



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20035

December 3, 1999

DJ 168-70-25

VIA EXPRESS MAIL

Mr. Claude Ramsey
County Executive
Office of the County Executive
County Courthouse
625 Georgia Avenue
Chattanooga, Tennessee 37402

CRIPA Investigation



NH-TN-001-002

Re: Investigation of the Hamilton County Nursing Home

Dear Mr. Ramsey:

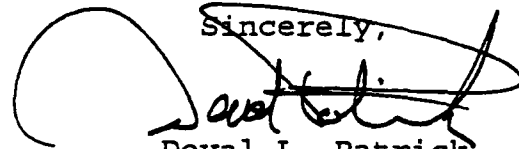
I am writing to inform you that the United States Department of Justice intends to investigate conditions at the Hamilton County Nursing Home ("HCNH") in Chattanooga, Tennessee, pursuant to its authority under the Civil Rights of Institutionalized Persons Act, 42 U.S.C. §§ 1997-1997j (1982).

The purpose of the investigation is to determine whether conditions at HCNH are violating the constitutional and federal statutory rights of the residents who live there. Our investigation will focus on the treatment and care of residents, including medical and nursing care, behavioral treatment services, therapy services, use of restraints, protection from harm, and environmental hazards. The investigation will also focus on whether HCNH is the most integrated setting appropriate to meet the needs of HCNH residents. Initiating this investigation does not evidence any prejudgment that conditions at HCNH violate the residents' constitutional or federal statutory rights. If any violations are found, we will confer with County representatives concerning appropriate corrective actions.

As a means of commencing this investigation, the attorney assigned to handle this matter, Verlin Hughes, will be in contact with your office shortly to discuss the details of the investigation, which will include on-site visits to HCNH by representatives of the Department. Please feel free to contact Mr. Hughes if you have any immediate questions or concerns. He can be reached at (202) 514-6260.

Your cooperation in this matter is greatly appreciated.

Sincerely,



Deval L. Patrick
Assistant Attorney General
Civil Rights Division

cc: Rheubin Taylor, Esquire
Hamilton County Attorney

Mr. Harold L. Coker
Chairman
Hamilton County Commission

Mr. Ed Brazil
Administrator
Hamilton County Nursing Home

Carl K. Kirkpatrick, Esquire
United States Attorney
Eastern District of Tennessee

Harriet Rabb, Esquire
General Counsel
U.S. Department of Health and Human Services

Mr. Bruce C. Vladeck
Administrator
Health Care Financing Administration
U.S. Department of Health and Human Services

Mr. Anthony J. Tirone
Director
Officer of Survey & Certification
Health Standards & Quality Bureau
U.S. Department of Health and Human Services

Mr. Dennis Hayashi
Director
Office of Civil Rights
U.S. Department of Health and Human Services