



**RespectABILITY Law Center
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TRAVERSE CITY, MI: Hannah G, who is 20 years old, is like most 20 year olds. She loves her fiancé, dogs, music, apartment, slapstick humor, stuffed animals, McDonald's Frappes, sports and most other things that capture a young adult woman's interests. She also loves her family and her many friends who have loved her in return and have supported and encouraged her throughout her life.

Hannah has been hospitalized at Munson Hospital since August 31, 2015. Hannah has been ready for discharge from Munson since the middle of September. However, she remains held against her will because Munson and her court appointed temporary guardian refuse to allow her to go back home to her apartment or to live with family or friends. Instead, the temporary guardian and hospital want her discharged into an Adult Foster Care [AFC] home where she will be forced to give up her choices and will be more exposed to physical, medical and emotional harm.

The Probate Court, Munson Hospital and Hannah's temporary guardian have disrupted her life because they believe it is better for her to be away from her family and friends than with them. Instead, Munson Hospital and the temporary guardian want Hannah to live with and be under the care of people who do not know or love her. They can exert this control over her because Hannah has autism and other medical needs.

- In her new life as a Munson Hospital resident Hannah cannot invite her family or friends to visit her. Her temporary guardian, who does not know her family or friends and has refused contact with them, will only allow Hannah's mother to visit her only once a day for 3 hours. Her sister, who also is her standby guardian, and her brother cannot visit with her at all.
- The judge, by an ex parte court order, which means the judge issued the order without advance notice to Hannah's lawyer and without giving him the opportunity to respond before issuing the order, has ordered that Hannah's lawyer only can consult with Hannah twice a week for 30 minutes and must give the hospital and guardian two days' notice before each consultation. Hannah's lawyer is challenging the order because many of the facts upon which it was issued are false and it deprives Hannah of her right to counsel.
- Hospital staff have refused to give Hannah her mail since on or about September 21, 2015 even though Hannah can open and read the mail for herself.

- Hannah cannot go outside or anywhere inside the hospital except for her hospital room and the family visiting room on her floor. She has not been outside since August 31st.
- Munson staff have threatened to take Hannah's phone away from her or to limit who she could call and who could call her. They have not implemented this threat to date.
- The temporary guardian and hospital personnel have ordered away Hannah's community mental health workers who otherwise work with her 24/7.
- Munson staff are not assisting Hannah in meeting her daily hygiene needs and are now forcing Hannah to use her private bathroom with the door open even though Hannah is not a threat to herself or others.
- Since August 31st Hannah has been denied access to her sensory equipment and her therapy dog.
- These practices violate Hannah's civil rights to associate with others, receive mail and enjoy her own privacy.
- Hannah wants to go home to her apartment and to be with her family and friends.

Why did this happen? Why is Hannah being treated this way?

Hannah has a medical condition, Idiopathic Intracranial Hypertension, where pressure builds in her brain causing painful, punishing headaches. In 2012, surgeons installed a shunt to drain the fluid that causes the pressure. Surgeons place a small tube into the brain, place a valve under the patient's skin outside of the skull and install a tube from the valve down to the abdomen. Shunts like these can require frequent adjustment. When the shunt is inspected, adjusted or repaired it is called a shunt revision.

Beginning in May 2015, Hannah's mother, with Hannah's primary care physician's knowledge and agreement took Hannah to Spectrum Health Services in Grand Rapids after Hannah complained of serious pain. She took Hannah to Spectrum because Hannah's primary care physician since before 2010 and her neurosurgeon, both practice in Grand Rapids and at Spectrum. The hospital performed the medically necessary diagnostic testing and shunt revision. Hannah's mother took Hannah home to her apartment when Spectrum Hospital discharged her.

Hannah did well for the next several weeks, but began experiencing headache pain in the first part of July. In mid-July Hannah's mother took her to her neurosurgeon in Southfield for a scheduled appointment. Hannah's pain had increased significantly in previous days and the neurosurgeon immediately referred her to Providence Hospital emergency room for an emergency lumbar puncture.

At Providence Hospital, tests showed Hannah's intracranial pressure was significantly elevated but they performed no shunt revision. Instead they recommended Hannah be transferred to Henry Ford Hospital for diagnosis and treatment.

Providence transferred Hannah to Henry Ford Hospital toward the end of July. She remained there until early August. Physicians found her intracranial pressure to be elevated and performed a shunt revision where they found the tube between the valve and her brain had become disconnected. They corrected the problem and discharged her in early August.

After Hannah was back in her apartment for a few days her pain increased again and her mother took her back to Spectrum Hospital. While at Spectrum the hospital added a reservoir to her shunt. The purpose for the reservoir is to allow physicians to test the shunt without having to open the skin flap below the scalp to view the shunt itself. Spectrum discharged Hannah to her apartment on August 30, 2015 with significant pain prescriptions.

For all of these hospitalizations, Hannah's doctors performed objective tests to determine Hannah's medical condition and needs. Any medical treatment she received was based on the objective medical test results. Again, Hannah's primary care physician knew about and monitored each hospitalization and each course of treatment. He later testified under oath that in his opinion Hannah's spring/summer course of hospitalization and treatment was medically necessary and was supported by objective medical testing.

