

ALPHONSE MOURAD  
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**OPEN LETTER FOR PUBLIC DISTRIBUTION**

November 30, 2007

Sanjayr Jain, M.D.  
Head of Hematology Department  
Beth Israel Deaconess Medical Center  
330 Brookline Avenue  
Boston, MA 02215

Re: Patient Michael Mourad  
125 West Street  
Hyde Park, MA 02136  
Social Security #034-42-5862  
Hospital #1816796

Dear Dr. Jain:

On behalf of my brother, Michael Mourad, demand is made that Michael not be discharged from the Beth Israel Hospital until such time as I can obtain a second medical opinion about Michael's fitness and stability to be discharged and relocated to a rehabilitation facility. Request is made for Michael Mourad's medical records from September 1, 2007 to the present, pursuant to my November 16, 2007 Power of Attorney and Health Care Proxy. In spite of my Power of Attorney and Health Care Proxy, you indicated to me on November 27, 2007 that you require my brother's (Michael Mourad's) signature to release his medical records and indicated that you were willing to do so only after his discharge. Michael has verbally authorized the release of his medical records to me and I expect your staff to provide Michael or myself with whatever medical release forms you deem necessary for Michael to sign and expect the complete medical file, including daily notes by staff, by Monday, December 3, 2007. This should include all notes pertaining to his recent fall and resulting hip fracture.

As you know, Michael has spent over 2 ½ weeks at the hospital, has been in intensive care for part of that time, is not consistently stable, suffers from heart failure, phenomena, a fractured hip, low sodium, low blood pressure and other medical ailments and risks. I am deeply concerned about the following events. In particular and in order of chronology:

1. During the first week of November, Michael was seen in the emergency room at BIDMC for severe pain to his left leg. He was admitted later that night to the

hospital and upon further examination a cancerous tumor was located on his left leg.

2. On approximately November 8, 2007 (without the medical records I can not be completely accurate about the dates), you and your colleagues called a meeting to discharge Michael from BIDMC and move him to a rehabilitation center due to his mounting healthcare costs and his meager medical insurance (Mass Health). Later that day, Michael fell on his way to the bathroom and fractured his left hip. From his first admission onward, you ordered alarms be placed on Michael's legs to prevent him from standing as he was unsteady and his bones were fragile from the cancer and he was to remain bed bound for safety reasons. Alarms were placed on his legs for a few days and then removed. On the day of his hip fracture, there were no leg alarms and he was not catheterized. The night before the fracture, I spoke with Denise Cummings, RN and asked her to bring a doctor to see Michael as he appeared anxious and disorientated and I was very concerned that he kept trying to get out of bed. She assured me that she would put the alarms on his legs and that there was no need for concern. The alarms, which would have notified nurses if he were trying to get out of bed, were not put on his fractured hip, radiation ceased temporarily, and now he is unable to transition to a bathroom. As a result, he is in unnecessary pain from the fracture, having difficulty moving his bowels, and in pain that could have been easily prevented. Most troubling however is that he cannot be cared for at home where he would prefer to die because of this.

3. November 9, 2007, just one day after your discharge meeting, Michael suffered heart failure and was admitted to the ICU where he remained until November 12th and was then returned to his non-emergency room at BIDMC to recover from heart failure and a hip fracture. It was a poor judgment on your part to attempt discharge when clearly he was and is not medically fit to be moved to a rehabilitation center.

4. November 21, 2007 you called another meeting to arrange for discharge. The meeting was postponed as Michael developed phenomena and other complications such as severely high sugar. I was present when the sugar test was performed and it was 408 – drastically above normal. You committed in front of your staff and myself, that you would provide me with the medical records surrounding Michael's fall and that you would investigate the fall. To date, I have not received the records of that incident and an investigation has not taken place.

5. November 27, 2007 you called another discharge meeting. Several staff members were present. On this day, Michael's blood pressure was 68 over 45 – a sign that his heart was starting to fail again. A further drop would have sent him back to the ICU. The same day he was spitting-up blood which you examined. It is thought that he may have a blood infection and numerous other complications and yet you are attempting to discharge him again.

6. November 30, 2007. You have called for another discharge meeting to take place today at 3:30. My brother is in a great deal of pain at present and suffers from

several potentially fatal conditions. Clearly, he is no condition to be move to another facility. I had previously asked for, but was denied, Michael's medical records to secure a second opinion. This letter puts you and the hospital on notice that any premature removal of Michael from the hospital shall be at yours and the Beth Israel Hospital's risk and responsibility. Your medical treatment of Michael has been less than acceptable, even cruelly negligent.

All of your threatening discharge meetings have put undue pressure and fatigue on Michael and his family during a very difficult time. I consider your actions careless and lacking in compassion. As a result, my brother will die while suffering unnecessarily,

Sincerely,

Alphonse Mourad

cc: Paul Levy, President and CEO of Beth Israel Deaconess Medical Center in Boston  
cc: Denise Cummings, RN