

surprise19p

# Visit

My patient advocate

At the request of Anthony Miner O'Connell I have served as his patient advocate since August 6<sup>th</sup>, 2003 when he arrived at the VA hospital in Tucson, Arizona for open-heart surgery which transpired on August 11<sup>th</sup>. I remained with Mr. O'Connell throughout that process and was actively involved with his treatment team with the full consent of his cardiac surgeon. During the hospital stay I represented Mr. O'Connell during conversations with the surgical team, ICU nurses, cardiac recovery personnel, and cardiac rehabilitation specialist. My role was to help reduce Mr. O'Connell's anxiety and assist him in understanding the program and treatment options. All decisions in this regard were his and his alone; I was merely there for clarification.

Mr. O'Connell, a Vietnam Veteran, Navy diver, decorated for bravery, had specialized in deactivating underwater mines. He requested an advocate because he feared that he was already traumatized and that the hospital experience could prove overwhelming. He felt that a coronary bypass and heart valve replacement were essential to his survival and yet, feared that he would not be able to remain in the hospital. He asked me to help him remain for the duration of his treatment. I was successful in the regard.

Prior to surgery, Mr. O'Connell developed an extreme antipathy for Sue Brynning, who was coordinating his care. He told me that if he had to see her again, he would leave the facility. At his request, I met with the patient advocate in Tucson, and requested another nurse. This was done and Mr. O'Connell had no further difficulties with hospital caregivers.

Mr. O'Connell was discharged on August 16<sup>th</sup> and referred to the Cottonwood VA for follow-up care. Mr. O'Connell is unable to drive for 6 weeks since his breastbone remains delicately wired together, and he requested that I accompany him for this visit, Mr. O'Connell was seen at the Cottonwood VA on Monday August 18<sup>th</sup>, 2003. The visit included an EKG. We were informed BEFORE the procedure that it would be abnormal following open heart surgery and this was to

be expected. In Tuscon we were told that Mr. O'Connell had suffered a "silent heart attack" some years ago and that the evidence of an old myocardial infarction would appear on his EKG results. We were also told that he was experiencing episodes of atrial fibrillation post-operatively and that he was given medication to stabilize his sinus rhythm.

During this visit to the Cottonwood VA Mr. O'Connell reported chest pain, which has been more or less constant since surgery. He was told by the nurse, Claudia, that she really didn't think that he was in any particular danger, but she had no way to be certain. Therefore, she said that he should go to the Emergency Room. Mr. O'Connell said that he did not want to go the ER. Claudia then informed him that "you can't come in here with chest pain without me being legally obligated to call 9/11" Mr. O'Connell said that 9/11 would be too overwhelming for him and that he did not want her to call them. She replied that he had no choice, she was required to call 9/11. However, Claudia said, "you have three options:"

1. Tell 9/11 that you do not want to go with them to the ER but that you will follow them over in your own car.
2. Tell 9/11 that you refuse their service
3. You have the option to not be here when they arrive and she nodded her head in the direction of the door.

In the interest of avoiding overwhelm Mr. O'Connell chose the third option. There is no question that if I told Mr. O'Connell that he had to go with 9/11 he would not have complied and there would have been a major breach of trust toward me. While Mr. O'Connell was considering these three options, I consulted with Tom Bast about VA procedure in this kind of situation and what were the financial responsibilities entailed. He informed me that the "Mileniumn Act" would cover Mr. O'Connell, which allowed Veterans to receive emergency care in the facility nearest to

their residence. I then asked, Brenda, the secretary there to put me through to the billing office of the Verde Valley Medical Center. The billing office explained that the Millennium Act” was, at best , “iffy” and that Mr. O’Connell could receive no assurance of coverage. The criteria she said were that that the burden of responsibility was on the patient to prove that the ER visit was necessary due to a life-threatening emergency. Then, a review board would determine, over an extended period, whether or not the VA would pay the hospital bill. This information was contrary to what Mr. Bast had conveyed.

After leaving the clinic Mr. O’Connell and I discussed options that would be acceptable to him in the event of a cardiac emergency. He told me of his contact with a Cottonwood cardiologist Dr. Dwyer, prior to the open-heart surgery and his willingness to consult with him for coverage in the event of an emergency. Mr. O’Connell understands that his best options for treatment are in Tuscon and he is considering moving there to be near the VA hospitial. During this immediate post-operative period, however, any details about the logistics of moving are too overwhelming and his wishes to postpone these decisions until he is feeling stronger.

