DEPARTMENT OF HEALTH AND HUMAN SERVICES

JUN 8 1983

Howard C. Filston, M.D.
Professor of Pediatric
Surgery and Pediatrics
Duke University Medical Center
P.O. Box 3815
Durham, North Carolina 27710

Dear Howard:

I feel guilty for not having responded to your letter of late March earlier than this. Because of litigation I am prohibited from communicating on the subject of Infant Doe Regulations and, in addition to that, my four nights out of ten away from Washington, including a lot of foreign travel, make it difficult to keep up with correspondence.

I am not going to go into any explanation of Infant Doe at this time; I would like to do that with you in person. I was not happy about the way certain things were carried out although, as you know, I am thoroughly in favor of the intent of the Regulation which is to prevent the starving to death of children with handicaps.

I have succeeded in bringing together the various groups that sued HHS and acted as interpreter for them to HHS and vice versa. Subsequent meetings I think have been fruitful and I am in hopes that when the new Regs are published as a Notice of Proposed Rule Making with a sixty-day response period, that we can come to a meeting of the minds and achieve the ends of the Government and keep those who care for children happy.

It's a long saga and I intend to commit it to writing someday. My love to Nancy.

Sincerely yours,

/s/C. Everett Koop, M.D.
C. Everett Koop, M.D.
Surgeon General

Dictated by Dr. Koop:vsd, 5/31/83

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