

To: Senator Ron Latz
To: Representative Sandra Feist

Fr: Anna Shelander, on behalf of deceased Dr. David E. Crandall (DOD: 9-23-2019)

Re: written testimony in support of legislation SF997/HF1019

Today's Date: 2-28-2023

Thank you for allowing my testimony in support of amending Minnesota Statutes 2022, sections 573.01; 573.02, subdivisions 1, 2. 1.3. The modification of which will allow for the survival of certain causes of action following the death of a person in the State of Minnesota.

This modification is of particular interest to me as the daughter of deceased Minnesota Memory Care Resident Dr. David E. Crandall - whose untimely death was a direct result of neglect and abuse at the Memory Care facility where he resided. But because statutes 573.01; 573.02, subdivisions 1, 2. 1.3 do not currently allow for the survivability of certain applicable causes of action following my father's wrongful death - I had absolutely no way to resolve the wrongs that had been done to him.

This testimony is factual and based on real events that occurred in late 2019.

My father, Dr. David E. Crandall, was 85 years old when he died - homeless - as a result of being evicted from his Memory Care facility in Mahtomedi Minnesota.

This was actually Dr. Crandall's second Memory Care placement. The first, in Lake Elmo, had been depriving him of food - and threatened to have my family arrested if we tried to feed him. After finding dad unresponsive on his bed and in a state of arrhythmia, I called 911. His diagnosis upon admission to the hospital was "failure to thrive." Upon discharge Dad's social worker strongly advised that I find a new Memory Care facility rather than return him to the one in Lake Elmo.

Heading her advice, I discharged Dad to a Memory Care facility in Mahtomedi. The head of nursing interviewed dad herself and assured me that her facility could manage all dad's "cares" - with lots of room to spare.

And so, dad made the stressful move to a new place. Initially guarded, it appeared we'd made the right decision as Dad continued to improve at this new facility. He gained over 30 lbs. in a matter of weeks. And his dementia was responding so well to the medications prescribed him in the hospital that the Blue Stone medical doctor overseeing Dad's care at the Mahtomedi facility told me he was referring Dad to Mayo so the neurology team there could better understand Dad's fascinating antibiotic-responsive dementia.

Dad was very excited at the prospect of returning to Mayo Clinic to hopefully find some answers. He told me it was a long way, but if I drove - he was up to it.

But within days of that conversation with the Bluestone doctor, I received a call from the Mahtomedi Memory Care facility telling me that Dad had been rushed to Lakeview Hospital in Stillwater. When I called the ER to inquire why Dad was in Emergency care, I was told that there was nothing wrong with



him. The ER staff said that Dad had apparently been “combative” at the facility – which no one was seeing. When the ER staff tried to send Dad back to the Mahtomedi facility, the nursing staff said that Dr. Crandall was no longer a resident at their facility. That they would not accept him back.

At that very moment, my father, a healthcare professional who had provided care and support to his patients for 60 years, became a homeless person in the state of Minnesota.

The ER progress notes stated that Dr. Crandall was not a candidate for hospitalization. But due to the fact that, as a vulnerable adult, he had no safe discharge plan, they were forced to hospitalize him.

This forced-decision moved a private pay concern into a government pay situation, ultimately costing the Medicare system over \$40,000 – unnecessarily as he was not sick, did not need ambulances, hospital stays, a subsequent TCU stay and finally hospice at the only place that would take him in – which was my own home.


One day, my dad was optimistically looking forward to getting answers from Mayo. Less than 50 days later my dad was dead. Not due to his disease, but through errors and mistakes made by people that our laws currently do not hold accountable: By “dumping” my father at an ER, eviction laws were broken. By denying dad access to safe housing, the laws protecting him from Criminal Abuse & Criminal Neglect were broken. And when the nurse who called 911 to take my dad to the ER doctored his medical records, laws preventing fraud and forgery were broken.

My father was a vulnerable adult who, after his death could not receive any restitution for the wrongs done to him. And as the laws in Minnesota currently stand, others that face similar neglect and abuse and wrongdoing – are also being failed by our current legal system.

I think it’s important to add that later, after I had buried my dad, I visited the EMT who had transported dad to the ER that fated day. As we talked about my dad and what a sweet man he was (he actually thanked the paramedic for his help), the paramedic told me that he wanted to go on record as saying this particular facility had been “Dumping” elderly patients for quite some time and that he wanted someone to do something about it.

So, my hope in writing this testimony is that perhaps together we can do something about what’s happening to our vulnerable adults here in Minnesota. A group who, along with their families, do not have the legal support to right the wrongs done to them. I hope my own personal story provides the type of backstory that will result in the decision to modify Minnesota Statutes 573.01; 573.02, subdivisions 1, 2. 1.3 so that other decedents who have experienced pain and suffering at the hands of those charged to care for them will have more rights than what my father had.

Sincerely,


Anna Shelander
9144 Justen Trail N
Stillwater, MN 55082
651-334-8258

2/28/2023
