

Motion for Immediate Relief

Exhibit 15



U.S. Department of Justice

Civil Rights Division

SYC:JCP:DD:MRB:TDM:RAK:EAG:YD:kc
DJ 168-19-74, 75;
168-19m-68, 69, 70;
168-20-45, 46

*Special Litigation Section - PHB
950 Pennsylvania Avenue, NW
Washington, DC 20530*

December 11, 2009

BY FIRST CLASS MAIL AND EMAIL

Mary Lou Rahn
2 Peachtree Street, N.W.
Suite 22256
Atlanta, GA 30303

Jason Naunas, Esq.
Department of Law
State of Georgia
40 Capitol Square S.W.
Atlanta, Georgia 30334-1300

Re: United States v. Georgia, No. 1:09CV-119-CAP (N.D. Ga.)

Dear Ms. Rahn and Mr. Naunas:

We write to request additional information relating to a death at Southwestern State Hospital ("SWSH"). The death reportedly occurred on October 23, 2009, on Unit 414D, the adult mental health female admissions unit. We received the Critical Incident report regarding the incident on October 27, 2009, and the Investigative Report on December 11, 2009.

Decedent was a 27-year-old readmitted patient who became unresponsive without vital signs after slipping off a bench in the shower. For a week prior to her death, she had been refusing to eat or drink regularly and, the day before, had suffered rigidity in her upper and lower extremities from an apparent adverse drug reaction. Yet neither the Critical Incident Report nor the Investigative Report investigated or even addressed potential causes of death, notably, how the care that she had received at SWSH may have contributed to her death. Instead, they focused primarily on staff's response to the code blue call.

We request additional information, pursuant to Section IV.G. of the Settlement Agreement, so that we may evaluate the adequacy of the State's handling of this incident. The death and the associated Critical Incident Report and investigation raise significant questions about the adequacy of medical, nursing, and

mental health care provided to the patient during her tenure at SWSH. Similarly, our review of the investigation provided to us raises significant questions about the adequacy of the investigative process.

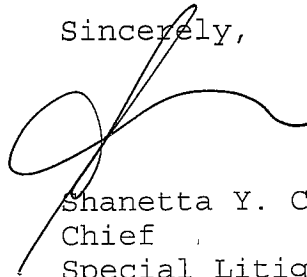
We ask that the State provide its response to the following requests within 30 days, or no later than January 10, 2010:

1. The patient's chart since December 13, 2008.
2. All laboratory results and diagnostic reports for this patient since October 23, 2008.
3. All progress notes for this patient since December 13, 2008, including physician notes, psychiatrist notes, psychologist notes, nursing notes, and health service technician notes, if any.
4. All incident/accident/abuse reports for this patient since October 23, 2008.
5. The patient's treatment plans since October 23, 2008.
6. The patient's discharge summary from March 13, 2009.
7. The intake assessments and reassessments for this patient from the time of readmission on October 17, 2009, to the time of her death.
8. The staffing sheets for Unit 414D for October 26-27, 2009, including all enhanced supervision levels.
9. The Hospital police log, switchboard log, and phone log that establish who called for emergency assistance, and at what time.
10. The emergency code flow sheet and all documentation surrounding review of the emergency code.
11. Any adverse drug reaction documentation with respect to the patient, including any analysis or other review.
12. All adverse drug reaction analysis conducted by the pharmacy and therapeutics committee since May 1, 2009.
13. The patient's autopsy report.

14. Any root cause analysis, staffing analysis, or other review and analysis of this incident.
15. A description of any corrective action plans responsive to any findings identified in the analyses noted in request fourteen (14).

If you should have any questions about this request, please feel free to contact me at (202) 514-6255, Robert Koch at (202) 305-2302, Mary Bohan at (202) 616-2325, Timothy D. Mygatt at (202) 305-3334, David Deutsch at (202) 514-6270, or Emily Gunston at (202) 305-3203.

Sincerely,



Shanetta Y. Cutlar
Chief
Special Litigation Section

cc: Commissioner Frank Shelp