



THE UNIVERSITY OF CHICAGO • WYLER CHILDREN'S HOSPITAL

Department of Pediatrics  
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Chicago, IL 60637

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March 16, 1983

Margaret Heckler  
Secretary, Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Secretary Heckler:

The implementation of the interim final rule on Section 504 of the Rehabilitation Act, known generally as the Baby Doe rule is extremely disturbing to me as Director of a Children's Hospital and as a physician who has cared for handicapped and critically ill infants for 25 years now.

I am disturbed by being mandated to place a sign in my hospital which carries the implication that I or anyone in my hospital would starve a handicapped child or fail to give optimal care. We have never practiced such an act and would never permit such to occur. The placing of a sign as required by the regulation will only serve to increase the anxiety of parents that such action might be occurring and will lead to distrust of our hospital and its personnel. It is a sign which is, in fact, destructive to our attempts to provide the best medical care available anywhere and to assure the families that this is the case. The sign will also encourage the meddlesome and uninformed who are present in every hospital to use this as a device to interfere with the daily activities of the hospital, costing the hospital much time, effort and money. We have no excess of any of these to spare, especially these days. There are many existing mechanisms in the law to protect against such activities and to provide assurance that any illegal or unethical act will be brought to the attention of the appropriate authorities, especially in a teaching hospital such as ours.

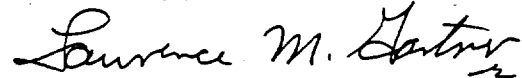
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I am certain that your intentions in this regulation are most laudable, but I am fearful that the results will be exactly the reverse. Extension of time before implementation would permit adequate reflection on the usefulness of this regulation and might well lead to the development of more effective means to achieve the same goal of better care for the handicapped infant and child.

Thank you very much for considering this request.

Sincerely,

A handwritten signature in cursive script that reads "Lawrence M. Gartner". The signature is written in dark ink and is positioned to the right of the typed name.

Lawrence M. Gartner, M.D.  
Professor and Chairman  
Director  
Wyler Children's Hospital

cc: J.E. Strain, M.D.  
Elizabeth J. Noyes