On August 19th we returned to the Cottonwood clinic for an appointment with Tom Bast. We were shown into a small room and seated in two chairs with our backs to the wall. Mr. Bast made a violent entrance, spun around and kicked the door shut. With this very loud and sudden noise, Mr. O’Connell froze. Mr. Bast proceeded to shout, “ You were TOLD to go to the ER, why did you not do as you were TOLD”! Mr. O’Connell told me that he was upset and asked me to explain his reasons to Mr. Bast. I then explained that Mr. O’ Connell had refused the 9/11 referral because:

1. He was not convinced that it was necessary
2. The drama around a 9/11 intervention would be overwhelming for him

3. He did not want to add the threat of financial devastation and possible ruin to his existing physical and emotional distress.
4. Claudia had offered him the option of leaving before 9/11 arrived , and he chose to exercise that option.

Mr. Bast then apologized for his behavior and for having given us erroneous information about the coverage of the Mileniumn Act. Smiling, however, he added, “ Afterall... I DID get your attention”. I assured him that he had always had our attention and that there was absolutely no need for any attempt to control through intimidation. I requested that he agree to refrain from any further sudden, loud , noises intended to intimidate. He just shrugged. About his misinforming us about the Millennium Act, still smiling, “ Mr. Bast shrugged , yet again, and said, “ My wife tells me not to talk about money because I don’t understand it “. This is not an acceptable excuse for such potentially devastating misinformation.

At Mr. O’Connell’s request, I then informed Mr. Bast that Mr. O’Connell had two melanoma lesions removed 6 months ago by Karen Kain M.D. at the Northern Arizona Dermatology Clinic in Cottonwood, and that one of those lesions was level four. We were therefore requesting an oncology referral. I also informed Mr. Bast that Mr. Connell had very recently noticed a mass under his right axilla. Mr. Bast was unable to detect this mass. I then, rose from my chair and directed Mr. Bast’s fingers to the mass which he then, reluctantly, acknowledged was , indeed, quite palpable.

After leaving the Cottonwood VA we proceeded directly to the cardiology office of Dr. Dwyer, several doors right of the VA clinic. Mr. O’Connell requested that he serve as his cardiologist in the event of an incident and Dr. Dwyer’s office agreed. Mr. O’ Connell will see Dr. Dwyer on

September 2<sup>nd</sup>, 2003 for a work-up and we have requested copies of his medical records from the Tucson VA prior to that appointment

My concerns are as follows:

1. Mr O'Connell remains in need of an advocate while he remains in the VA system. I will need to be out of town from August 26<sup>th</sup> until September 2<sup>nd</sup> and then will return to teaching duties in Europe on September 15<sup>th</sup>. I will not be available for any kind of advocacy before mid-November.

5. Tom Bast's loud and abusive behavior clearly intended to intimidate his patients, runs contrary to my understanding of compassionate cardiac care. Kicking at doors, generating loud noises intended to intimidate and shouting threats at someone presenting for post operative follow-up care is not only offensive, it induces the kind of stress that can endanger a patient's life!
6. Tom Bast's conveying misinformation about the "Mileniumn Act" to a distressed patient that might result in financial ruin is unethical and potentially devastating.
7. Tom Bast's inability to locate an axillary mass the size of a golf ball
8. Tom Bast's reporting me to a state agency as a perpetrator for undue influence and endangering a patient is intended as a cover-up for his unethical, irresponsible, incompetent, violent and dangerous behavior.

I feel that Mr. Bast was concerned that I would report his behavior and decided to escalate his attempts to intimidate me. I did not report the incident, at the time, because Mr. O'Connell asked me not to do so in the interest of avoiding further upset. However, in the light of an investigative

agency visiting Mr. O'Connell to explore charges against me, I feel that this report needs to be on file. Mr. O'Connell agrees.

In summary, I feel that Mr. O'Connell remains in need of an advocate. I experience him as a very shy and sensitive individual who is easy overwhelmed, but, clearly, knows his own mind. He has served his country with distinction and deserves to be treated with respect. Mr. Bast's attempts to frame and intimidate Mr. O'Connell's advocate have only added to his distress. I would hope that his next advocate will not have to experience this degree of harassment and attempts to intimidate anyone who would venture to question the dictates of Tom Bast.

Anngwyn St. Just Ph.D.

[www.acstrauma.com](http://www.acstrauma.com)

[www.acst-europa.com](http://www.acst-europa.com)

Anthony M. O'Connell  
45 Skyview Road  
Sedona, Arizona 86336  
Last four 7637  
September 25, 2003

Mr. Tom Bast  
Cottonwood VA Outpatient Clinic  
208 S. Candy Lane Suite 5B  
Cottonwood, Arizona 86326  
Tel 928 649-1532

Dear Mr. Bast:

I hope I am wrong, but I am greatly concerned that you are trying to force me out of your office and the Northern Arizona Health VA Health Care System.

