

APPEAL d.04.01.2017
On Behalf of 74 Year-Old KAISER Member

"As of December 31, 2015, Kaiser Permanente had 10.2 million health plan members, 186,497 employees, 18,652 physicians, 51,010 nurses, 38 medical centers, and 622 medical offices.¹¹ As of December 31, 2015, the non-profit Kaiser Foundation Health Plan and Kaiser Foundation Hospitals entities reported a combined \$1.9 billion in net income on \$60.7 billion in operating revenues.¹² Each Permanente Medical Group operates as a separate for-profit partnership or professional corporation in its individual territory, and while none publicly reports its financial results, each is primarily funded by reimbursements from its respective regional Kaiser Foundation Health Plan entity. KFHP is one of the largest not for profit organizations in the United States.

KP's quality of care has been highly rated and attributed to a strong emphasis on preventive care, its doctors being salaried rather than paid per service, and an attempt to minimize the time patients spend in high-cost hospitals by carefully planning their stay. However, Kaiser has had disputes with its employees' unions, faced civil and criminal charges for patient dumping, faced action by regulators over the quality of care it provided, especially to patients with mental health issues, and has faced criticism from activists and action from regulators over the size of its cash reserves."

Based on the inaccuracy of the facts submitted by Attorney Jamaal W. Thomas for denying my Claim of negligence and medical malpractice on part of Dr. Margaret Kopelman, I respectfully request Kaiser Foundation Health Plan Inc to reconsider Mr. Thomas's decision as it is based on facts that lack credibility, and was compiled having omitted interviews with my medical team which comprise of my PCP, Dr. Doppalapudi, my Rheumatologist, Deepak Gupta, MD FACR, and Dr. Spencer Tseng, Physical Medicine all of who have a vested interest in my recovery and have been dedicated to coordinating my medical care. Subsequently, I contend that the rationale submitted for the basis of Mr. Thomas's decision cannot sustain the accusations with which Mr. Thomas presented his rationale. Mr. Thomas omitted statements from my Primary Care Physician [PCP]; my Rheumatologist; and my Physical Medicine doctor. As you will note throughout the body of my Appeal that the breadth and merit of Mr. Thomas's summation is derived from conclusions which confirm that Mr. Thomas was unfamiliar e.g. "Standard Operating Procedure" and protocol for conducting a surgical procedure and placed no emphasis on the fact that Dr. Kopelman needed a signed Consent Form for each surgical procedure, and was not cognizant with the legal ramifications of Dr. Kopelman collecting and submitting someone else's skin specimen for the "shave biopsy" on d.08.07.2015 which was the day after my Office Visit. Consequently, Dr. Kopelman collected and illegally submitted someone else's skin specimen under my MRN.

Furthermore, Mr. Thomas's decision is based on a preponderance of inaccurate, misinterpreted, and misstated facts derived from his "thorough review" of my medical records. Therefore, in an effort to seek justice and a fair Settlement in this matter, and request that the following 10-page Appeal including Mr. Thomas's letters of January 24, 2017 and February 26, 2017 will prove an established pattern of inaccurate statements made by Mr. Thomas that will challenge the integrity, and credibility of the facts used to support his rationale for denying my Claim, and provide sufficient evidence to refute and overturn Mr. Thomas's decision on behalf of Kaiser to deny my Claim. Therefore, the facts presented in my Appeal will prove that Kaiser Permanente et al. through its agents is directly responsible for the conditions that led to my contacting Vasculitis, and by withholding my Acupuncture benefits previously provided by Kaiser and supported by my doctors, forced me to seek out-of-Network Acupuncture treatment when I was in a car accident and sustained a broken neck. And, in defense of Acupuncture as an accredited medical discipline the National Center for Complementary and Alternative Medicine [NCCAM] has certified that Acupuncture is one of the oldest commonly used medical procedures in the world.

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Therefore, bearing in mind that I am dying, please advise how you wish to proceed in this matter considering that Kaiser through its agents, is directly responsible. And, although I don't know what turn my Vasculitis will take, the undertones in both of Mr. Thomas's letters denigrates Kaiser's image to anyone reading them, sends a message and makes a statement that would have a perspective Member question the quality of professional service that Kaiser extends to its Members, particularly Mr. Thomas's repeated attempts to exonerate Dr. Kopelman who has clearly in violation and has broken the law. Therein lies the conditions of my Claim and Mr. Thomas's attempt to absolve Kaiser and its agents from any responsibility for its role in my having contacted Vasculitis or my Broken Neck.

