



## CITY OF PUYALLUP

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MICHAEL W. DEAL  
MAYOR

February 16, 2007

*Hand Delivered*

Senator Jeanne Kohl-Welles  
Chair, Senate Labor, Commerce, Research and Development Committee

Representative Steve Conway  
Chair, House Commerce and Labor Committee

Re: Correcting misstatements about the late Dave Potter made in testimony  
regarding HB 1833/SB 5741

Dear Chair Kohl-Welles and Chair Conway:

This letter is intended to clarify the record of the Thursday, February 15, 2006 hearings you both held on HB 1833/SB 5741 (presumptive disease legislation). We need to make you aware that – in direct contrast to testimony that you heard – Puyallup Fire and Rescue Battalion Chief David Potter was never without medical coverage or treatment recommended by his medical providers at any point during his short and tragic battle against a rare form of cancer. City staff devoted hundreds of hours, working with Dave, medical facilities, insurance companies, and others, to ensure that he received all of the attention, treatment and care that he needed. We were all profoundly saddened and hurt when Dave succumbed to his illness.

Unfortunately, for reasons we do not understand, an individual who testified before your committee regarding HB 1833/SB 5741 provided you with inaccurate and misleading information regarding Chief Potter's situation. Upon hearing the testimony rebroadcast on TVW, the City of Puyallup emphatically disagrees with all statements and inferences that medical coverage was delayed or denied, causing the death of Battalion Chief Potter. Nothing could be further from the truth.

Chair Kohl-Welles  
Chair Conway  
February 16, 2007  
Page 2 of 3

The most egregious misstatement you heard was the allegation that Dave went without coverage and/or treatment for a 60 day period, following a date in March of 2006. He never went without coverage or treatment – ever. Questions and controversies surrounding the claim's status as a medical insurance claim or a workers compensation fund claim had no impact on Dave's treatment regimen. He received all of the care and treatment his doctors recommended, and for which he was medically capable of receiving, in the time and manner prescribed. As you probably know, even if the claim was not a workers compensation claim, it would fall under the City's health care plan.

It may be useful to provide you with the following summary of events. Chief Potter was diagnosed in early August of 2005 with a very rare form of cancer known as Chronic Lymphocytic Leukemia. His treatment protocol involved aggressive chemotherapy, which started in August of 2005. The second cycle of his treatment was delayed when Dave traveled to Israel in late November through early December of 2005 as part of an urban terrorism response educational visit. In the Fall of 2005, Dave was pre-approved to receive a bone-marrow/stem cell transplant, provided his chemotherapy successfully brought his cancer into remission. A prospective donor was tested, but we learned in January of 2006 that the person was not a match. Throughout, Dave continued to receive chemotherapy.

In February, the search continued for a donor match. The transplant was initially estimated to occur sometime in early March of 2006. The donor search, and Dave's medical treatments, were all covered and provided without interruption. Unfortunately, a CT scan in March of 2006 revealed what Dave described as an unexpected spot on his lung. At about the same time, the medical providers identified a potential donor, noting that it would take 5 to 8 weeks from the date of the initial donor contact to a possible transplant date.

In early April of 2006, Dave was admitted for surgery to investigate and remove the lesion on his lung. The surgery was more complex than anticipated. He spent several days in the hospital. The biopsy uncovered additional complications that required prompt treatment before any transplant could occur. The earliest transplant date was moved out to June 1<sup>st</sup>, given Dave's condition and additional treatments required to bring it under control. A new regimen of chemotherapy commenced and testing continued in preparation for a possible transplant – all without any interruption, delay, or withholding of coverage as incorrectly alleged in the testimony received by the committee.

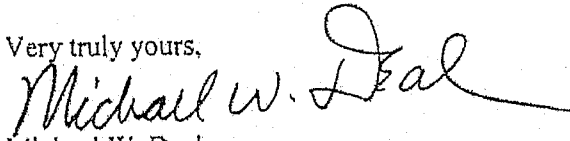
To everyone's heartfelt disappointment, Dave's cancer advanced, and his physical condition began to deteriorate quite rapidly in May of 2006. Throughout this period, his coverage and treatment continued to be provided and paid for without any interruption or delay. His condition never improved to the level his doctors said he needed in order to perform a transplant. Sadly, Dave passed away on June 1, 2006.

Chair Kohl-Welles  
Chair Conway  
February 16, 2007  
Page 3 of 3

I know that I speak on behalf of everyone working for or with the City of Puyallup when I say that we all grieve the tragic loss of Dave Potter. He was a wonderful person, an amazingly unselfish and helpful public servant, and a friend to virtually everyone he knew. It hurts me and everyone in the City family to think that anyone believes that we did not do everything possible to ensure that Dave received the care, attention, and treatment his doctors recommended in the time and manner as they prescribed. The medical records verify the summary of events provided in this letter and directly contradict the testimony you heard yesterday.

Thank you for the opportunity to clarify the record with respect to this most unfortunate and hurtful episode.

Very truly yours,

A handwritten signature in cursive script that reads "Michael W. Deal". The signature is written in black ink and is positioned above the printed name.

Michael W. Deal  
Mayor  
City of Puyallup