

# Oncologist Files Whistleblower Lawsuit Against Roswell Park

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An oncologist who says she was fired for whistleblower retaliation and gender discrimination has now filed a lawsuit against her former employer.



Dr Anne Grand'Maison

Anne Grand'Maison, MD, was employed at Roswell Park Comprehensive Cancer Center in Buffalo, New York, for 5 years and was the first medical oncologist specifically trained in sarcoma to join the center since it was founded more than 130 years ago.

The lawsuit, filed on January 31, alleges that she was pushed out of her job after raising numerous concerns about egregious medical misconduct and lack of patient safety at the facility.

Roswell Park Cancer Center "denies these unfounded claims, and will vigorously defend itself in this matter," the organization said in a statement issued to *Medscape Medical News*.



Roswell Park Comprehensive Cancer Center in Buffalo, New York

The [75-page complaint alleges](#) that Grand'Maison observed unacceptable conduct and treatment of patients, including sarcoma pathology reports replete with diagnostic errors, physicians who were not well educated in the latest sarcoma research, and senior doctors refusing to seek out second opinions even in difficult cases.

All of these issues put patient safety and lives at serious risk, according to the lawsuit, and Grand'Maison raised her concerns internally and attempted to create the necessary changes.

Of specific concern to Grand'Maison was the competence of Carl Morrison, MD, DVM, Roswell Park's lead sarcoma pathologist and chair of pathology, whom she had questioned on many occasions and voiced concerns about to other senior staff. But once she made it known that she had gathered up medical records to prove that he had made numerous specific misdiagnoses that led to mistreatments, Grand'Maison was forced out of her job and the hospital, she says.

"Roswell failed the cancer patients who entrusted their lives to the hospital by ignoring risks to their safety," Grand'Maison told *Medscape Medical News* in an interview. "The heart of my practice as an oncologist is the well-being of my patients and that is why I could not stay silent."

"I hope that by coming forward, Roswell will be held accountable for putting lives at risk," she said.

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## Not Up to Date With Best Practices

Before joining Roswell, Grand'Maison had worked at the University of Texas MD Anderson Cancer Center, which is the top cancer center in the nation, noted David Gottlieb, a partner at Wigdor LLP, the law firm that is representing her.

MD Anderson has set the standard for sarcoma care, as they treat the highest volume of sarcoma cases of any hospital in North America and they have the best survival outcomes for sarcoma patients, he commented to *Medscape Medical News*.

"She was bringing this knowledge and background to Roswell Park," Gottlieb said. "She felt that Dr Morrison was not up to date with best practices as far as diagnosing and treating sarcoma, and she raised numerous issues."

"He was not open to being critiqued and even rejected her request to send something out for a second opinion," Gottlieb said. "Second opinions are routine in medicine, and it's the standard of care. We are dealing with a person's life and it's not a personal attack — you could be wrong, and getting another opinion can save a patient's life."

But Morrison has been at Roswell Park for many years, is a good friend of Roswell's president and CEO Candace Johnson, PhD, and is part of the "old guard, and "really at the top of the organization," Gottlieb said. "Whereas Grand'Maison was relatively new, and her opinions were not popular."

The complaint was filed against defendants Roswell Park CCC; Johnson; Morrison; Renier Brentjens, MD, PhD, deputy director and chair of medicine; and two other senior physicians.

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## Denial of "Unfounded Claims"

In its statement to *Medscape Medical News*, Roswell Park pointed out that it is one of few centers in the nation recognized by the Sarcoma Alliance as a hospital with specialized expertise and resources for patients with sarcoma. "Our physician experts not only adhere strictly to national best practices in the diagnosis and care of patients with sarcoma, they determine and disseminate the standards of appropriate medical care as lead authors of national guidelines," the center stated.

"The facts demonstrate that Roswell Park is a richly diverse and inclusive organization committed to optimizing cancer care by incorporating the expertise of teams of specialists from many subspecialties and disciplines," according to the statement.