No.1 WHEREAS I am appealing to Kaiser to reconsider Mr. Thomas's decision based on Paragraphs No.1-18 that will prove that Mr. Thomas's entire rationale and his conclusions lack factual content or creditability, and his interpretations of my statements are either misstated, misunderstood; subjective or taken out of context. Notwithstanding, Mr. Thomas's conclusions were derived without having any knowledge, concept, or understanding of the surgical environment that he was defending. Consequently Mr. Thomas omitted and/or discounted pertinent facts and procedures that were critical to render an accurate decision pertaining to the extent that Dr. Kopelman violated the Standard Operating Procedure [SOP] and surgical protocol beginning with a doctor **must** have a signed Consent Form identifying the procedure(s) they will be performing; A Procedures Checklist Questionnaire; A label with the Date collecting and submitting specimens, verified in view of patient with patient's concurrence that the specimen collected is in-fact theirs; accurate Doctor's Notes and Results Notes documenting each specified procedure. i.e. size of specimen; patient's tolerance of the procedure; and a Pathology Report and Findings for all three procedures; and all elements are proforma and the SOP. There are NO documents for the **"shave biopsy"**, and the unauthorized **"wound culture"** is the only surgical procedure listed in my Kp.org profile, but does not have a signed Consent Form; and the **"shave biopsy"** is missing all SOP documents. Three sets of SOP documents should have been in my MR dated d.08.06.2015, and are not. There was only one signed Consent Form under my MR for **d.08.06.2015** for the **"punch biopsy"** [the other two procedures were without my knowledge or consent] and other then the unauthorized **"wound culture"** there are no other entries posted in Kp.org Past Office Visits, and Test Results for the **"punch biopsy"** or **"shave biopsy"** and there are no Consent Forms for the **"wound culture"** or the **"shave biopsy"** and Mr. Thomas never questioned where Dr. Kopelman got the skin specimen that she collected and submitted for the **"shave biopsy"** on **d.08.07.2015** when my Office Visit was in-fact on **d.08.06.2015**?

No.2 WHEREAS Under the circumstances, it is still my hope based on the numerous Exhibits that I have hitherto submitted, including copies of Volumes No.1-3 forwarded in December 2016 to each member of the Kaiser Leadership Team; Quality and Risk Management Departments, aside from the Documents contained in this 10 page Appeal, I am still willing to negotiate a fair Settlement per Mr. Thomas's correspondence d.01.24.2017 and request for a Monetary Demand bearing in mind that Attorney Jamaal W. Thomas, purposely allowed more than one year to lapse before contacting me between d.11.02.2015 until d.01.24.2017 when he resumed his investigation 13 months later, and as an attorney Mr. Thomas knew the full consequence to me, would not allow enough time for any law firm to prepare and submit a case through Kaiser's stipulated Binding Arbitration, and his 13 month hiatus would assure that the 18-month Statute of Limitation from the **d.08.06.2015** would expire within days of rendering his denial.

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No.3 WHEREAS In retrospect when I first reported my Claim in September 2015, I was contacted by several Kaiser delegates including Dr. Cheryl Keys, Assistant Physician in Chief, Northern Virginia Service Area, one of whom suggested to have my co-pays billed while my Claim was being investigated – which I did from that **August / September 2015** timeframe to February 2017 pending the outcome of Kaiser’s decision. The investigation began with Bob Stevens in the California Office in September 2015, and was passed-off to Jamaal W. Thomas, JD in the Mid-Atlantic States Regional Office, Legal Department, Rockville, MD on **September 22, 2015 in a 3-way conference call of introduction initiated by Bob Stevens**. Subsequently, the following day **d.09.23.2015** I contacted Mr. Thomas to request if he would inquire if the three Acupuncture treatments that I was forced to use on **d.08.17.2015, 08.21.2015, and d.08.28.2015** to begin the healing process from the unauthorized “wound culture” performed on d.08.06.2015 by Dr. Margret Kopelman would not heal. I explained to Mr. Thomas the importance of Acupuncture being a critical part of the foundation of my health, and within 24-48 hours after I had an Acupuncture treatment the external appearance of the wounds completely healed; Mr. Thomas refused to make the inquiry on my behalf stating “that is not the way we do things ...”

