

# The untimely death of a special child

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(Photo: Provided/Cathy VanHorn)

The family of Alex Myers has plenty of stories to tell of their beloved son and brother, but the hardest to share is the story of his death.

Alex, who had a slew of developmental disabilities, died at age 20 in the fall of 2013, when a medical administrator at the intermediate care facility where he lived accidentally gave him a lethal dose of pills that were not prescribed to him.

The Hamilton County Coroner's office ruled Alex's death an accident caused by acute combined drug toxicity. The Hamilton County Prosecutor's Office did not file any criminal charges against the Mike An Group Home or

its staff.

"We kept getting this sense, this feeling, like people didn't care, like it didn't matter," said David Myers, Alex's brother. "We often forget that people with disabilities have families, friends, people who love them. They are active members in the community with talents and passions."

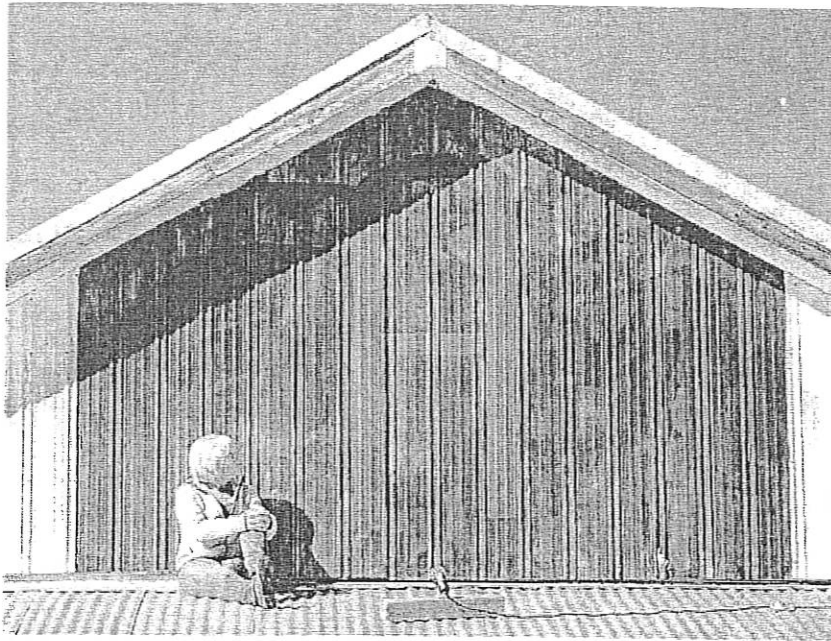
The family filed a wrongful death lawsuit against the group home and its operators, Empowering People Inc. and Miller Holdings MAG Inc., the director of nursing for the facility, and the medical administrator who gave Alex the wrong pills.

Kurt Miller, president of Miller Holdings MAG, and officials from Empowering People Inc. did not immediately respond to requests for comment.

Alex's family was awarded \$950,000 when the wrongful death lawsuit was settled in September.

Now that the court process is over, nearly two years after Alex's death, the family wants Alex to be remembered for exactly who he was and for the lesson of his death to resonate as far and as wide as it can.

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Cathy VanHorn sits on the roof of her barn where the letter 'A' was painted in memory of her son, Alex Myers. Alex, who had a slew of developmental disabilities, died at the age of 20 on Oct. 24, 2013, when a medical administrator at the intermediate care facility where he lived accidentally gave him a lethal dose of pills that were not prescribed to him. (Photo: The Enquirer/Amanda Rossmann)

## A place for Alex

Alex never knew a stranger, said his mother, Cathy VanHorn. He was loud and proud and convinced that everyone loved him. He loved to sing and go to the theater and watch movies.

He also had multiple developmental disabilities ranging from attention deficit hyperactivity disorder to congenital brain malformation. Alex couldn't read or

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write or tell time. He was hyperactive, impulsive and hardly ever slept through the night, VanHorn said.

