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Faulty Hospital Care Is Brought To Light

Published on 3/15/2005

Your Right To Know

This week, The Day and other media across the country are highlighting the importance of open government records in our democracy.

Norwich —In August 2003, sources at The William W. Backus Hospital approached The Day with a disturbing story: The hospital's emergency room was illegally turning away uninsured psychiatric patients, they said, and several patients who were refused help had committed suicide.

The hospital had fired a psychiatrist in January 1997 after she alerted the state Department of Public Health to the problem. After she filed a federal discrimination lawsuit against the hospital in June 1999, the hospital sued her, saying she had taken copies of confidential patient records.

A Superior Court judge sealed the court files in the case and placed a gag order on the psychiatrist so she could not talk to The Day. However, she had filed an appeal of the judge's ruling in state Appellate Court and the records of her lawsuit were available in U.S. District Court in Hartford. Since Superior Court judge had no power to seal those records, The Day got them.

Furthermore, under the Freedom of Information Act, The Day had the right to health department records of complaints against the hospital and findings of any investigations in response to those complaints. Because refusing care to uninsured patients is a violation of federal law, the health department should have investigated any such complaints.

The health department was slow to produce those records, however, saying at first they were in storage.

Eventually, The Day got them, and the records confirmed the sources' story. The health department had investigated and uncovered more than a dozen cases in which Backus had transferred or refused admission to psychiatric patients or discharged them without proper medical care.

Matching its own obituary files against those records, which identified patients only by number, age, sex and, in the cases of those who had died, the dates of their deaths, The Day found their names.

In December 2003, The Day was able to tell the story of how Backus had violated federal law by turning away patients in need. Backus denied that it ever had done so, but records showed otherwise.

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