See attached file: PPL_DOCS-#969247-v1-Price-Johnson_-_Ack__Ltr_Airbill_from_JWT_-_9_24_15.PDF)

No.4 WHEREAS To summarize the details for the timeline of my Claim; after the September 22, 2015 hand-off of my Claim, and on **d.11/2/2015** Mr. Thomas Emailed me requesting bills from Dr. Usman which I told him I was still accumulating, as well as focusing on combating the adverse physical effects that I began suffering shortly after my **d.08.06.2015** Dermatology Office Visit with Dr. Kopelman. e.g. vision, hearing, neuropathy, elevated CRP/ESR, followed by gradual weight loss. I never heard from Mr. Thomas again for more than one year, when he called me on **d.01.24.2017** to discuss my Claim, at which time I requested that he summarize our conversation in writing, which he did on **d.01.26.2017**, and as you will see from my interjected corrections in **red**, the facts that Mr. Thomas alleges that I said, in his recount of our conversation were either incorrect; miss-stated; misunderstood; taken completely out of context; or paraphrased to reflect his subjective point of view. Consequently, after several Emails between us from d.01.30.2017 to d.02.22.2017 Mr. Thomas stated he had enough background to make his decision.

No.5 WHEREAS Throughout my Statement, I continued to reiterate that I was unaware of a “wound culture” or “shave biopsy” until I read it in Mr. Thomas’s letter of denial d.02.26.2017; which was an extremely important fact that Mr. Thomas completely ignored, overlooked, misunderstood, or didn’t know, unless he intentionally conspired to assist, protect, shield, aid and abet Dr. Kopelman from being exposed for negligence and medical malpractice for performing both the “wound culture” and the “shave biopsy” without a signed Consent Form. Moreover, for the “shave biopsy” on the following day **d.08.07.2015** Dr. Kopelman **collected and submitted someone else’s skin specimen** under my MRN and ordered a Skin Related Surgical Pathology **Order: 154527004** for the “shave biopsy” which is separate from the Skin Related Surgical Pathology **Order: 15427003** for the “punch biopsy” ordered on **d.08.06.2015**. Consequently, in Mr. Thomas’s letter of denial d.02.26.2017 he defended the correctness of Dr. Kopelman’s procedures stating that “that Dr. Kopelman’s notes indicated that she followed the applicable standard of care and cleaned and draped the surgical sites before performing the procedures” [which was not done]. The non-sterile environment was the “point of contact” where and when the germs that caused the Vasculitis developed. I was there, Mr. Thomas wasn’t.

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No.6 WHEREAS A thorough review of my medical records will reveal that Dr. Kopelman may have broken the law and committed a felony; and if so **Mr. Thomas may be guilty of aiding and abetting a Felony**, and considering the manner in how “Dr. Kopelman” conducted the entire procedures are suspect of wrong doing, and as an attorney and Principal Claims Examiner, Mr. Thomas should certainly have discovered it when he thoroughly reviewed my medical records that Dr. Kopelman’s Doctor’s Notes and Results Notes, etc. were incomplete and did not contain accurate documentation to justify the three surgical procedures that he investigated in his d.02.26.2017 correspondence. I would have to conclude that either Mr. Thomas didn’t know or was covering up for her. But what is more alarming is **whose skin specimen** did Dr. Kopelman collect and submit for the **“shave biopsy” on d.08.07.2015, considering my office visit was on d.08.06.2015, and** there is no record of a **“punch biopsy”** or a **“shave biopsy”** on any of the reference links in Kp.org under my MRN. i.e. Health Summary; Test Results; Download my Health Summary; Letters; or Past Visit Information, and with respect to her properly cleaning and draping the area, the results of the Pathology Report indicated germs and INFLAMMATION in my tissues consistent with my Vasculitis diagnosis which explains **how** and **when** the INFLAMMATION got into my bloodstream and arteries.

