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The Honorable John Bel Edwards
Governor
State of Louisiana
P. O. Box 90004
Baton Rouge, LA

Dear Governor Edwards,

Thank you for meeting with members of the LLBC and your staff on September 8, 2020. The meeting was very productive and we look forward to following up on the items discussed. The purpose for the meeting is as follows.

On September 2, 2020, we read an article in the non-partisan news outlet, *ProPublica* and subsequently, we read the same subject matter article in *NOLA.COM*, referencing Ochsner Health System. The article spoke to the mistreatment of African Americans in the Ochsner system during the early days of COVID-19. The articles allege that Ochsner sent high number of African American senior citizen home or to a facility to die of COVID-19. It further speaks to a number of patients having Do Not Resuscitate, (DNR) notes in their files without patient/family permission. Therefore, we respectfully request and urge you to have an inquiry launched in light of the myriad of phone calls into our office, regarding the articles.

Here is an excerpt from *ProPublica*: "As coronavirus patients swamped New Orleans hospitals this spring, the number of available ventilators and intensive care beds got critically low at times. But as health care providers struggled to keep up with the patient crush, doctors at some New Orleans hospitals made decisions about coronavirus patients that were at odds with those made by doctors elsewhere, according to an investigation published Wednesday, September 2, 2020 by the nonprofit newsroom ProPublica. ProPublica analyzed coroner records of all 460 New Orleans deaths through early May 2020, and found that 55 of them happened outside of a hospital setting. That was unusual. In other cities that were hot spots for coronavirus outbreaks in the spring, patients most often died in hospital-like settings, because health care providers worried that sending them home to die would result in the virus spreading", *ProPublica* reported.

This information is very disturbing for us as leaders of our state to read. The practice of sending coronavirus patients home for hospice was especially pervasive at hospitals run by Ochsner Health System, which treated 60% of the region's critically ill COVID-19 patients, *ProPublica* reported. Understanding that a large number of people 85 and older died across the country, this tactic should not be used. *ProPublica* reported that for coronavirus patients 85 and older, 17% died at home in New Orleans, while just 4% died at home nationally.

Many people normally do not question medical practitioners because they feel they are right with their prognosis, diagnosis and decisions they share with the patients. But after reading this article and because of observations throughout the years, we are asking you, Governor Edwards, to have the Louisiana Department of Health (LDH) and the COVID-19 Health Equity Task Force launch a full investigation to answer these and any other questions that would be critical to the subject. This would allow us to gain accurate information and ensure all Louisiana citizens receiving hospital care are being treated with dignity and respect.

We are also requesting further discussion on the letters that were sent earlier this spring by Senator Greg Tarver and Senator Troy Carter. In addition, we are also requesting from the investigation thoroughly look into and answer the following:

- 1) Of the reported 17% that died from home, what was done to make sure the patients were properly attended to?
- 2) If local practices were out of step with national practices for patients 85 and older, and not in line with what the family desired, who made the final call on the lives of these human beings?
- 3) On what legal authority were they able to do so?
- 4) How many families gave consent to Do Not Resuscitate (DNR)?
- 5) How many families did not give DNR consent?
- 6) How many other hospital and hospital-like settings operated the same?
- 7) What other factors could and should have been considered and why weren't they?
- 8) How many died from the other hospital-like settings?
- 9) What hospice company were these patients referred too? Does Ochsner have any ownership interest?
- 10) How many families were given PPE to proper care and visit for COVID Positive patient referred home to hospice while also protecting themselves?
- 11) How many medical providers sent patients home on hospice?
- 12) Was this just one or two Physicians or many? Please list the amount of different doctors whom administered orders to hospice. Were these doctors anyway affiliated with the hospice company?

Thank you for your immediate attention to this matter. If you need me, I or any member of the La. Legislative Black Caucus can be reached at our office at 225-342-7342.

Sincerely,



Senator James "Jimmy" Harris, III
Chairman



Representative Barbara West Carpenter
Vice Chairman