"He was wonderful and amazing, but tough at the same time," said David Myers, Alex's brother. "Alex had his challenges -- and was challenging -- but he was pure in his passion. He had a zest for life."

Alex had two older brothers and four step-siblings. His parents, VanHorn and Paul Myers, divorced when he was young but shared custody.

The family lived in Lawrenceburg, Indiana, for most of Alex's life. He attended special education classes at Lawrenceburg High School, where he sang in the choir and was the water boy for the football team.



Alex Myers and his father, Paul Myers, at his graduation from Lawrenceburg High School. (Photo: Provided/Cathy VanHorn)

VanHorn said the family struggled to find appropriate developmental disabilities services for Alex after he graduated in 2011, even sending him to a daycare facility for the activity and structure. But he was regressing.

VanHorn and her partner moved to a farm in Oregonia, Ohio, after speaking with the Warren County Department of Developmental Disabilities. Their hope was to obtain a Medicaid Individual Options Waiver for Alex that would provide funds for housing, employment and social opportunities.

VanHorn wanted to use the waiver to get Alex an apartment with a 24-hour support staff. But those waivers can take years to obtain, she said. Alex did receive a Level One waiver, which the family used to hire a woman who took him out for a certain number of hours each week.

But Alex was still regressing, so VanHorn and Alex's step-mom, Sharon Myers, toured intermediate care facilities in Warren and Hamilton counties before deciding to move Alex into the Mike An Group Home in North Bend.

Medicaid covered the costs and Alex moved in to the home on June 14, 2012.

## Be yourself at all costs

The facility was a ranch-style home, and all residents had their own bedrooms. Trained staff was available to support Alex and take him to work, doctors appointments and social outings.

"He loved it," VanHorn said. "We would bring him out to the farm and Alex would ask to go back."

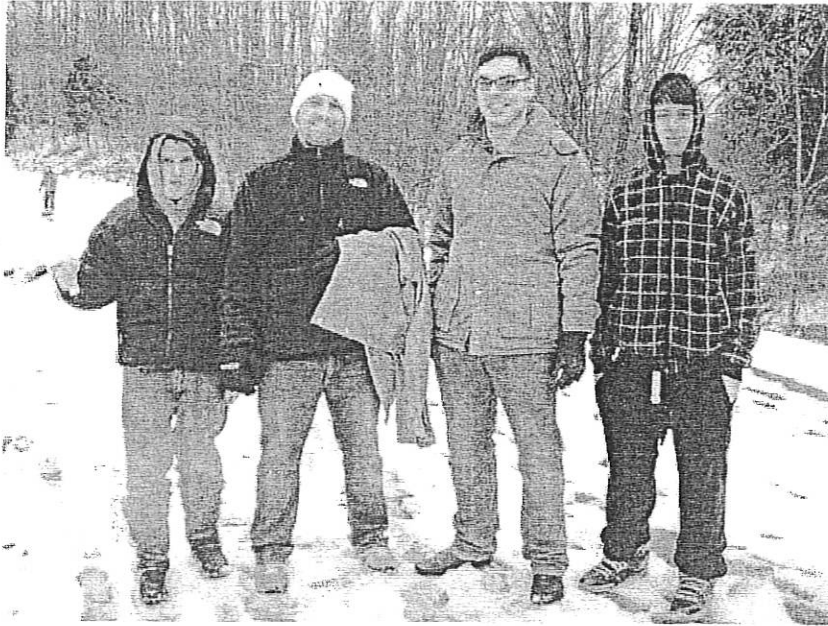
Alex participated in Special Olympics Bowling, where he met a girl with Down syndrome. The two went on Alex's first and only date the summer before he died. He also worked a couple of days a week at a job through the Jewish Vocational Service.

Alex "loved to be the center of attention," his father said. "He absolutely taught me to be yourself at all costs, like he always was," David Myers said.