No. 7 WHEREAS With respect to the characteristics for the strain of Vasculitis that I have been diagnosed, there is NO other case on record or known to the National Institute of Health [NIH] of anyone having INFLAMMATION in their entire Bloodstream, Aorta, mid and large arteries. INFLAMMATION viewed in the body is seen as a thin wiry line, which perplexed the Radiologist who interpreted my Pet-scan as to how I could have developed inflammation in my bloodstream, Aorta and arteries the size of a thick cable cord, and the FINDINGS in the Pathology Report coincides with the Vasculitis diagnosis, as well as pinpoints exactly **how** and **when** the germs entered my bloodstream, through the tissues in the raw, open, unbandaged, exposed wounds.

No.8 WHEREAS Therefore, to support their research I will be forwarding the FINDINGS of my Biopsy and “wound culture” as a Point-of-Reference to the NIH; the Mayo Clinics; The John Hopkins Center for Vasculitis; and the American College of Rheumatology to assist their efforts with Vasculitis research, particularly since there is no other case recorded and doctors are perplexed how INFLAMMATION got into my bloodstream, my arteries, and my Aorta?

Therefore, after receiving Mr. Thomas’ denial, I discovered that my MR in Kp.org were not consistent with his overview of Dr. Kopelman’s Results Notes. Therefore, in March 2017, I requested a copy of my medical records from Member Services, and am just completing a thorough review of my MR and discovered that Dr. Kopelman Results Notes were ambiguous and did not include the FINDINGS of the **“punch biopsy”** or **“shave biopsy”** in her Email advising that my **“punch biopsy”** was negative, and her only comment was the Pathologist felt that the rash was probably just insect bites. (*) Had I known the FINDINGS of the Pathology Report I could have gotten treatment in August 2015 when my CRP/ESR first began to elevate, and before the INFLAMMATION reached the “tipping point”. It would have prevented the continued scarring and narrowing of my arteries. The **Occlusion** or blockage may have only been partial, as the sudden complete **occlusion** of a coronary artery causes death of the area of muscle served by that **artery** (a myocardial infarct).

- (a) August, 2015: **“punch biopsy”** FINDINGS: consistent with my Vasculitis diagnosis
- (b) August, 2015: CRP/ESR first began to elevate
- (c) August, 2015: First began having unexplained and unrelated health issues. i.e. vision hearing, balance, neuropathy, severe edema and swelling in my legs and feet, and all standard blood tests came back negative because they were not testing for CRP/ESR which would have indicated there was a need to pursue a non-standard blood tests testing.
- (d) August, 2015: The **“punch biopsy”** Pathologist’s Findings identified INFLAMMATION in my bloodstream consistent with the eventual Vasculitis diagnosis, together with the subsequent **“wound culture”** on d.08.06.2015 that even though there was no growth for the standard bacteria strains they test for proforma, the reported specified that the specimen was **UNKNOWN** which indicated that the Lab did not perform any analysis for germs contacted from the raw open wound contacted that rendered my body’s weakened immune system vulnerable and unable to fight the germs detected in my blood system. Therefore, as my legs and feet continued to swell and my blood tests continued to come back negative they were testing for known bacteria, and could not analyze the **UNKNOWN** germs without having other specific criteria with which to access.
- (e) August, 2015: No mention of the FINDINGS for the **“shave biopsy”** performed **d.08.07.2015**
- (f) Pathology FINDINGS: **d.08.06.2015** Final Diagnosis: Skin, right thigh, **“punch biopsy”** Intraepidermal bulla, superficial and deep INFLAMMATORY infiltrate with numerous eosinophils. COMMENTS: The biopsy shows multiple intraepidermal bulla. There is moderate amount of superficial and deep INFLAMMATORY infiltrate composed of numerous eosinophils and scattered neutrophils. There are occasional eosinophils and neutrophils inside the bulla.

No. 8 WHEREAS The overall findings are consistent with arthropod assault. Differential diagnosis includes drug eruption or hypereosinophilic syndrome. Bullous pemphigoid is possible but not favored. Which is consistent with the Vasculitis INFLAMMATION diagnosis and explains how the INFLAMMATION got into my bloodstream and arteries, and lists specimen **UNKNOWN** was identified in both the **d.08.06.2015** FINDINGS for the **“punch biopsy”** and also for the **“wound culture”** Results. And I reiterate, I did not know Dr. Kopelman submitted a **“wound culture”** of the skin that she cut off of the blister on my left heel that obviously became contaminated by leaving the wounds open collecting germs after the procedures.

