

CITY CLERK

city board meeting ;

First off id like to thank this committee the opportunity to voice concerns pertaining to Vigo county residence and community. I do ask for patience and hereby assure this committee that even though this may take an extra minute or two I promise that this is not a filibuster.

The WIN program is mainly operated by funding and or grants issued to the Hamilton center, thus should also include payments from insurance companies. These funding(s) was intended to treat all citizens looking to receive medications (approved by the (FDA) to assist in opioid treatment that fit criteria not just those whom a single Dr. decides will or will not receive life altering treatment that is based on opinion or corporate policies over laws, guidelines and or medically backed decisions. (note) that Federal and State laws do overrule company policies. Your company policies must be in accordance with state and federal laws for it to be a valid policy. Thus WIN program is denying addicts inalienable rights; that among these are life, liberty, and the pursuit of happiness and instituted for their peace, safety, and well-being. One goal or partial solution would be to deny any further funding or exemptions to this facility and direct those resources to a new neutral facility to ensure all citizens are allowed the opportunity to quality health care.

This Dr. as well as others that receives complaint against then may feel upset that a person whom has inevitable rights to complain against improprieties, denial of access to medical care and or all rights given and established from our government but are bound to respect and ensure these rights are not violated. It is fact that any person whom takes an oath is thereby bound by requirements in those vows and if one doesn't agree with those

standards then they should find a type of profession that better establishes their personal ethics. Therefore this particular Dr. has violated his oath, supporting laws, rights, standards, ethics and obligations, places to establish that discrimination, bias, Prejudices and medical care not be denied to anybody whom requires and requests access to medical treatment in the USA.

(a). Retaliation is a deliberate action used to send a clear message that complaining is unwelcome and risky. It is used to instill fear in others who might consider making a complaint in the future. Those with cause for complaining are frequently among the most vulnerable. Once they complain, they are labeled "troublemakers." Retaliation, and the fear of retaliation, becomes a potent weapon used to maintain a power structure.

(b). No recipient or other person shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege or because he has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing.

(c). 18 U.S. Code § 1513 - Retaliating against a witness, victim, or an informant.

(d). Intimidation. Under Indiana's intimidation statute, an individual is prohibited from communicating with the intent to create fear of retaliation for a prior lawful act, or to force a person to engage in conduct against his or her will.

The administration has engaged in willful blindness also known as conscious avoidance, is a judicially-made doctrine that expands the definition of knowledge to include closing one's eyes to the high probability a fact exists. It is also a legitimate and effective tool of the law in finding someone guilty of a crime.

(a) The Supreme Court observed in *Global-Tech Appliances, Inc. v. SEB S.A.*, that "[t]he traditional rationale for th[e] doctrine is that defendants who behave in [a willfully ignorant] manner are just as culpable as those who have actual knowledge." The Ninth Circuit, in a seminal willful blindness case, explained that "[t]he substantive justification for the rule is that deliberate ignorance and positive knowledge are equally culpable."

Wherefor, it is unethical and unjust for a facility to allow a Dr. with approximately less than 10 years Indiana licensed and approximately less than 4 years in opioid treatment to thereby be allowed to play GOD with patients life and therefore control an entire program in an entire Vigo county community. If this board is interested I can produce contact information of doctor or doctors with 10 to 20 or more years of experience in opioid treatment that will Corroborate that this patient meets criteria as a candidate for treatment but requests confidentially as they wish to avoid any retaliations that a corporation may inflict upon them just as the Dr. inflicted retaliations on patient. note that if some of these Dr. practice in other states they still are bound by the same federal regulations. Even though those Dr. feel very confident they are complying within guidelines they don't want there patients to suffer by Dr. having to litigate instead of time that could be spent with care. Definition of "Medical Standard of Care" The type and level of care that an ordinary, prudent, health care professional, with the same training and experience, would provide under similar circumstances In other words, the critical question is, "Would a similarly-skilled health care professional have provided me with the same treatment under the same, or similar circumstances.

SOME CONCERNS BUT NOT LIMITED TO ALL AS THERE IS A TIME LIMIT RESTRICTING ADEQUATE TIME TO DISCUSS ALL...

