



DISABILITIES RIGHTS CENTER, Inc.

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February 7, 2014

Via Electronic Mail, evanderzanden@gss-lawyers.com

Edwinna C. Vanderzanden, Esq
 Getman, Schultness and Steere, P.A.
 1838 Elm Street
 Manchester, NH 03104

RE: Investigation Report regarding the death of [REDACTED]

Dear Attorney Vanderzanden:

I am writing in response to your letter dated February 3, 2014 in which you provided Lakeview Neurorehabilitation Center's ("Lakeview") response to the Disabilities Rights Center's ("DRC") draft report in the above-referenced matter. We are carefully reviewing your letter and will consider whether any revisions to the DRC's report are warranted. In the meantime, there are a few matters raised in your letter about which we require additional and/or clarifying information.

1. Your letter (p.4) asserts, "according to medical records, during his 72 day tenure at Lakeview, Mr. [REDACTED] met with or was reviewed by a member of the Lakeview treatment team on at least 40 occasions in order to address a myriad of longstanding and complex physical, emotional and behavioral issues."

Please provide a description of those records (e.g. name of record, date created, author, names of individuals who participated in the meeting and/or review, and brief summary) so we may understand the information you are referring to in the above-assertion. Alternatively, please email copies of the records you refer to in this statement.

2. Your letter states that "Mr. [REDACTED] was seen multiple times by the dietician and medical director for his ongoing weight loss, lab studies were obtained . . ." (p. 4)

To my knowledge, in response to DRC's records request, Lakeview provided only three records created by the dietician or nutritionist: a nutrition assessment dated [REDACTED] 2012, Nutrition Protocol dated [REDACTED] and a memo from a Lakeview nutritionist to Bertilde Kamana dated [REDACTED]. None of these documents indicates that the dietician or nutritionist actually met with Mr. [REDACTED]. The only records Lakeview provided regarding contacts with the medical director were the initial medical health assessment, which was conducted on [REDACTED], a physician order sheet indicating that [REDACTED] was seen on [REDACTED] to address an injury to his right toe, and a medical note regarding [REDACTED]'s appointment with Dr. Badman on [REDACTED]. Are we missing

any documents regarding the times Mr. [REDACTED] was seen by the dietician and/or medical director to address his weight loss? If so, please email those documents to me at your earliest convenience.

In addition, we have not received documentation of any lab studies other than the lab work completed by Huggins Hospital following [REDACTED]'s two transfers in [REDACTED] for prolonged seizure activity and the lab work Dr. Badman obtained following his [REDACTED] appointment with [REDACTED]. If additional lab studies were completed as a result of Lakeview's observations of [REDACTED]'s ongoing weight loss, please provide copies of the results of those studies. If you believe you have already provided some/all of the above-requested documentation, please provide a sufficient description of the documents to enable us to identify what information Lakeview relied upon in making the assertions contained in this paragraph.

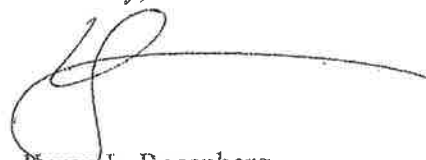
3. The last full paragraph of your letter provides, "Mr. [REDACTED] was seen by members of Lakeview's psychiatry/psychology/behavioral health services team 9 documented times."

Are you referring to meetings that occurred in addition to the initial evaluations that Lakeview conducted? If so, I believe the only meeting (other than initial evaluations) between a member of this team and Mr. [REDACTED] for which we have documentation is the meeting he had with Dr. Stefanie Griffin, Lakeview's Psychologist, on [REDACTED]. Dr. Griffin's note for this meeting indicates that she had changed Mr. [REDACTED] supervision level to checks every five minutes. If there were any additional meetings with members of this team and [REDACTED] of which we were not aware, please provide copies of the records of these meetings.

4. Regarding Rachel Emond declining DRC's request for an interview, we understand that she was traumatized by the events and did not mean to imply anything beyond the fact that we were not able to conduct an interview. We have not, however, received a transcript of her interview with BDS/OCLS. Please provide this document at your earliest convenience.

Please feel free to contact me if you have any questions regarding the above-requested information. We are hoping to complete our final report as soon as possible and would appreciate your assistance in providing us with the requested information at your earliest convenience. Thank you for your assistance.

Sincerely,



Karen L. Rosenberg
Staff Attorney