No 9 WHEREAS No FINDINGS or documentation in my MR for a **“shave biopsy”**

No.10 WHEREAS When Dr. Kopelman notified me by Email that the **“punch biopsy”** of **d.08.06.2015** was negative, she withheld mentioning that the Pathology Report FINDINGS identified **“INFLAMMATION”** in my tissues which in hindsight explains how and when the inflammation got into my bloodstream which happens to be characteristic of the strain of **“Vasculitis”** that I have, and could have prevented the level of damage to the walls of my arteries.

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No.11 WHEREAS In the months that followed Dr. Kopelman's three surgical procedures, although I was not in any pain and my blood tests continue to come back negative, my CRP/ESR continued to elevate and significant weight loss, as a last resort my PCP ordered a Pet Scan in June 2016 which revealed that my entire bloodstream, Aorta, mid and large arteries were clogged with inflammation that apparently began to develop as a defense against the germs that my body collected during the surgical procedure(s) on d.08.06.2015 when neither Dr. Kopelman nor her medical assistant took any persuasions to assure that the environment was sterile, and/or free of germs, nor did they cover their hair or clothing with disposable lab coats or head covering or drape the area to prevent germs from collecting on my skin or in the open wound from the "punch biopsy" on my right thigh, which made me feel violated when I saw what she did to skin of the blister on my left ankle that Mr. Thomas in his letter referred to as a "wound culture"

No.12 **DIAGNOSIS Treated with Acupuncture** [See MR: Health Summary] Low back pain; Neck pain; Osteoarthritis of Bilateral Hips; Right Rotator Cuff syndrome [two completely torn Rotator Cuff muscles without retraction]; Atherosclerosis of Aorta; Osteoarthritis of Bilateral Shoulders; Gait Abnormality; Polymyalgia Rheumatica; and Osteoarthritis of Multiple Joints;

All of the diagnosis described above are consistent with elevated CRP/ESR levels and excruciating pain, and in an effort to lessen the pain and debilitation associated with the above conditions and to lower my CRP/ESR levels without drugs and/or medication, in 2012 I began Acupuncture that was approved by my Primary Care Physician [PCP] and began treatment with Paul J. Millea, MD, L.Ac Acupuncturist through a Referral from Dr. Spencer Tseng, Physical Medicine Physician; and more recent since my Vasculitis diagnosis in June 2016 to the present, Acupuncture has been encouraged and supported as an on-going treatment by my Kaiser Primary Care Physician, Dr. Doppalapudi; my Kaiser Rheumatologist, Extraordinaire, Deepak Gupta, MD FACR, and supported by Dr. Peter Grayson, National Institute of Health, [NIH] Research Center for Vasculitis. Therefore, because my body is Drug Intolerant Dr. Millea also prescribed a series of supplements in lieu of drugs and medication which helped to successfully control, and over time reduce my CRP/ESR and completely eliminated the pain associated with the above diagnosis.

Therefore, when Dr. Millea arbitrarily, capriciously, and abruptly discontinued my Acupuncture benefits in April 2016 without conferring with my PCP, nor had any agency standards to support his assumption he knew that all of the pain associated with the above Diagnosis would return, and ignored repeated requests from my PCP, and Rheumatologist to restore my benefits, it was only having exhausted all internal efforts, including a letter d..06.07.2017 to Dr. Douglas Cappiello, Physician in Chief, Northern Virginia Service Area that went unanswered, I was forced to seek Acupuncture outside of Kaiser, and was coming from an Alternative treatment at the NIH when I was involved in an automobile accident and sustained a broken neck; which would have NEVER happened had my in-Network Acupuncture benefits not been withheld.