Hannah remained in significant pain when she returned to her apartment from Spectrum. Her mother, her nurse practitioner and other members of her medical care team were concerned about the level of Hannah's pain and the evident ineffectiveness of her medications.

On August 31st, with her home care medical team in agreement, Hannah's mother took her to Munson Hospital emergency room, for treatment. Hannah only had been home from Spectrum for about 24-hours. Once at Munson, Hannah's mother reported Hannah's medical history, including the spring/summer hospitalizations at Spectrum, Providence and Henry Ford Hospitals. Munson physicians admitted Hannah into the hospital, where she remains to this day.

Within hours of Hannah's admission, her internist and a staff psychiatrist became concerned about Hannah's spring/summer hospitalizations and shunt revisions. The next day, with Hannah's mother's written consent, they began to gather medical records from the other hospitals. She signed every record release consent the hospital requested.

The internist and psychiatrist did not contact Hannah's primary care physician, nor did they call and speak to any of the neurosurgeons who performed the evaluations and shunt revisions on Hannah. RN case manager, Beth Urban, later testified under oath

that by September 2nd, 2015 Munson hospital officials already were planning to seek removal of Hannah's guardian, who was her mother, in Grand Traverse Probate Court.

On September 4th the Munson Hospital lawyer prepared and filed an ex parte emergency petition in Grand Traverse Probate Court asking the court to remove Hannah's mother as her guardian and to name Stephanie Strehl as her temporary guardian and to give Strehl the authority to make all medical and placement decisions for Hannah. Judge Larry Nelson entered the order as requested by Munson Hospital officials, transferring authority for Hannah's care from her mother to the temporary guardian.

Although Hannah's lawyer had filed an appearance with the Probate Court hours before the hospital presented its petition to change guardians and although her lawyer also was in direct contact with Munson hospital administrators hours before they went to court, the Court, and the hospital's lawyer did not contact Hannah's lawyer before reviewing and entering the order removing Hannah's mother as guardian.

There now have been two court hearings and another ex parte order entered substantially limiting Hannah's lawyer's contact with her. Her lawyer is challenging that order.

The hospital rested its case supporting its claim that Hannah's mother should not be guardian. They did so without introducing one page of medical records into evidence. They entered no evidence that the doctors or hospitals who treated Hannah performed any hospital procedures without objective diagnostic proof that the procedures were medically necessary. In fact, the only testimony questioning Hannah's need for spring/summer neurosurgery was the subjective opinions by a Munson Hospital internist and psychiatrist, who only knew Hannah for four days at the time the petition had been filed and who have no personal knowledge of what medical treatment Hannah received prior to her August 31st Munson hospitalization. To this day, the internist and psychiatrist, have not talked to, let alone consulted with, Hannah's long time primary care physician.

All parents experience anxiety and worry when their children don't feel well or have medical emergencies. Most parents are not doctors and don't rely on their own opinions because they know their children need more help than they can provide. For parents who have children with significant health care needs, the challenge is even greater because they have more frequent contacts with the medical profession and are working so hard to be sure that their children's needs are identified, understood and treated. Parents who have children with significant health care needs are scared to death for their children and want to keep them safe and healthy. They don't want to miss something that could improve their child's medical outcome.

Hannah's case matters to us all. Why can't medical professionals who question a child's medical treatment call the child's primary care doctor? Why can't they set up a meeting with family representatives to discuss the child's needs and medical history?

Why do they have to blow up a family unit that is doing its best, without first being required to make a reasonable inquiry into the truth of the medical crisis? Why do they have to work against rather than with the parents and family?

Parents feel like they are damned if they do and damned if they don't. If they take their kids to the doctor, then someone is going to say they overreact and don't know how to care for their child. If they don't take them and something happens, someone is going to accuse them of neglecting their child. But of course, the parents beat themselves up more than anyone else could, except in this case, where Munson Hospital seems to be doing a fine job of beating up a parent who loves her child, while at the same time they show little care or concern for Hannah and what she wants and needs.

The Respect ABILITY Law Center has received numerous requests from people wanting to know how they can help Hannah get her life back. We are working hard on this issue.

You may also send cards to Hannah and let her know that you are thinking of her. Cards and letters may be mailed to a PO Box and her mother will deliver them.

Hannah Garcia
P.O. 186
Grawn, MI 49637

You may also write a letter to the Traverse City Record Eagle webmaster@record-eagle.com

ADDITIONAL INFORMATION

- Please share the Press Release: <http://www.bridges4kids.org/garciapr.pdf>
- Cards for Hannah campaign (Hannah Garcia, P.O. Box 186, Grawn, MI 49637)
- GoFundMe Page: <https://www.gofundme.com/freehannahg>
- #freehannahg Facebook Group: <https://www.facebook.com/groups/1137207603006127/>
- Dog Pictures for Hannah: <https://www.facebook.com/Dog-Pictures-for-Hannah-848055571981663/>