

RE: Complaint No. MD00019062

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June 25, 2007

Yinka Windapo, RN, BSN
DHMH Office of Health Care Quality
Spring Grove Center – Bland Bryant Building
55 Wade Avenue
Catonsville, Maryland 21228-4663

Dear Ms. Windapo,

I sent you a letter last week with a copy of Holy Cross Hospital's pharmacy records, just prior to receiving the June 18, 2007 results of your investigation. I do hope you will still take the opportunity to look at those records, as they appear to show that a large percentage of my father's antibiotics were never dispensed. As you know from my correspondence with Holy Cross, this was one of my main concerns. Additionally, common sense indicates that the records are substandard in the way the antibiotics are listed. (When you buy fruit at a grocery store a record is made of the name of the fruit as well as the quantity. Shouldn't you expect similar notations in a hospital pharmacy record?)

Regarding your finding: I may be reading it incorrectly, but it seems as though you have cited the hospital for a mere recordkeeping oversight in failing to include a Certificate of Condition in my father's record. However, an objective reading of the data in the medical records prior-to and during the hospitalization show **a patient who was improving and who did not even remotely meet the criteria of being terminally ill or in a persistent vegetative state**. The admitting doctor's descriptions of my father in the progress notes as well as in his deposition (which I can send you) confirm this fact. As such, it would have been inappropriate for a Certificate of Condition to be placed in his records. That is why it is not there. The real issue is that an ambulatory, full-code Holocaust survivor, who wanted to live, was allowed to die of respiratory distress in disregard of his religious beliefs, his family's wishes, state law and hospital policy.

I am respectfully asking you, in accordance with your mandate of protecting the health and safety of Maryland's citizens, to hold the hospital accountable for the way it treated my father.

Sincerely,


Alexander H. Neustadter