CONSENT FOR TREATMENT/PROCEDURE NON-SURGICAL

For every Acupuncture treatment that I received, I was required to sign a Consent Form releasing Kaiser from any liability or expectations associated with the treatment. And, because Acupuncture was the primary foundation of my on-going medical treatment, I have been using it to help lower and control my CRP/ESR without drugs or medication since 2012. (*) Dr. Millea never conferred with my PCP and his denial of Acupuncture caused my body to have a PMR relapse. Therefore, my broken neck is a direct result of having been denied essential medical treatment, in retaliation for my not being forced by him into drug therapy.

CONSENT FOR TREATMENT/PROCEDURE NON-SURGICAL

1. I understand that I am being treated for the following health problem(s) and/or symptom(s): **POLYMYALGIA RHEUMATICA**
2. My doctor has talked with me about the option of having the proposed treatment/procedure(s) listed here: .Acupuncture
2. Information about my health problem and treatment has been given to me. My doctor has explained the possible risks and/or side effects. These may include any combination of the following: .Bleeding,Infection,Organ Puncture.
3. I understand that there is a chance that other risks and side effects may occur. This is in addition to those listed above. Each patient can respond in different ways. I may have problems or side effects that have not been reported by others.
4. In addition to the above, my doctor has talked with me about:
 - a. What I may expect after the proposed treatment/procedure(s).
 - b. The chance that the treatment/procedure(s) may not work.
 - c. Possible options to this proposed treatment/procedure(s).

This may include other surgical or non-surgical treatment/procedure(s).

 - (d) The risks of not having the treatment/procedure(s) done.
5. I have received no guarantees about the results of the proposed treatment/procedures(s).
6. I understand the possible risks, benefits, and options other than the proposed treatment/procedure(s). I have had the chance to ask questions. I am satisfied with the information given. I have enough information to consent to the proposed treatment/procedure(s). I understand I may refuse consent. I give my informed and voluntary consent for the proposed treatment/procedure(s) to be done under the direction of Dr.Paul Millea.

I have read this consent form (or it was read to me). I fully understand its contents. All blanks or statements were filled in before I signed.

Signature: _____ Date: _____ Time: _____
(Patient or person authorized to consent for the patient)

If other than patient, state relationship: _____
Witness: _____ Date: _____ Time: _____

If Applicable: Translated by _____

Language: _____ Practitioner's Name: _____
Signature: _____ 2010-1204 (12/10)

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No.13 WHEREAS On d.08.07.2015; 08.25.2015 and d.08.31.2015 after my August 6, 2015 Office Visit with Dr. Kopelman. I sent a secure message to my PCP of my negative experience and alerted all of my doctors that they would have to collectively support my recovery from the physical repercussions and negative side effects that I was suffering from my d.08.06.2015 Office visit with Dr. Kopelman. Only to receive a definitive confirmation months later, and that is when my body needed the benefit of Acupuncture at that time even more.

Subsequently, because I do not drink or smoke; I eat Organic, I exercised and got regular manicures/pedicures and massages and soft-music; my Primary Care Physician, Dr. Doppalapudi supported and encouraged my preference of Acupuncture as the foundation of the holistic approach that I used to strengthen my immune system. Therefore, at 72 years old my health using Acupuncture in lieu of drugs and medication, my body's health and stamina was equivalent to a 35-40-year-old woman, and had literally stopped aging. I used Acupuncture and other alternative and complementary disciplines as the main component of my health and well-being as an adjunct to traditional medicine; and contrary to Mr. Thomas's statement "that I went against my medical teams advise" is another misnomer, because my medical team on several occasions contacted the Acupuncture department requesting that they reinstate my Acupuncture as my health had begun to relapse. Which again illustrates the value of Acupuncture and Alternative Medicine as my foundation as it relates to my health and well-being. Acupuncture has been an invaluable adjunct to my belief that Traditional medicine fixes Acupuncture and Alternative Disciplines place the body in an environment to heal. Considering the diagnosis and THRIVE picture taken three months prior to my d.08.06.2015 appointment with Dr. Kopelman, as it relates to my health, healing and well-being until the Vasculitis diagnosis and auto accident at 72/73 years of age my body was totally and completely pain free, and without Acupuncture my body would have been crippled and riddled with severe pain which even when my CRP/ESR levels began to elevate; it was only after my in-Network Acupuncture treatments were denied and Dr. Millea would not honor my Primary Care Physician and Rheumatologist's requested that the treatments should be reinstated as the pain associated with the diagnosis returned is when I was forced to seek out-of-network Acupuncture treatments, and was involved in the car accident that broke my neck.