I assume it is due to confusion and misunderstanding. I would like to try to clear away the confusion and misunderstandings.

- 1) On my last visit to your office (September 24) I was again surprised to hear that your office thought I was moving to Tucson. I do not plan to move to Tucson or anywhere else. Would you please send me confirmation that you understand that I have no plans to move to Tucson or anywhere else? And not perpetuate this misunderstanding?
- 2) I do not understand why I got a phone call from your office saying that my September 29, 2003, oncology appointment in Prescott was cancelled. I have a letter dated 9/2/03 saying that I do have the appointment. This appointment is very important to me. I have a lump under my right arm and I have had Melanoma skin cancer level 4. If you cancelled it would you please uncancel it?
- 3) May I have your permission to use a voice recorder during future visits? This would protect your office and me from future confusion and misunderstandings.

I wish there was a more pleasant way to avoid misunderstandings and confusion other than to keep communications in writing and recordings. Would you please respond in writing?

Sincerely,



Anthony O'Connell



NOTE DATED: 10/03/2003 16:22 COTTONWOOD CBOC TELEPHONE CONTACT  
 VISIT: 10/03/2003 16:16 COTTONWOOD TELEPHONE  
 Ltrs from pnt and notification alerts that pnt is to be assigned to M. D.  
 at Press VA Hosp. dictate the need for this consult request.  
 To facilitate prompt continuous care an Oncology consult is requested to  
 Tucson Va today for eval of two melanoma (by pnt History).

Fee basis in not authorized IAW with Dr Melvin ,Chief of P & SC and Dr Jackson  
 has advised pnt where he should seek care for this diagnosis.

Signed by: /es/ THOMAS A BAST  
 APN 10/03/2003 16:38

Receipt Acknowledged By:  
 /es/ GARY R MELVIN  
 10/06/2003 07:35

RECEIVED  
 MEDICAL  
 NOTE ON  
 VISIT:  
 Ltrs from  
 at Press  
 To facili  
 Tucson  
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NOTE ON  
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 O'CONNELL, ANTHONY M      NORTHERN ARIZONA HCS      Printed:01/05/2004 11:11  
 [REDACTED]      Pt Loc: OUTPATIENT      Vice SF 509  
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RECEIVED  
 MEDICAL  
 NOTE ON  
 VISIT:  
 Ltrs from  
 at P  
 Fee bas  
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NOTE DATED: 11/05/2003 15:03 COTTONWOOD CBOC RN  
VISIT: 11/05/2003 15:03 COTTONWOOD TELEPHONE  
received verbal orders from Tom Bast, NP, to cancel upcoming appts scheduled for  
cottonwood cboc as pt has now been assigned to orange team physician.

will notify orange team to schedule f/u appts for pt.

Signed by: /es/ CLAUDIA M. SHIMKUS  
REGISTERED NURSE 11/05/2003 15:05

Receipt Acknowledged By:  
/es/ THOMAS A BAST  
APN 11/06/2003 17:17  
/es/ JEAN M CUNNINGHAM  
RN 11/05/2003 15:22

**Janet Napolitano**  
Governor



**Joey Ridenour**  
Executive Director

## *Arizona State Board of Nursing*

1651 East Morten, Suite 210  
Phoenix, AZ 85020-4613  
Phone (602) 889-5150 Fax (602) 889-5155  
E-Mail: [arizona@azbn.org](mailto:arizona@azbn.org)  
Home Page: <http://www.azboardofnursing.org>

March 26, 2004

THOMAS BAST  
360 W FINNIE FLAT RD HOUSE 16  
CAMP VERDE, AZ 86322

RE: LETTER OF CONCERN PURSUANT TO ARS § 32-1664 (G)(2)

Dear THOMAS BAST,

On March 25, 2004, the Arizona State Board of Nursing, in open meeting, reviewed the complaint submitted against your license/certificate. After consideration of the facts, the Board determined there was insufficient evidence to support direct action, but sufficient evidence for the Board to notify you of its concern. Therefore, the Board of Nursing voted issue this Letter of Concern for approaching a patient in a manner that was perceived as threatening on or about August 19, 2003, while employed as a Nurse Practitioner for the Northern Arizona Veterans Affairs Health Care System in Cottonwood, Arizona, pursuant to A.R.S. § 32-1664 (G) (2).

The Board, by this letter, warns you that repetition of such conduct may lead to disciplinary action against your license/certificate. Please review the Nurse Practice Act (NPA) to ensure that your practice and conduct is consistent with statute, standards, and safe nursing practice. You can access the NPA on the ASBN Web Site listed above.

