosing ethical conflicts (though Ben says Brewington was quoting directly from the exchange on disclosure).

But, at least given what we know, it looks like Gruber felt obliged to reveal the conflict to the NEJM on November 30, but when asked a similar question about financial conflicts less than a month later, he did not disclose it.