No.14 Therefore, the above DIAGNOSIS that has been treated with Acupuncture since 2012 without drugs or medication counteracted the severity of chronic, medical health issues including PMR and two completely severed right rotator cuff muscles without having had surgery., and practicing "Hot" Yoga to strengthen the remaining two muscles until my PMR diagnosis. Therefore, because **my body is "drug intolerant"**, from 2012 until mid-April 2016 my body was totally pain free, and had been using Acupuncture, Massage, P/T, and exercise, soft-music, and diet for medical rehab in lieu of drugs and medication. Acupuncture was prescribed and supported by my medical team: Dr. Suma Doppalapudi, PCP; Dr. Spencer Tseng, Physical Medicine, and Deepak Gupta, MD, FACR, Rheumatologist. Therefore, I reiterate, until my Acupuncture benefits were denied" on d.04.29.2016 [not July 2015 as stated in Mr. Thomas February 24, 2017 letter], Paul Millea MD, L.Ac was remiss and caused me at 73 years old great bodily pain and suffering. He jeopardized my health and well-being when he denied my in-Network Acupuncture treatments without consulting, conferring, cooperating or returning their calls of my medical team who would have advised against his action because of the severe adverse repercussions it proved to have caused, and particularly because Acupuncture did not pose any danger to my health whatsoever.

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No.15 WHEREAS Both of Mr. Thomas's letters i.e. January 24, 2017 and February 26, 2017 appear to indicate that had taken this investigation very lightly, and may have merely been just going through the motions. In my estimation, the fact that Mr. Thomas did not contact or confer with my PCP or Rheumatologist who are the Lead medical authorities coordinating my health continuum, was both negligent and shortsighted on his part. Particularly in light of Mr. Thomas's proclamation that Kaiser bears no responsibility for my Vasculitis and/or the car accident that I would never have been involved, had my in-Network Acupuncture benefits which were the foundation for my health and well-being were not arbitrarily and capriciously denied by Dr. Millea. And, the fact that Dr. Millea went against the medical advice and requests of his medical colleagues who were responsible for my overall health and had urged him to reinstate my Acupuncture treatments, Dr. Millea's refusal validates his role in **causing my body at 73 years old to relapse and revert back to the excruciating** pain associated with the DIAGNOSIS stated in my MR Health Summary. And, I reiterate my [PCP] Dr. Millea and Helcia Vasconcellos, L.Ac requesting that my Acupuncture treatments be reinstated; my Rheumatologist put in a Referral, and I personally sent a letter to Dr. Capiello, on June 7, 2016 as I was suffering excruciating pain and additional weight loss. **Moreover, there is no medial or Acupuncture standard for the rationale of why Dr. Millea would not honor my insurance benefits if he was concerned about my health, or any insurance liability. As at every Acupuncture visit I had to sign a "Consent Form" for each Acupuncture Treatment releasing Kaiser and the practitioner from any liability associated with the Acupuncturist treatment,** and under the circumstances Dr. Millea did not act responsibly or in the best interest of my health and well-being, and caused me undue PAIN and SUFFERING, and created the circumstances that was responsible for the Automobile accident that I was involved and sustained a broken neck. Therefore, Kaiser Foundation Health Plan Inc is responsible for all liability relative to the automobile accident.

No.16 As an aside, the Chair of the Loudoun County Board of Supervisors has just established a "**Commission for Women and Girls**" designed to provide greater support, resources, and guidance to mitigate the threat of women and girls of all ages in Loudoun County from continuing to fall between the cracks in our Loudoun County community. Therefore, if I am accepted on the Commission, I will be interacting with both the greater Loudoun County Community-at-large, as well as the legislative Loudoun County government at all levels who are responsible for influencing and making decisions that effect, support and protect the constituents in each of their legislative districts, and thus will be reaching out to the Loudoun County Board of Supervisors for guidance.