1. Even though Indiana may allow a nurse to be present during drug screens the law and rights still allows one right to privacy in a situation where one would have an expectation of privacy like restrooms or where one might disrobe. Cameras are prohibited.

(a). Code Ann. § 35-46-8.5-1. The state's video voyeurism law makes it a felony to secretly record images—either still or video—inside the dwelling of another person or inside areas where occupants might be expected to disrobe, such as restrooms and dressing rooms, without the occupants' consent.

(b). Ind. Code Ann. § 35-45-4-5(c) & 35-45-4-5(d): In Indiana, it is a felony to secretly record in an area where the subject would have an expectation of privacy, this includes areas such as bathrooms, dressing rooms, or bedrooms. Additionally, it is unlawful to record images of a persons privates without consent

(c). Ind. Code Ann. § 35-45-4-5 sections E and H: As part of the states voyeurism law it can increase the crime from a misdemeanor to a level 6 felony offense to share (publish, transmit, post) illegal images of someone else's privates without their consent.

(d). Since HIPAA requires the confidentiality of protected health information (PHI), installing video cameras can cause a HIPAA violation if they are not placed in the correct location, and they're not utilized in the proper manner.

(e). Constitutionally, the Fourth Amendment protects individuals from unreasonable searches and seizures, and this can protect individuals against surveillance.

2. The FDA approved this substance as a treatment, that even if not everybody agrees with it, it is approved and we must comply with the governments decision over ones personal opinion just as WE the people have the right to receive medical care.

(a) German scientists synthesized methadone during World War II because of a shortage of morphine. Methadone was introduced into the United States in 1947 as an analgesic

(a). Approved by the Food and Drug Administration (FDA) in 1947 for analgesic and antitussive uses, methadone was shown effective in treating opiate addiction and pain management in the mid-1960s and was approved by FDA for use in late 1972.

(b) These investigations were crucial to the Food and Drug Administration's approval of methadone as a treatment component for addiction to heroin and other opiates, in 1973. Today approximately 1.3 million people around the world are on methadone maintenance therapy.

(c) Benefits of methadone therapy include: Reduction in infectious disease due to stopping opiate abuse, particularly injection drug abuse. Reduction in criminal activity due to stopping illicit drug use. Overall improvement in quality of life

3. Statements made toward recover states that WIN Recovery, Vigo County opened May 2018. WIN Recovery is the first certified OTP of its kind for both counties, and will offer medication assisted treatment, in the form of the medication methadone, coupled with behavioral health services including individual and group therapy and case management services. "The opioid epidemic in our communities can only be fought successfully if we attack the issue head on and together" "The Foundation is working to respond to community needs,"

Mission Statement

Hamilton Center exists to provide quality healthcare, wellness and human development services to our community.

Vision Statement

Our vision is to advance excellence in healthcare through compassion, customer responsiveness, innovation, flexibility.

4. POA recorded in Vigo county as a binding contract is being ignored and not complied to under the rights established in such contract. Dr. states he does not have to honor a medical POA and this is disturbing that a medical physician doesn't have to comply with a medical document concerning patient rights in care. Thus could show that Dr. may also not comply with the medical training he received but prioritizes a company policies over medical standards. Which is unethical and illegal. This Dr. made statements pertaining to that the aforementioned patient will never receive treatment at facility as long as he is in charge so this is another reason this Dr. must be removed from his post so patient requiring care can receive all the necessary treatment they require and deserve. To elaborate that the patient would of allowed Dr. to treat her conditions and this is proven on several attempts to be reinstated in treatment but after Dr. produced such bias statement that establishes that this patient will never receive adequate treatment under the supervision of said Dr. and would live in constant fear of further retaliation by means of premature discharge or reduction in essential treatment.

(a). The relationship between a patient and a physician is based on trust, which gives rise to physicians' ethical responsibility to place patients' welfare above the physician's own self-interest to use sound medical judgment on patients' behalf, and to advocate for their patients' welfare. The AMA Code of Medical Ethics.