Sincerely,

A handwritten signature in black ink that reads "Joey Ridenour" with a stylized flourish at the end.

Joey Ridenour, R.N., M.N.  
Executive Director

JR/db

**Anthony O'Connell**

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**From:** <ANNGWYN@aol.com>  
**To:** ""Anthony OConnell"" <amo@commspeed.net>  
**Sent:** Sunday, March 28, 2004 12:47 PM  
**Subject:** Re: Hi

Hello Tony

Yes, I understand. I went to the last one in Jerome and would go more if I were there.  
I am well, thank you and have immigrated to Switzerland.

My book comes out in German in 2005. [www.acst-europa.com](http://www.acst-europa.com)

Anngwyn

**Anthony O'Connell**

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**From:** <ANNGWYN@aol.com>  
**To:** ""Anthony O'Connell"" <amo@commspeed.net>  
**Sent:** Tuesday, March 30, 2004 12:21 PM  
**Subject:** Re: Hi

Hello

The Storytellerinn is for sale, Sally has my cat and the car is for sale in Phoenix.

Anngwyn

**Anthony O'Connell**

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**From:** <ANNGWYN@aol.com>  
**To:** <amo@commspeed.net>  
**Sent:** Thursday, May 13, 2004 4:02 PM  
**Subject:** Re: Tucson revisited

Hello Tony,

Please understand that my withdrawal from any interest in our relationship had nothing whatsoever, to do with Isabella. I hope that you can understand that the toxicity generated by the Cottonwood VA and the subsequent investigation of me by the Arizona Department of Economic Security for "endangering your life" was somewhere way beyond, just too much.

Whatever assistance I offered during your surgery was freely given and I wish only the best for you in your ongoing recovery.

Please now, just leave me in peace.

Anngwyn

Anthony M. O'Connell  
45 Skyview Road  
Sedona, Arizona, 86336  
[amo@commspeed.net](mailto:amo@commspeed.net)  
Last four 7637  
July 14, 2004

Mr. Thomas A Bast, APN  
Cottonwood Outpatient Clinic  
203 Candy Lane Suite 5b  
Cottonwood, Arizona 86326

Dear Mr. Bast:

I hope you are well and I thank the VA for saving my life.

Would you please tell me why my primary care location was changed from Cottonwood (enclosure; "You have been assigned to the Cottonwood Team" ) to Prescott (enclosures; appointments for January 5, 2004)? I had no idea that the January 5, 2004, appointments changed my primary care location from Cottonwood to Prescott until after I arrived at Prescott on January 5 and was told by a volunteer at the reception desk. Would you please tell me who did this and why?

Would you please give me your email address?

Thank you.

Sincerely,



Anthony M. O'Connell

Enclosures (3)

19 July 04  
1700 hrs

ON 3 OCT 03 YOUR CASE WAS  
DISCUSSED WITH SUPERVISING PHYSICIAN. YOUR  
CARE IS BEST MANAGED BY A DOCTOR.  
SINCE THERE IS NO M.D. HERE AT COTTONWOOD  
CLINIC YOUR TRANSFER DATES BACK TO  
3 OCT 03.

T. Bast, FNP  
Thomas A. Bast  
Family Nurse Practitioner

Anthony M. O'Connell  
45 Skyview Road  
Sedona, Arizona, 86336  
[amo@commspeed.net](mailto:amo@commspeed.net)  
Last four 7637  
Primary care provider Dr.  
Kathleen Gibson, VA Tucson  
August 1, 2004

Mr. Jonathan Gardner, Director  
Southern Arizona VA Health Care System  
VA Hospital, 3601 South 6<sup>th</sup> Avenue  
Tucson, Arizona 85723

Dear Mr. Gardner:

Would you please release my medicine?

I wrote the Director of the NAVAHCS the following letter on July 31, 2004, and I quote:

*"Dear Ms. Thompson:*

*My primary care provider is Dr. Kathleen Gibson at the Tucson VA (SAVAHCS).*

*Would you please identify whatever it is in the Prescott VA (NAVAHCS) computer information system that continues to prevent Dr Gibson to send me my medicine? Would you please send me a copy of everything in the Prescott VA computer information system that relates to me?*

*Would you please write Dr Gibson and tell her that the Prescott VA is not my primary care provider and that you have no objection to her releasing my medicine? If you are not willing to do this would you please explain why? I need my medicine.*