No.17 As an aside, in reviewing my CRP/ESR from September 2011 to September 2016, regardless of health issues that have developed, my blood tests throughout the years have always continued to come back negative, and standard blood tests have never been an accurate gage for identifying infections that were in my body which apparently is what caused the swelling in my legs and feet that prompted me to go to the Reston Urgent Care Center. And, because I was unaware of the Pathology FINDINGS I had no idea that INFLAMMATION had begun to develop in my body as a defense against the germs that entered my bloodstream after the "**punch biopsy**" and "**wound culture**" performed on **d.08.06.2015** when the site(s) from the "**punch biopsy**" and "**wound culture**" were negligently left exposed and continued to germinate in my bloodstream, and indicated that my CRP/ESR d.08.15.2015 had begun to elevate, on d.08.15.2015 confirmed it began after my Office Visit on August 6, 2015.

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On Behalf of 74 Year-Old KAISER Member

No.18 WHEREAS In summation, although my standard blood tests came back negative when I went to the Reston Urgent Care on d.08.24.2015 instead of going to Reston Hospital, or [*] Tysons Center as Mr. Thomas misstated, you cannot deny that with the exception of the D-Doppler [blood clot] even though my blood test came back negative, the photos clearly show that there is an infection going on in my body of an UNKNOWN factor, germ, bacteria or virus that my body picked up and couldn't fight-off. And the only time that my blood was susceptible to catch anything was on **d.08.06.2015** when Dr. Kopelman performed those (3) surgical procedures and left the wounds uncovered in an environment that was not prep for surgery; and was remiss in not including not advising that the **"wound culture"** and **"punch biopsy"** both detected UNKNOWN describing the specimen submitted which should have been questioned and explained.

Therefore, if Dr. Millea had been concerned about my health, after he ordered blood tests and saw that my CRP/ESR levels escalated to CRP.113 vs 5, and ESR.89 vs 0-30 he had a responsibility to confer with my PCP and coordinate efforts how best to identify what was causing my health phenomena. It was irresponsible of Dr. Millea without having any definitive diagnosis to attempt to coheres me into a drug treatment therapy against my wishes without conferring with my PCP, and retaliated by denying me further Acupuncture treatments to force me to comply even though Acupuncture had proven in the past to help lower my CRP/ESR as my PCP continued to order various other tests to try and determine the cause of the INFLAMMATION? Therefore, if I had allowed Dr. Millea to pressure me into indiscriminate drug therapy without coordinating it or conferring with my PCP to have conclusive and definitive diagnosis, my PCP would have never uncovered that I had Vasculitis, which Dr. Millea's shortsightedness would have killed me.

Therefore, because my PCP compiled all of my unrelated symptoms into consideration, i.e. blurred vision, loss of hearing, neuropathy, swelling of the legs and feet, numbness of the fingertips; negative lab results of all blood tests except the D-Doppler, and loss of weight, etc., at the 11th hour as a last resort, she ordered a Pet-Scan and in transcribing the images the Radiologist commented that he had never before seen INFLAMMATION so pronounced in the Aorta, the bloodstream, and the mid and large arteries as I had, which was ultimately the defining point of my Vasculitis diagnosis; while Dr. Millea's indiscretion to discontinue my Acupuncture treatments at a time when my body needed it most was shortsighted, negligent and cruel. The denial of Acupuncture treatments accelerated my pain and the trauma that my body was going through; and Dr. Millea's decision without conferring with my PCP to deny me further Acupuncture treatments that are part of my Medicare Plus plan was a cruel retaliation for my not heeding his insistence to go on Prednisone based on his assumption that I was having a PMR relapse [which was incorrect] or his warning that I "could" develop Giant Cell Arthritis, and all without having any conclusive tests, labs or a temporal biopsy to verify and/or confirm his conjuncture.

Therefore, Dr. Millea acted irresponsibly when without consulting or conferring with my PCP as to the consequence to my overall health abruptly cancelled my Acupuncture treatments the negative fate of my health hung in the balance with his decision. Consequently, under such dire circumstances, at 73 years old having relied on Acupuncture to develop the strengthen my already challenged immune system from my d.08.06.2015 ordeal, Dr. Millea left me at 73 years old to fend for my health without any options, or benefit of the homeopath medicines and supplements that he used to prescribed as an aide to help lower my CRP/ESR levels within an acceptable ranch, all of which had proven successful in the past – but as you can see Dr. Paul Millea didn't care!!!