(b). "Personal representatives," as defined by HIPAA, are those persons who have authority, under applicable law, to make health care decisions for a patient. HIPAA provides a personal representative of a patient with the same rights to access health information as the patient, including the right to request a complete medical record containing mental health information. As long as the agent is acting in "good faith" and in accordance with your instructions, the law protects him or her from being sued for his or her actions.

5. This facility has presented several (more than 1) false positive urine screen tests that was later proven as false by blood work taken at regional hospital. Each time patient was punished and the facility continues to use these substandard testing. A proper Investigation should show this to be the case on other patients as well and led to some being discharged or reduced amount of methadone that subjected them to severe withdraw symptoms. A Dr. with proper training in opioid treatment should be aware of the repercussions this imposes on patients and there health.

6. Addiction is generally considered a disability because it is an impairment that affects the brain and neurological functions. Diagnosable drug and alcohol addictions, or substance use disorders (SUDs), are considered disabilities under Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA), and Section 1557 of the Affordable Care Act. Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals

with disabilities to participate in, and have access to, program benefits and services. Section 1557 prohibits discrimination based on race, color, national origin, sex, age or disability in certain health programs and activities.. Maintenance treatment admission exceptions the program physician may waive the requirement for previously treated patients (up to 2 years after discharge).The Definition of the "Medical Standard of Care" The type and level of care that an ordinary, prudent, health care professional, with the same training and experience, would provide under similar circumstances In other words, the critical question is, "Would a similarly-skilled health care professional have provided me with the same treatment under the same, or similar,

Patients that participate in these treatment programs are there for help not to be viewed as some type of scum bag attic(s). If a person doesn't posses the morals to establish empathy or just the professionalism to interact with these disabled individuals then they should seek other occupations for there sources of income. This is not an occupation just to receive a pay check, this is a situation where people are desperately seeking treatment so to remove themselves from a hard life and become productive to society, family, friends, employment, church (or the personal belief in a higher power), children's affairs and activities, charity, volunteering, school or education, housing or home life, about anything drugs are preventing them from goals achieved from a life of sobriety.

In closing I would like this board to consider how they would feel if they were recorded, without there knowledge or consent in a restroom and to include if there minor child was recorded while in a bathroom, how would the board members feel if they had a loved one requiring medical care but was denies that treatment and it possibly led to the loss of live of that loved one, you could try to place an amount on that loss but would you rather have the money or the presents of your loved one. how would you

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feel if you made a complaint to stop wrongs being committed now and to bring awareness so this patient as well as others past, present and future patients had all there inevitable rights enforced but fell on def ears. A private company that holds a monopoly on one particular treatment denies patients the right to a 2nd opinion and or access without extreme burden and expenses being placed upon them. I pray that this committee / board will expend every resource available to help the public. I require any assistance within the boards authority to release resources available to the public as well as reporting any and all violations the board may be mandated to notify.

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WE need to stop with all the branches and facilities need more funding and focus more on how can we reduce the issues that are the reason for funding or expansions.

1. state funded vet service to reduce strays from suffering and overpopulating TNR program.
2. state funded and oversight committee for a opioid treatment program placed in old jail building for prisoners and the public. not a corporation holding a monopoly where they and they alone decide whom gets or is denied medical care. studies have been shown that treatment reduces crime, antibiotic resistant Hepatitis and Human Immunodeficiency Virus (HIV) and other diseases transferred through needles and intercourse. This not only effects the user but the public that has interactions with addict. this is a public safety matter and will improve the entire community of Vigo county.
3. there is talk about opening another court, that is one solution but the recovery of addiction would reduce the need for additional courts as crime and cases would be reduced with recovery.
4. These issues need to be satisfied before elections and the public should be made aware of there issues to make an informed decision to effect the future of Vigo county and the officials elected to represent the community's concerns for a better Vigo county and productive and safe society.
5. We have a right to life, liberty and the pursuit of happiness and do hereby demand these rights are thereby enforced.

wherefor, I challenge any board to prove that TNR on animals and opioid recovery doesn't reduce suffering and improve the community. i now ask each member to voice a brief statement.