

RE: Complaint No. MD00019062

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June 28, 2007

Wendy Kronmiller, Director  
DHMH Office of Health Care Quality  
Spring Grove Center – Bland Bryant Building  
55 Wade Avenue  
Catonsville, Maryland 21228

BY MAIL AND EMAIL

Dear Ms. Kronmiller,

I'm hoping you can help me by agreeing to review a complaint I filed with your agency regarding my late father's treatment at Holy Cross Hospital. I received the results of the investigation last week and unfortunately they miss the mark in a very significant way. The findings cite the hospital for failing to have a Certificate of Condition form in my father's medical record before withholding life-sustaining treatment, while overlooking the more pertinent fact that he was not terminally ill or in a persistent vegetative state.

My father entered the hospital ambulatory and happy to be alive. He had no prior history of heart disease, stroke, cancer, breathing problems or aspiration when he was admitted with an infection, yet the doctors were able to draw their conclusions and impose their will - with no mechanism in place to stop them or hold them accountable.

The records depict a simmering dispute between me and those doctors, showing their clear understanding of, and disagreement with, what they knew I wanted on my father's behalf in the way of standard treatment. In the end, it seems to me, the hospital allowed covert rationing to take place - letting my father die while failing to inform me of his medical options.

The physician's progress notes, both in what they contain and in what is missing, suggest that there is substance to my allegations - and I was frankly hoping for more from your agency. Your staffers, Yinka Windapo and Renee Webster, were extremely generous in meeting with me personally when I filed my complaint. Although they didn't promise anything, I got the impression that a thorough no-holds-barred investigation was being conducted.

I fear that your agency may be doing what the hospital did; looking the other way because my father was 91. Let me tell you, he was a happy and good-natured 91-year-old -- who lived to eat, take walks, hug, and pray 3 times a day. He was a prolific Maryland taxpayer and concentration camp survivor who had no desire to die, and who earned the right to fight for his life on his terms and in compliance with Maryland law.

I'm asking you to please take a closer look at this case and to hold the hospital accountable for why life-sustaining treatment was withheld. Preventing this from happening again would be showing my father the ultimate posthumous respect and would turn a horrible death into one with meaning.

Sincerely,

Al Neustadter

Please see links below:

Annotated records supporting complaint:

[http://www.aneustadter.com/records\\_for\\_complaint\\_1-3-06.pdf](http://www.aneustadter.com/records_for_complaint_1-3-06.pdf)

Letter to Yinka Windapo re. Medicare regulations:

[http://www.aneustadter.com/ohcq\\_1-8-07.pdf](http://www.aneustadter.com/ohcq_1-8-07.pdf)

HCH policy re. withholding & withdrawing treatment:

[http://www.aneustadter.com/ohcq\\_2-20-07.pdf](http://www.aneustadter.com/ohcq_2-20-07.pdf)

HCH admin manual & required forms:

[http://www.aneustadter.com/ohcq\\_3-26-07.pdf](http://www.aneustadter.com/ohcq_3-26-07.pdf)

HCH pharmacy records:

[http://www.aneustadter.com/ohcq\\_6-21-07.pdf](http://www.aneustadter.com/ohcq_6-21-07.pdf)

OHCQ findings:

[http://www.aneustadter.com/ohcq\\_citation\\_6-18-07.pdf](http://www.aneustadter.com/ohcq_citation_6-18-07.pdf)

Letter to Yinka Windapo re. findings:

[http://www.aneustadter.com/ohcq\\_6-25-07.pdf](http://www.aneustadter.com/ohcq_6-25-07.pdf)