

March 26, Wednesday, late afternoon

**Falsified record**

Dr. Shamim writes, "Called Dr. Kariya," when in truth he handed patient off to Dr. Weiner - of whom there is no record. Dr. Weiner refused my plea for intubation, telling me that my father was "dead the day he got here" as the two of them walked away. Can the doctors really get away with this?

Full-code patient in acute respiratory distress. ICU consult and ABG test suggest intubation was under consideration. What became of the consult and the test? No nursing notes of substance. Why wasn't my father intubated? Can the hospital really get away with this?

Why are final 3 pages of physician progress notes missing the hospital identification stamp? Were they rewritten to hide Dr. Weiner's presence on March 26 and to cover up the withholding of treatment?

Newlander; Israel.

**Patient abandonment**

Dr. Weiner's presence and his abandonment of my father confirmed by trial testimony. Dr. Shamim admits to handing over all care to Dr. Weiner.

3/26/05

Medicine

S. Events of last night noted. Appreciate how staff & Dr. Mayo's input. Hypoxic & recurrent aspiration. O. V/G 156/63 98 95 100%.

What was Dr. Mayo's input?

labs at 37.6 10.9 60.9 148 110 29  
35.7 4.2 28 0.9

SGOT / SGPT 100 / 164  
\*U/S abd. - gall bladder sludge  
- Renal Cyst

\* Apr 1 (R) UI infiltrate

S. Pt. in acute resp distress on 100% Non Rebreather. Med resp rate, O<sub>2</sub> >90%. (R) Snd. rales crackles tachy. Abd. Soft, NT, (+)BS. Edema.

Falsified record Dr. Shamim testified that he did not discuss code status or the issue of intubation with son.

- 1) Discussed w son
- 2) Start Zosyn + Levequin
- 3) Suction q 2-3 hrs son
- 4) Called Dr. Koyan - ICU consult

S. Shamim



HOLY CROSS HOSPITAL

PHYSICIAN ORDER FORM

HOLY CROSS HOSPITAL ISRAEL 91Y  
03/10/03 03069001b2  
3127 NAWAZ, AHM.D  
22 1/P 815510  
1111 UNIV BLVD W  
SILVER SPRING MD 20904  
301 649-1319

(1) ABCG - ~~visit~~  
Call results to Dr. Weiner  
or Dr. Steve Kariya #214  
(Stat)

March 26, Wednesday, late afternoon  
**Falsified record**  
Dr. Shamim writes, "Call results to Dr. Weiner or Dr. Steve Kariya," when Dr. Weiner was with him the entire time and was handed the results in his presence. There were no calls to anyone.

noted 3/26  
of Jang  
3:51P

PHYSICIAN SIGNATURE

PHYSICIAN NAME (PRINT)/PAGER#

TIME DATE

(1) CCR, CBC, CPT in am 8:30  
(2) IVFS, DS. 45N-S @ 80cc/hr  
+ 20 KCC

HOLY CROSS HOSPITAL ISRAEL 91Y  
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PHYSICIAN SIGNATURE

PHYSICIAN NAME (PRINT)/PAGER#

TIME DATE

Morphine 1-3 mg q 1-3hr  
No Dr. Weiner  
to Ewell

HOLY CROSS HOSPITAL ISRAEL 91Y  
03/10/03 03069001b2  
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PHYSICIAN SIGNATURE

PHYSICIAN NAME (PRINT)/PAGER#

TIME DATE

March 27, Thursday, 8:50 am

Breathing collapses, pulse oximetry alarms. I am praying, holding my father's hand, Nomeda holds his feet. Nobody comes to help us despite repeated calls to nurses station.

According to the Medical Director of Critical Care, Nursing probably knew that additional life support measures were not planned for my father!

**Falsified Record**

Dr. Weiner writes, "Case discussed with son. He does not wish any other treatment (x-rays, vent etc.) He wishes to be alone with his father while he dies."

Dr. Weiner fails to reference his undocumented visit the previous afternoon - during which he categorically refused my wish that my father be placed on a ventilator, explaining "We don't just intubate any time somebody asks."

DATE

Portable X-Ray enters at exactly 9:50 am, followed by Dr. Weiner.

3/27

RL

It is very poorly appears terminal. Case discussed with son. He does not wish any other tx (x-rays, vent etc) He wishes to be alone with his father while he dies. He understands he is terminal.

3/27/03

Medicine -

12:15 p.m.

P: Appears in very distress. Terminal. Above approached by Dr. Jay Weiner

O. v/s. 121 tachy 37/min R.R 28-35

Lower tachy 110-120

Chest (R) Crackles

Abd. soft NT.

Ext edema

Sebor

43	105	521	152	112	29
	32.9		4.0	28	1.0

- 1) Terminal
- 2) Resp failure impending
- 3) N/A. Electrolyte abn
- 4) Discussed with son

*[Handwritten signature]*

Neustadter, Israel

MR #: 00815510

**DISCHARGE SUMMARY**

decompensated again. Dr. Shamim and Dr. Kariya had a long conversation with the son again for further management because the patient needed intubation at the time. The family decided not to intubate the patient and continue the aggressive medical therapy with suctioning. The care was provided, but on March 27, 2003, the patient was found to be unresponsive, without any breathing, no pulse, no blood pressure and he was pronounced by the house staff. The patient expired due to respiratory failure, because of aspiration pneumonia and multiple other medical problems with sepsis.

