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January 8, 2007

Sent by Email and Hardcopy

Ms. Cathy Giessel  
Leader, Transition Team  
Department of Health and Social Services  
Palin Administration Transition Team  
P.O. Box 110001  
Juneau, AK 99811-0001

Re: Illegal and unethical behavior of Mr. Ron Adler, Director/CEO of Alaska Psychiatric Center – Alaska Recovery Center.

Dear Ms. Giessel,

I am responding to your suggestion I write you. During a phone conversation with you last month, I started describing illegal and unethical behavior of Mr. Ron Adler, Director/CEO of Alaska Psychiatric Center – Alaska Recovery Center (API), especially regarding patients having the rights to refuse medication and obtain a second opinion. While you explained the “Voices Across Alaska” Transition Ideas were not really for personnel issues, you expressed interest in Mr. Adler’s illegal and unethical behavior, and suggested I could write a letter to you to provide you more information. This is my follow-up letter.

As you know, under federal and state law/regulation, persons have a number of rights when they are admitted as a patient in a hospital. Among the rights, a patient has the right to refuse any medical prescribed by physician or other health care provider. An additional right, under federal Medicaid, is that patients, when being discharged, have the right to obtain a second opinion as to whether the discharge is appropriate.

In March 2004, Mr. Ron Adler hired me as an API employee with the API title “Consumer and Family Specialist”. I was hired for three (3) months and then extended for an additional six (6) months (March 2004 through January 2005.)

As the “Consumer and Family Specialist”, my job focused especially on assisting patients/consumers and their families with admission/treatment-related issues, including:

- Representing API regarding patient rights,
- Leading patient groups on patient rights and hospital safety,
- Responding and resolving all patient complaints,
- Being a liaison between treatment teams and patients/families,
- Meeting with patient families.

My work went well until September 2004. The following are notes I wrote after a meeting with Mr. Ron Adler on September 29, 2004:

"As I returned to the hospital from lunch (approx. 1:30), Ron asked me if I had a few minutes. ... He said that he had had a number of complaints about my discussions with patients. ... He asked me to list the rights on medications. I listed:

- Right to refuse medication
- Right to informed consent including information about benefits and drawbacks, side effects, other proposed treatment
- Right to have least amount of medication
- Right to appropriate medication

He asked me where I got the idea that patients had these rights. I responded in the laws of the State and the DLC [Disability Law Center] booklet. He wanted to see and I retrieved my copy of the State Statutes, the DELCO booklet, and the Pt. Rights flyer posted on each unit. He asked Dr. Hopson [API Medical Director] to join our discussion at this point.

He then asked me to find within the Statutes each of the rights as I had listed them. He stated that the least amount of medication was a community agency philosophy and not a right given in law. He stated the right to the appropriate medications is a portion of informed consent. He said that the right for informed consent is a goal here.

He stated that I was misinterpreting the right to refuse medication. He stated that only voluntary patients have this right and that there are very few voluntary patients here. He said that I should give a more balanced view of medications. That when I am asked, I should say something to the order of, you are in a psychiatric hospital, and that it is the nature of the organization that there will be medications involved. That they will be released more quickly if they cooperate with the treatment team and build and follow a treatment plan. Dr. Hopson said that a balanced view was very appropriate. That the word right was too strident and should be avoided. ... (CFS-DP Notes Mtg RA 9-29-04)

After the meeting, I reported to my immediate supervisor, Mr. Pat Ventgen, that Mr. Adler wanted me to violate state law - that only voluntary patients have the right to refuse medication. Mr. Ventgen agreed state law does give involuntary patients the right to refuse medication, except for some provisions regarding forensic (Title 12 patients). Mr. Ventgen then met with Mr. Adler. Mr. Adler subsequently agreed that involuntary (Title-47) patients had the right to refuse medication. However, Mr. Adler became increasingly very restrictive over what I could and could not say to patients regarding their rights. Mr. Adler did not want me to directly address questions from patients as whether or not they could refuse medication or ask for a second opinion. My immediate supervisor, Mr. Ventgen, tried to reason with Mr. Adler, but, as a result, Mr. Adler removed him as my supervisor on December 20, 2004, and took over direct supervision of me.

In late December/early January, my non-permanent position changed to permanent. However, Mr. Adler required a full Workplace Alaska hiring process. The hiring committee included Mr. Ventgen and four other staff representing a wide spectrum of feedback. There was one other applicant and myself. The hiring committee selected me. Mr. Adler then disbanded the original hiring committee and set up a new committee of three staff who selected the other candidate in January 2005.

Since I left in January 2005, API has had continual and increasing problems over patient rights, especially the right of patients to refuse medication. While Mr. Adler says otherwise, it is clear to me that Mr. Adler has continued to put as many restrictions and obstacles as he can to keep patients from exercising their right to refuse medication and obtain a second opinion. API needs a leader who will forthrightly do everything possible patients are given all their rights in a completely open, transparent and ethical process. Mr. Adler clearly does not do that.

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Other API staff has knowledge of unethical and illegal behavior by Mr. Adler in these and other areas. However, many, especially managers, are scared to contact the Governor and Transition Team because of their real fear of retribution by Mr. Adler, as they have seen him do to other API staff.

You have promised new energy and a positive new direction for Alaska, with ethical governing. It is time for new energy, ethics, and a positive new direction for API by replacing Mr. Adler. Thank you for your consideration.

Please contact me with any questions and for more information.

Sincerely,

Dorothy P. Pickles, MSW

CC:

The Honorable Sarah Palin, Governor of Alaska  
Mr. Michael Tibbles, Chief of Staff, Office of the Governor  
Ms. Karleen Jackson, Commissioner, Department of Health and Social Services