



Barbara, Eric, and Frank Voss at Seven Hills Picnic

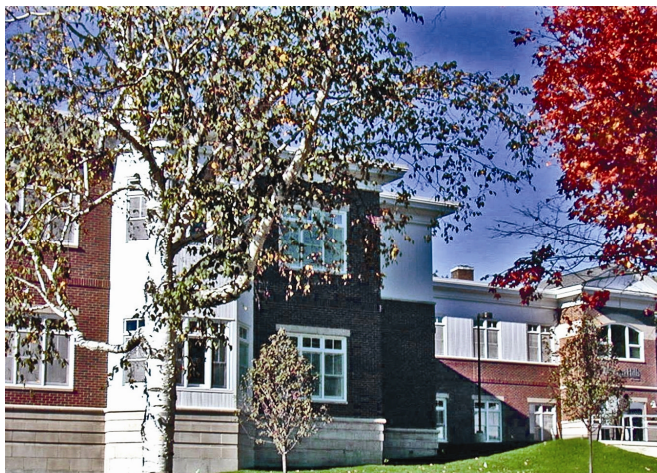
### In the Courts:

## What Does US District Court Find Wrong With This Picture? Groton 43 Fight “Rolland” Evictions

Rolland v. Patrick began ten years ago as a case to move elderly people with MR/DD out of nursing homes that did not meet their individual needs, and back into treatment. But, without consulting the people involved or their families, DMR and the usual cast of tax-supported class-action lawyers have now made a “settlement” by which DMR is *required* to move 640 people out of nursing facilities and into community residential placements over the next four years. There is no way to opt-out, and the court on May 22 rejected the objection of 43 severely disabled individuals at Seven Hills Pediatric Center in Groton, more than half the residents there.

Among the Groton Plaintiffs is Laura Putterman, a 33-year-old woman, resident for 24 years, tube-fed, functionally blind, unable to speak or understand speech, or perform any voluntary bodily function. Another resident, D.B., has cystic fibrosis, cerebral palsy, and diabetes. According to his parents, “He cannot walk, talk, or feed himself. He is unable to control any member of his body – arms, hands, head, legs, feet, etc.”

But because the court has agreed to settlement by-the-numbers, the individual needs or treatment plans of these individuals don’t matter. The “Groton Plaintiffs” and their families, backed by COFAR are exploring



other legal avenues and/or a public information campaign to save their loved ones from being moved against their will from a safe and effective program.

### **One Family's Story**

You wouldn't know it from his wonderful smile, but Eric Voss, 27, has had a hard time in life. Eric was born with cerebral palsy such that he has never been able to control any part of his body, has never spoken, has to be fed by a tube, and has mental retardation and a long list of medical complications. Ten years ago, after surgery for a damaged hip at Children's Hospital, his sodium blood level went so high he was in a coma and on life support for weeks, suffering further brain damage. His sodium levels still have to be monitored closely.

Eric's parents checked out pediatric nursing homes across Massachusetts, and felt lucky when he was accepted at Seven Hills Pediatric Center in Groton. Not only could the center handle Eric's complex medical needs with round-the-clock nursing services, but it also has real educational, social, and entertainment opportunities. (The center has been ranked among the top four percent of all nursing homes nationally.) They also thought they had found a permanent home for Eric, since Seven Hills' brochure said, "Children at Seven Hills Pediatric Center enter prior to their 22nd birthday and traditionally remain throughout their lifetime." In the nearly seven years Eric has lived at Seven Hills, the foundation has made two multi-million dollar expansions, so buildings are as modern and progressive as the treatment offered.

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"The language [in the Proposed Settlement Agreement] is insulting to all of us who have struggled to provide the best possible care for our children under terribly difficult circumstances. The notion seems to be that we need to be 'educated' about the benefits of community placements and that if only we open our minds to the possibilities, we will recognize the wisdom of professionals and see the light." – Voss Affidavit

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And Eric likes it there. He can't say so in words, but his father explains, "We take him out to family events and outings [in a conversion van with lift for his wheelchair], and he likes that, but when we get back to Seven Hills he's so smiling and happy, he feels at home."