Paul Myers picked Alex up from work on Wednesdays to take him to the library for movies and then to choir practice.

"He was becoming more independent, you could see some maturity, some growth," VanHorn said. "Family relationships were getting better."

"Things were going great. Until they weren't."



(From left) Alex Myers, brothers David Myers and Nathan Myers and step-brother Luke Stober at Caesar Creek. (Photo: Provided/Cathy VanHorn)

### Losing Alex

High staff turnovers and hygiene concerns at the North Bend facility prompted VanHorn to move Alex into a new group home after a little more than a year. She toured the Mike An Group Hunsford home and thought it would work.

Alex moved in to the home, at 219 Hunsford St. in Hartwell, on Oct. 17, 2013.

He died seven days later.

Paul Myers remembers taking his son to Frisch's and the library the night before he died. At the library, Alex saw a woman he knew but who Paul did not recognize. The two exchanged big smiles and hugs, Paul said.

Paul awoke the next morning to several missed calls from the group home and was told his son had died overnight.

"The words didn't register," Paul Myers said.

But then Paul Myers, with his wife Sharon keeping him steady, had to call Alex's mom and brothers to tell them the devastating news.

"I've experienced other losses and adversity in my life but nothing comes close to losing Alex, my youngest son," VanHorn wrote in an impact statement during mediation for the wrongful death lawsuit. "This loss brought me to my knees."

The family worked with the Hamilton County Department of Developmental Disabilities to investigate the death.

The director of nursing at Mike An Group homes reviewed Alex's medication administration record on Oct. 24, 2013, according to the Hamilton County Department of Developmental Disabilities major unusual incident investigation report. The record didn't reveal any errors made by staff and showed a correct medication count for Alex and all of the individuals at the group home.

The medical administrator who gave Alex the pills didn't report anything unusual to investigators after Alex's death.

"He took his meds then went to bed," she said in her witness statement to Empowering People Inc.

Six months later, the Hamilton County Coroner completed Alex's autopsy report and revealed that he died from a lethal dose of drugs that were not prescribed to him. The drugs were: Oyster Shell Calcium (1 tab); Topamax, 200 mg. (1 tab); Trileptal 600 mg. (1 tab); Trileptal 300 mg. (1 tab); Keppra 1000 mg. (2 tabs), and Clozaril 400 mg. (4 tabs).

Many of those medications are prescribed to prevent seizures.

"Alex was illiterate and completely dependent on adults to give him his medication," VanHorn said in the impact statement. "I had always been grateful for  
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"Now I'm horrified to think of my son being handed a cup of another resident's medication, totally trusting the person who handed it to him, and swallowing them without a second thought."



Alex Myers (second from left) with brother David Myers, mother Cathy VanHorn and brother Nathan Myers at his mom's farm in Oregonia. Alex was 19. (Photo: Provided/Cathy VanHorn)

#### The limited fallout

The Hamilton County Department of Developmental Disabilities worked with Cincinnati Police Detective Keith Witherell to investigate Alex's death, according to the investigation report.

Investigators interviewed family members and staff from the group home to determine what happened.

The medical administrator had mixed up Alex's medication with medication prescribed to another resident, according to the investigation. She pre-set the medication, which is against policy, and made an administration error, according to the investigation.

The medical administrator, who is not a licensed nurse, was permitted to pass out medication and perform other health-related activities through something called "delegated nursing." This policy allows a nurse to delegate duties to unlicensed personnel who are certified by the Ohio Department of Developmental Disabilities.

The administrator who erred was placed on administrative leave in June 2014 after the autopsy report revealed the medication mistake. She was fired in July 2014.

The Ohio Department of Health completed a survey report of the Mike An Group Hunsford home in June 2014 and issued a corrective plan in an attempt to prevent future mistakes.

Now, Alex's family wants to start a conversation about how these things can happen within a system that is supposed to be so carefully regulated.

Even with more answers than most people get, they still want to know why he had to die.

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