



University of Wisconsin  
MEDICAL SCHOOL

June 8, 2005

Kelly M. Mills, M.D.  
Ramsey County Medical Examiners Office  
300 East University Avenue  
St. Paul, MN 55101

Dear Dr. Mills:

I am writing regarding a potential organ donor that you and the Barron County coroner, [redacted], denied. As you know, the family was very interested in organ donation and gave their consent after the patient was declared brain dead on 5/28/05. The referral of this patient was made to the UWHC Organ Procurement Organization appropriately and according to Federal CMS guidelines. Our organ procurement coordinator worked with the family, physicians, and nursing staff as well as with the coroner, [redacted]. We were given every indication during the day that donation was most likely possible since this was an isolated gunshot wound to the head. However, attempts to speak with you directly were met with resistance from the coroner who stated several times that he did not wish to jeopardize his county's arrangement with you and your office.

Late in the evening of May 28 and in the early morning of May 29, we were told that you and the coroner declined donation. I then attempted to call your office at approximately 1:00 AM and spoke with the dispatcher. I explained that I wanted to discuss the case with you directly. She stated she would relay the message to you and that you might call me back. I waited for approximately 45 minutes and called again and relayed the same information. Again I waited and received no call back. It was apparent that you were not interested in discussing this case and chose to hide behind your authority as a medical examiner to deny donation. Although you have the legal authority to deny organ donation, you are first a physician with moral responsibilities to care for patients and families and to ease their suffering. Quite frankly, you should be ashamed of your conduct as a professional and as a physician. You may not owe me a conversation in the middle of the night, but you owe one to the family of this patient and you owe one to the potential recipients who through your actions were denied life-saving transplants.

Although you may not have directly caused the deaths of specific potential transplant patients, your actions have indirectly contributed to the suffering and deaths of patients who must wait longer for a life-saving transplant. What is equally egregious is that you denied this family any comfort that could be derived from this tragic situation. It is well known that donor families find that donation is a source of solace and great comfort in these situations. Likewise, it is well known that organ donation can occur in nearly all coroner/ME cases when Organ Procurement Organizations, Coroner/Medical Examiners, and District Attorneys work

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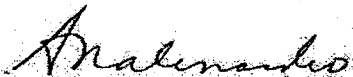
Kelly M. Mills, M.D.

June 8, 2005

Page 2

together. The wishes of the donor and family are honored, life-saving transplants can be performed, and offenders in these cases can be successfully prosecuted. Donation in these cases does require more work and collaboration, however, our responsibilities to donor families and potential transplant recipients demands that we work together to make sure donation occurs in these cases. Anything less is an abdication of our responsibilities as physicians.

Sincerely,



Anthony M. D'Alessandro, M.D.

Professor of Surgery

Executive Director, UWHC OPO

AMD:kh

cc: