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Silver Spring, Maryland 20902  
(301) 649-1319

May 12, 2006

Mr. Kevin J. Sexton  
Holy Cross Hospital  
1500 Forest Glen Road  
Silver Spring, Marland 20910

Dear Mr. Sexton,

This is to request a correction of a medical record pursuant to **Maryland Health-General Code Annotated § 4-304**.

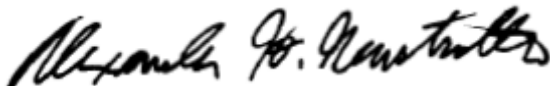
The record in question is that of my late father, Israel Neustadter, a patient at Holy Cross Hospital from March 10 to March 27, 2003. I request that the erroneous entries be clearly labeled as such; stricken through with the word "error" written in close proximity and initialed, and that corrected entries be written in their place. I ask that all known paper, film and electronic copies of the erroneous record in your or your agent's possession be completely corrected or replaced if correction is not possible. Errors are as follows:

1. Physician Order Form of 3/10/03, Physician Progress Notes of 3/11/03, Nurses' Progress Notes of 3/20/03 list patient as DNR. At no time was my father ever in a DNR status.
2. Nurses' cardex chart and notations in margins of Physician Progress Notes of 3/11/03, 3/12/03 and 3/13/03 indicate a levaquin dosage of 500 mg QD. This is in error. Second Physician Order Form of 3/10/03 clearly indicates that a dosage of only 250 mg QD was ordered from pharmacy.
3. Death Summary (document #354855) contains erroneous information as quoted below in italic text:
  - *“Admitted to the hospital with aspiration pneumonia”* Patient was not admitted with aspiration pneumonia. ER workup and progress note entries by Dr. Nawaz indicate no evidence of aspiration pneumonia whatsoever.
  - *“The patient remained intubated for a few weeks”* He was intubated for 4 days.
  - *“Multiple antibiotics were changed during the patient’s stay in the intensive care unit”* No antibiotic changes.
  - *“He was placed on total parenteral nutrition for a short term”* He was placed on peripheral parenteral nutrition for a short term.
  - *“GI consult was obtained from Dr. Milton Koch”* This consult was obtained from Dr. Alan Diamond.

- “Dr. Shamim and Dr. Kariya had a long conversation with son again for further management because the patient needed intubation at the time. The family decided not to intubate...” This conversation never occurred. Proof is as follows:
  - At November 30, 2005 meeting with hospital, Dr. Kariya stated that he did not deem intubation an option in my father's case, hence no reason to discuss it with me. By way of analogy he explained that if I would have wished a craniotomy done on my father he would not have been required to discuss it with me either. Multiple witnesses were present at this meeting.
  - Logistically, Dr. Shamim could not have discussed intubation with me. He saw my father earlier in the day on 3/25/03, yet makes no reference in the progress notes to respiratory distress or to patient needing intubation. He writes "placement->rehab." My father is not described in the nurses' notes as being in distress at that time either: "He looks so restful. His sat is 100%," the notes state.
  - Dr. Kariya saw my father at 6:00 pm on 3/25/03, an hour after crises began. This is where you would expect to see evidence in the record of a conversation with me about intubation, yet no such evidence exists.\* In fact, Dr. Kariya writes that I am "unrealistic," indicating he knew that I would still have wanted the most aggressive treatment had he offered it to my father.

Thank you for your help in correcting these errors. If Holy Cross Hospital has a formal procedure for requesting these corrections, please let me know soonest and I will comply. Please send me a copy of the corrected records, at which time I will provide the names and addresses of individuals who are to receive notice of the corrections in accordance with the statute.

Sincerely,



Alexander H. Neustadter

\* Dr. Shamim testified that he did not discuss intubation with son  
Dr. Kariya testified that intubation was not needed at the time.  
According to Holy Cross Hospital intubation was never "recommended" for this patient.  
Dr. Nawaz now admits he had no basis for this statement (he made it up).