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## Resistance and Male Egos

Grand'Maison has been a licensed physician for more than 30 years, and received her MD in 1988 after graduating from Sherbrooke University in Sherbrooke, Canada. Over the next few decades she worked in clinical medicine and research, both in Canada and the United States. In 2014, she became certified in medical oncology and then secured a clinical and research fellowship focusing on sarcoma at MD Anderson.

Two years later, after completing her fellowship, she accepted a full-time position as an assistant professor of oncology in the Department of Medical Oncology's Sarcoma Division at Roswell Park. She became the first medical oncologist with a subspecialty in sarcoma, and also brought with her the advanced techniques and aggressive treatment that had been pioneered by MD Anderson, and which had never been used at Roswell Park, according to the complaint.

However, Grand'Maison says that she began to encounter some resistance from those more familiar with Roswell's previous standard operating procedures. For example, her practice of seeing patients on days when chemotherapy was administered was viewed by some of the advanced practice clinicians as a lack of confidence in their abilities.

According to the complaint, Grand'Maison found the sarcoma Tumor Board at Roswell to be "male-dominated, ego-driven, fraught with defensiveness and rife with a lack of collegiality almost from the very beginning," which was very different from her experience at MD Anderson.

Less than 6 months after joining Roswell, she says that Morrison began treating her in a condescending manner at the Tumor Board meetings when she asked him questions pertaining to a diagnosis. She viewed his "physically intimidating and aggressive conduct towards her as sexist, and it was a pattern of conduct that would persist in the years that followed." Grand'Maison observed that Morrison never behaved that way toward the men when discussing a case.

Over time, Grand'Maison made numerous and near endless efforts to raise her concerns about patient safety and gender discrimination at Roswell Park and had reached out to her supervisor and to others in upper management, the complaint alleges. All of this appeared to fall on completely deaf ears as hospital "politics" and doctor egos took precedence. Morrison continued to try to intimidate her into "silence" and block her attempts to refine diagnoses to ensure proper treatment, and several other senior physicians enabled his behavior and ignored the risk it posed to patient safety, the complaint alleges.

"While she raised complaints about gender discrimination, the crux of her complaint was patient safety," Gottlieb emphasized.

Another issue was that Grand'Maison never received the proper clinical support she repeatedly requested and that was urgently needed. Thus, her patients faced other elevated safety risks as a result of the underresourced sarcoma clinic, she said.

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## Fired or Resigned?

Grand'Maison left Roswell Park Cancer center last May, and has not worked since.

Although Grand'Maison states that she was fired in retaliation for raising serious concerns, Roswell Park insists that she voluntarily resigned.

Grand'Maison acknowledges that she wrote an email in January 2022 to the clinical practice plan coordinator in which she mentioned that her husband was planning to relocate back to Canada and that her last date at Roswell Park would be May 1, 2022. The coordinator never responded to that email. In the interim, her husband, also a physician with privileges at Roswell Park, made it known that he was *not* moving to Canada.

Grand'Maison said that, as she had not resigned, and everyone knew her husband wasn't moving, she did not follow up on that January 2022 email, and then forgot about it.

"That email was used as the basis to force her out," commented her lawyer, Gottlieb. "The day after she put together a summary and extensively documented serious patient safety concerns, she got an email that her resignation had been accepted."

None of the standard protocols for resignation had been completed, either by human resources or by her supervisors, Gottlieb contends. "The law says that they can't take adverse action against her for filing a complaint, so they fired her under the guise of a resignation," he said.

Roswell Park refused to rescind Grand'Maison's resignation, despite multiple attempts on her part. She even contacted the CEO and stated that her January 2022 email was being used a pretext to push her out in retaliation, but she received no response, only that the matter had been referred to someone else.

"I am speaking out because time and again female doctors are unable to deliver on the promise of their medical training because of discrimination," said Grand'Maison. "Roswell dismissed my expertise and diminished my value. While I worry that coming forward may affect my career, I am taking that risk to make the path easier for the women who will come behind me."

*Roxanne Nelson is a registered nurse and an award-winning medical writer who has written for many major news outlets and is a regular contributor to Medscape.*

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