

Letters

Hospital not blameless

The article about my case against Holy Cross Hospital ("Culture clash in the ICU," *WJW*, Nov. 5) beckons the reader to decide whether life support was denied to a Holocaust survivor. It goes on to inform that the hospital prevailed before a state administrative panel, a Montgomery County Circuit Court jury and an appellate court which held it blameless. I would like to clarify a few points:

1. The Court of Special Appeals did not hold Holy Cross Hospital blameless. In deciding whether to affirm or reverse

the lower court, COSA looked only for judicial error — neither absolving nor blaming the litigants. Put another way, had COSA reversed the circuit court decision, it would not have meant that Holy Cross was to blame for anything.

2. Holy Cross did not prevail before a state administrative panel; quite the opposite. The Maryland Board of Physicians referenced in the article regulates doctors, while its sister agency, the Office of Health Care Quality, regulates hospitals. OHCQ investigated Holy Cross Hospital and cited it with a deficiency for failing to secure the required signatures before withholding treatment

from my father and allowing him to die.

3. The physician with whom I settled, as a precondition to settlement, informed the hospital that he had no basis upon which to write in his Death Summary that doctors spoke with me when my father needed intubation and that I refused it. He asked that the record be corrected to reflect the above.

What happened to my father was an extreme example of covert rationing; a "don't ask, don't tell, don't treat" mentality and a not-so-subtle pressure to withhold care that I suspect many of your readers will recognize.

Elderly patients seeking aggressive treatment deserve to have their wishes respected with transparency and dignity. I pray that my father's case contributes toward achieving that goal.

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