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Chief Medical Officer
Dr. H. West Lawson

September 4, 2012

Via Hand Delivery and U.S. Mail

Re: Freddie Lempe

Dear Mr. Lempe:

WakeMed received a letter from the Gibbs Law Firm regarding the ongoing treatment of your son, Freddie. I am responding on behalf of WakeMed. The hospital understands that you have concerns surrounding Freddie's care, which we take very seriously. We recognize the tragic situation he is in and the emotional strain that you are under following his car accident. We also understand that you are working to ensure that he receives the best possible medical care. I want to assure you that Freddie is receiving appropriate care for his medical needs and that this will continue as long as he is at WakeMed.

Freddie faces ongoing health issues related to serious injuries suffered as a result of a motor vehicle accident, including traumatic brain and spinal cord injuries. WakeMed has an experienced, multi-disciplinary team of board-certified specialists managing Freddie's care. Among others, your son has been evaluated by specialists in neurology, neurosurgery, orthopedic surgery, infectious disease, intensive care medicine, surgery, trauma, and pulmonology – many of which involved separate physicians focusing on pediatric and adult patients. Freddie's treatment plan is developed with input from the entire clinical team involved with his care.

As part of WakeMed's ongoing efforts on your son's behalf, in June of this year WakeMed invited an external pulmonologist, who has no affiliation with WakeMed, to examine your son and evaluate his medical needs and treatment regimen. Dr. Hayes is an extremely well-regarded pulmonologist with over 30 years experience. We granted special privileges to Dr. Hayes and access to all your son's medical records to allow him to complete his consultation. He evaluated Freddie and prepared a written consultation regarding your son's condition and treatment recommendations, which was provided to you. Dr. Hayes also offered to meet with you, but I understand that this meeting has not occurred to date. We believe it may be beneficial for Dr. Hayes to update his consultation, so we are in the process of arranging it. We will work to schedule a meeting, including Dr. Hayes, you, and me, to discuss his assessment following his update. Also, I am happy to meet with you separately to continue the dialogue about your son's medical needs and ongoing treatment.

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Mr. Fred Lempe, Sr.
September 4, 2012

WakeMed remains committed to providing appropriate care for Freddie as long as he remains at the hospital. As a result, WakeMed staff will continue to follow a treatment plan developed by a multi-disciplinary clinical team focused upon your son's symptoms with the goal of stability and, where possible, improvement. However, we recognize that you desire different treatment for your son and do not agree with medical decisions not to provide certain interventions, which the clinical team has determined are not medically beneficial and may pose a risk of harm to Freddie. I understand that you have requested, more than once, that your son be transferred to Shepherd Center or another rehabilitation facility. WakeMed has contacted Shepherd and other external rehabilitation facilities to determine whether they may be able to accept Freddie. We are happy to discuss whether alternative treatment options are available for your son. If you are willing, we can ask staff from Shepherd or another external rehabilitation facility to talk with you about potential treatment options.

I was puzzled to read in Mr. Gibbs' letter an assertion that you did not receive an appropriate response to a formal complaint submitted to WakeMed. The hospital does not have an employee with the title of Patient Complaint Coordinator, but the hospital takes any patient or family complaint seriously and we make every effort to respond in a timely fashion. I invite you to let me know the substance of your complaint and the person to whom it was sent.

I am writing this letter to you because WakeMed cannot respond directly to Mr. Gibbs concerning the substantive complaints raised in his letter. It is not clear whether Mr. Gibbs has been retained as your legal counsel for matters in North Carolina. However, in any case, we cannot provide information regarding Freddie's medical condition or ongoing treatment to Mr. Gibbs due to HIPAA and other patient privacy obligations. The law prohibits WakeMed from disclosing information about Freddie's treatment to a third party, including a person representing you as your lawyer, unless you provide us written authorization to do so. If you wish to authorize WakeMed to communicate with Mr. Gibbs, you will need to complete a WakeMed Authorization to Release Medical Information. I have enclosed this form for your convenience. If you authorize WakeMed to speak with Mr. Gibbs or another lawyer about Freddie, we would communicate with him or her only through an attorney for the hospital.

WakeMed remains committed to ensuring that Freddie receives appropriate medical care and to continued dialogue with you regarding his needs. Please feel free to let me know if you have any questions about this letter or wish to meet with me to discuss any of these issues.

Sincerely,



H. West Lawson, M.D.
Chief Medical Officer

Enclosure