Signed

Ahmed Nawaz, MD 06/29/2003 11:28

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 Ahmed Nawaz, MD\*

D: 06/25/2003

T: 06/25/2003 9:12 A

AN/ksw

Doc #: 354855

cc: Ahmed Nawaz, MD

**Falsified Record**

- 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).

\* Dr. Nawaz became Holy Cross Hospital's Chief Hospitalist in 2003 and was appointed in 2012 to the Maryland Board of Physicians. Dr. Nawaz *pleaded guilty* in 2012 to a charge of failing to control vehicle speed contributing to accident and injury. Dr. Nawaz *pleaded guilty* in 2013 to a charge of driving under the influence of alcohol.

10:20 AM

PATIENT RELATIONS WORKSHEET  
For Facility: M

MRN: 815510 NEUSTADTER, ISRAEL 91Y M

Ref Date: 3/31/2003 Resp Expected: 3/31/2003 Resp Received: 3/31/2003

Action: CALL/LETTER TO PATIENT/FAMILY Disposition: SENT TO QUALITY IMPROVEMENT

Reason: FOR YOUR INFORMATION ONLY - NO RESPONSE NEEDED.  
Comment: NO RESPONSE NEEDED

Referred To: INTERMEDIATE CARE UNIT Person: SUSAN KING, R.N., NURSE MANAGER

Ref Date: 3/31/2003 Resp Expected: 3/31/2003 Resp Received: 3/31/2003

Action: ISSUES IDENTIFIED Disposition:

Reason: FOR YOUR INFORMATION  
Comment: ON GOING MEETINGS WERE CONDUCTED WITH SON.

Referred To: MEDICAL AFFAIRS Person: DR. BLAIR EIG, M.D.

Ref Date: 3/31/2003 Resp Expected: 3/31/2003 Resp Received: 3/31/2003

Action: ISSUES IDENTIFIED Disposition: SENT TO QUALITY IMPROVEMENT

Reason: FOR REVIEW

Comment: DR. ELISE REILLY MET WITH THE SON ON 3/27/03 FROM 12:30 PM - 1:10 PM TO CLARIFY ISSUES REGARDING HIS FATHER'S STATUS. SHE INFORMED THE SON SHE WOULD CALL DR. WEINER TO NOTIFY HIM OF HIS CONCERNS & DESIRE TO SEE HIM. DR. WEINER'S OFFICE WAS CALLED PRIOR TO MEETING WITH SON. MESSAGE LEFT WITH OFFICE FOR DR. WEINER TO CONTACT DR. REILLY ON HER PAGER. DR. REILLY QUESTIONED SON ABOUT SUPPORT SYSTEM FOR HIM & SUGGESTED PALLIATIVE CARECONSULT. SON AGREED. DR. REILLY SAID SHE WOULD GET AN ORDER FOR THE CONSULT.

Patient still alive. Son states there was a misunderstanding and urgently requests clarification of his father's status, of Dr. Weiner's refusal to intubate the previous night and of the options still available. Son has plainly not signed off on "plan of care" to withhold treatment and to allow his full-code, non-terminal father to die.

Hospital fails to offer intubation pending resolution of status, fails to locate Weiner or covering doctor, "questions son about support system" and finally "suggests a palliative consult" one hour before death.

INTERVIEW DATA

Date	Time	Person Interviewed	Location
3/26/2003	8:30A	CHRIS CAMFIELD, R.N.	UNABLE TO DETERMINE

Notes: CHRIS CALLED THE CUSTOMER RELATIONS OFFICE TO F/U A DISCUSSION REGARDING MR. AL NEUSTADTER'S BEHAVIOR ON 3/25/03. SHE SAID MR. NEUSTADTER HAD GIVEN HIS FATHER ICE CHIPS, APPLE JUICE & H2O. CHRIS OBSERVED HIM PUSHING ICE CHIPS DOWN HIS FATHER'S THROAT\* DAD HAS A FEEDING TUBE. SON WAS ALSO NOTED ADJUSTNG HIS DAD'S OXYGEN.

Falsified record  
Implausible next-day phone call from Nurse Canfield to inform Patient Relations that she witnessed son "pushing ice chips down his father's throat" the previous day.

This was likely inserted to demonstrate contributory negligence for legal purposes. My father was never given ice at any time.

Can a hospital falsify records with impunity?

3/25/03 CRC PRESENT DURING DISCUSSION BTWN CHRIS & AL NEUSTADTER. CHRIS ASKED SON, FROM THIS POINT FORWARD NOT TO TOUCH THE EQUIPMENT AT HIS FATHER'S BEDSIDE OR TO FEED HIS FATHER ANYTHING. CHRIS PROMISED THE SON THAT THE STAFF WOULD PROMPTLY RESPOND TO ANY REQUESTS HE MADE FOR HELP WITH HIS DAD & THE SON PROMISED CHRIS HE WOULD NOT

\*Nurse Canfield testified that she did not recall the incident or the patient, but that if she had witnessed such behavior she would have documented it contemporaneously rather than calling to report it the following day.