

March 14, 2013

Celeste Davis, Regional Manager
Office for Civil Rights
U.S. Department of Health and Human Services
233 N. Michigan Ave., Suite 240
Chicago, IL 60601

Dear Ms. Davis:

I am filing this formal complaint on behalf of Alex Spourdalakis, a 14 year old nonverbal autistic child who is currently inpatient at Loyola University Medical Center, 2160 S. First Ave., Maywood, IL 60153 (708) 216-9000.

Alex severe autism. He was transferred to Loyola from Gottlieb Hospital in Melrose Park where he was placed into locked restraints on his arms and legs following 14 days in four limb restraint in the Gottlieb Emergency Room (he was never admitted as a patient) prior to transfer. His basic rights to medical care and accommodations for his disability of autism have not been provided.

My complaint is based on these points:

- 1) He has not had any accommodations for his disability.
- 2) He has not had anyone attempt to provide him the ability to communicate.
- 3) He has not been held in the least restrictive environment and the frequent assessments for his need to be restrained, as required by regulatory agencies and hospital policy, have not been performed. Not one professional that specializes in autism has examined him.
- 4) He was kept in locked restraints without any written plan to work towards release.
- 5) He was denied medical care and intervention by Loyola Health after having been transferred there from Gottlieb for care.
- 6) His mother has been denied a list of physicians in charge of his care.
- 7) His mother has been denied a list of prescribed medications.
- 8) His mother does not have access to a phone inside the patient room in order for her to access resources.
- 9) Treatment delay included waiting 5 days for an ordered consultative physician to see him and one additional day until he was examined by a specialist for his gastrointestinal problems, the very reason he was transferred to this facility.
- 10) He has been held in restraints while the physicians have ordered and cancelled the GI procedure.
- 11) He is not being provided appropriate foods as he has many food allergies.
- 12) He has not had access to any specialized evaluations or services from any professionals such as occupational health, speech therapy, developmental pediatrician or behavioral specialist who might be able to facilitate addressing his disability.
- 13) He is being denied medical care and accommodations for his disability of autism and his mother is purposefully being separated from him and threatened by hospital staff.
- 14) His pain has not been assessed or treated.

None of the many standardized assessment tools for nonverbal patients have been utilized and his mother was told they staff is “unable” to determine if he is having pain. He has not been medicated for pain. The following patient rights, as outlined by JCAHO, have been violated:

You have the right to be informed about the care you will receive.

You have the right to get important information about your care in your preferred language.

You have the right to get information in a manner that meets your needs, if you have vision, speech or hearing, or mental impairments.

You have the right to make decisions about your care.

You have the right to refuse care.

You have the right to know the names of the caregivers who treat you.

You have the right to safe care.

You have a right to have your pain addressed

You have the right to care that is free from discrimination because of physical or mental disability.

You have the right to get a list of all your current medications.

You have the right to be listened to.

You have the right to be treated with courtesy and respect.

Please investigate why this child with a disability is being denied access to medical care.

Thank you for your time.