

Office of Protection and Advocacy for Persons with Disabilities
Fatality Review Board
May 19, 2008

Present: Mr. James McGaughey, Dr. Gerard Kerins, Mr. David Carlow, Major Timothy Palmbach, Attorney John DeMattia and Mr. Daniel Greene, Ms. Anne Broadhurst, and Ms. Barbara Roy, OPA staff.

1. Minutes of the April 7, 2008 FRB meeting were reviewed. Dr. Kerins made a motion to accept the minutes, which was seconded by Attorney DeMattia and the minutes were adopted.
2. Presentation by the OCME

Mr. McGaughey reported that the FRB recently learned of an unexpected death of a twenty-year-old woman with an intellectual disability with no apparent medical issues, which was “no-cased” by the OCME primarily because she had a diagnosis of Down syndrome. The Board agreed that the OCME’s decision in this case appeared to contradict the information provided by Ms. Holly Teed at its last meeting. According to Ms. Teed, the criteria used by the OCME to assert jurisdiction is consistently applied, whether or not it is reported that someone has a disability. The Board recommended that Mr. McGaughey write a letter to Dr. Carver, pointing out the inconsistencies in this particular case and offering training to OCME staff to increase their awareness of disability issues. Major Palmbach and Dr. Kerins agreed to collaborate on developing a curriculum for the training, which would be hosted at the University of New Haven by the Forensic Science Program, perhaps as a day long symposium. (It was noted that FRB staff will obtain additional information concerning the young woman’s medical condition from her primary care physician, who has already forwarded her medical records to the FRB for review. The OCME indicated that they would also request the young woman’s medical records and a copy of her Death Certificate from the PCP.)

3. DPH Meeting Review

Mr. McGaughey summarized OPA’s recent meeting with representatives from DPH, including Ms. Joan Leavitt, Ms. Wendy Furniss and Ms. Jennifer Filippone. Mr. McGaughey noted that, using two recent cases as a guide, the purpose of the meeting was to gain a better understanding of DPH’s various divisions and the scope of its authority. Board members engaged in a lengthy discussion of DPH’s limited regulatory authority to investigate state owned and operated facilities (such as CVH), the professional competence of certified nurses’ aides and the process for investigating and taking action against health care professionals and providers.

4. DD Network Symposium on Aging

Mr. McGaughey announced that the DD Network is planning to hold a Symposium on Aging in late October 2008. Mr. McGaughey noted that the focus of the symposium will be to stimulate dialogue amongst advocates and individuals with developmental disabilities, family members, providers and policy makers about supporting older people with developmental disabilities in their homes and communities. Approximately 75 to 80 people will be attending, by invitation only. Mr. McGaughey noted that the symposium will include presentations of personal stories to stimulate dialogue. There are also plans to videotape the conference for subsequent publication and follow-up.

5. Executive Session
6. The meeting was adjourned at 4:15 PM.

The next FRB meeting is scheduled for Monday, July 21st from 1:30 - 4:30 PM at Sister Anne Virginie Grimes Health Center, across the street from St. Raphael’s Hospital in New Haven.