*(1) I fear that my continuing to get my monthly Coumadin tests at the Cottonwood Outpatient Clinic, which is under the Prescott VA system, could make it appear as if the Prescott VA system is my primary care provider. So I will no longer go to the Cottonwood Outpatient Clinic. This means that I will not be going to the August 3 appointment or any other appointment until the obstacle that is preventing Dr Gibson from releasing my medicine is identified and removed.*



(2) *For the same reason I felt it would not be prudent for me to go to the VA hospital in Prescott. I thought that my numerous letters to you stating that Dr Gibson at the Tucson VA is my primary care provider would explain why I would not be going to the July 12 appointment or any other appointment at the Prescott VA in Prescott.*

(3) *The person in charge of the Cottonwood Outpatient Clinic, Mr. Thomas Bast, wrote me on July 19, 2004, and stated that "On 3 October 03 your case was discussed with supervising physician. Your care is best managed by a doctor. Since there are no M.D. here at Cottonwood Clinic your transfer dates back to 3 Oct 03." Would you please send me a copy of the Physicians diagnoses of this "case"?*

Thank you.

Sincerely,

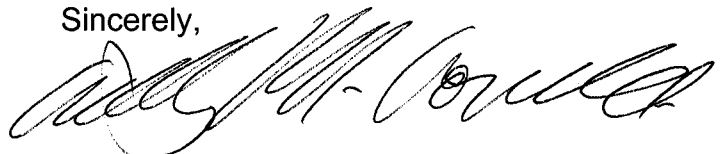
Anthony M. O'Connell"

If you are still not able to release my medicine would you please identify the remaining obstacles as clearly as you can and I will do what ever I can to remove them.

What did Dr. Gibson see in the VA computer information system, on May 12, 2004, that prevented her from releasing my medicine?

Thank you

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony M. O'Connell', written in a cursive style.

Anthony M. O'Connell

Anthony M. O'Connell  
45 Skyview Road  
Sedona, Arizona, 86336  
[amo@commspeed.net](mailto:amo@commspeed.net)  
August 2, 2004

Mr. Rich Grady  
DES/APS  
397 Malpais, Suite #3  
Flagstaff, Arizona 86001

Reference:

Complaint filed with the Arizona DES in late August of 2003 by someone from the Veterans Administration Outpatient Clinic, in Cottonwood, Arizona, (Tom Bast? His nurse? ) against my patient advocate, "Anngwyn". All my information about it is verbal from Ms Nancy Ryba, who visited me, I believe, three times about the matter. I trust Nancy Ryba completely. If the information I am giving here is incorrect, the mistake is mine.

Dear Mr. Grady:

Would you please send me a copy of:

- (1) The original complaint
- (2) DES's conclusion
- (3) And any other relevant information about the matter

As I understand it, DES concluded that the complaint was not true and forwarded their information to the Arizona Board of Nursing for Mr. Tom Bast's license to be reviewed. I understand that takes about a year or so.

The reason I am asking for this written documentation is because I feel my reputation is being attacked by some part of the VA using the VA internal computer information system which I am not privy to but which, as I understand it, all branches of the VA are.

I can't get to the bottom of it through the VA. What I can get makes me look bad. I can think of no reason for it except the upcoming (?) review by the nursing board.

It may be a coincidence, but as I understand it, my former patient advocate, "Anngwyn" ([Anngwyn@aol.com](mailto:Anngwyn@aol.com)) immigrated to Switzerland and put her bed and breakfast in Jerome up for sale.

The second page of  
this letter is missing.

Anthony M. O'Connell  
45 Skyview Road  
Sedona, Arizona, 86336  
[amo@commspeed.net](mailto:amo@commspeed.net)  
August 3, 2004

Ms. Karen Grady  
Arizona State Board of Nursing  
1651 East Morten, Suite 210  
Phoenix, Arizona 85020

Reference:  
Matter of Thomas A. Bast, APN

Dear Ms Grady:

I am guessing that this review by the Board of Nursing is about the behavior of Mr. Bast in his VA Outpatient Office in Cottonwood, Arizona, in late August or early September of 2003. I was the patient in his office.

Would you please send me a copy of any and all documents that you can about this matter? I understand in talking with Teresa yesterday that you handled the review in March of 2004 and that Mr. Bast was given a letter of concern.

Since that incident there has been a serious of events that makes me look bad with the VA. One consequence is that the VA is no longer sending me my medicine. I need my medicine. I am trying to find out if there is a connection.

I understand that my patient advocate at the time, "Anngwyn"  
([Anngwyn@aol.com](mailto:Anngwyn@aol.com)), who was also in the office, has put her Bed and Breakfast in Jerome up for sale and immigrated to Switzerland.

Thank you.

Sincerely,



Anthony M. O'Connell