





# A dream vacation turned nightmare



▲ Ted and Kirk enjoy lunch with a friend in the European countryside. At this point in their vacation Kirk was still in respectable health

by Julie Davids

**K**irk Hoffmeier and Ted Faigle had always planned to travel, but stopped postponing it once Kirk was diagnosed with HIV in 1987. Kirk had remained asymptomatic throughout their tours of the United States, Canada, Mexico and Northern Europe. And, with Kirk enrolled in HMO health insurance as a city employee, they thought they could count on help if he ever fell ill while abroad.

They were wrong.

On April 23, 1992, Kirk and Ted came to Madrid as the last stop of a month-long tour of Spain. The first thing they did was seek out medical attention; Kirk had been losing energy on the trip and was attributing it to depression. Ted and Kirk figured that the capitol city would have the best resources for health care.

The clinic doctor found a lesion on Kirk's brain and suspected toxoplasmosis, an opportunistic infection which attacks the central nervous system.

The prognosis was still good. Kirk could remain functionably healthy until their return to the United States in five days. The physician prescribed enough medication to hold him over until he got home.

Two days later, Kirk collapsed on the street.

He laid in the emergency room of a Madrid public hospital for five days before being admitted to a ward. Ted, his lover of 17 years, was harshly told by shift doctors that Kirk was "going to die here," even though an AIDS specialist referred by the English Language Help Line disagreed.

The combined forces of ACT UP, Philadelphia Human Relations Commissioner Kevin Vaughn, AFSCME officials and the offices of three members of Congress proved futile. On June 9, Kirk succumbed in the AIDS ward of a 2,000-bed public hospital. The Medivac airplane that had finally been sent to take him home arrived only hours before his death.

## A question of responsibility

Many threads of bureaucracy became interlaced in the struggle to get Kirk appropriate medical care.

There was the Kirk's primary care physician at home, Dr. Oakes, who had reportedly paid less and less attention to Kirk as he remained asymptomatic.

There was the U.S. Embassy, which seemed reluctant, if not unwilling, to facilitate Kirk's return home.

There was U.S. Healthcare, the HMO whose medical director informed *Au Courant* that most health insurers, including their organization, have no contractual obligation to servicing clients who become ill abroad.

And there was the Hospital Gregorio Maranon, a 2,000-bed public hospital in Madrid, where nurses smoke in the wards and meals are served with a dirty spoon.

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There is a six-hour time difference between Philadelphia and Madrid. And it seems as if there is a great difference, at least in the case of this public hospital, when it comes to assisting people with AIDS.

"I got the idea pretty clearly that their attitude toward anyone with HIV who goes into the hospital for anything is that they are there to die," Ted said. "Their attitude towards me was, well, he's going to die—what are you hanging around for?"

Mike Walsh, who worked closely on the case as the administrator for the health and welfare fund of Kirk's AFSCME local, concurred.

"It's an American and an AIDS patient in Madrid, and I think everyone just backed off," he said.

But we will probably never know what medical intervention took place in those weeks. To this day, no one from U.S. Healthcare or Dr. Oakes' office has been able to speak with a single doctor from the Madrid hospital.

It's impossible to say that Kirk's life could have been saved if he had gotten home quickly. The causes listed on his death certificate are merely speculative: pneumonia and renal failure. He probably contracted toxoplasmosis, or something similar, which infected his central nervous system.

Toxoplasmosis can be treated, with mixed results, but the bacteria in Kirk's case was unresponsive.

But one thing is certain: none of the parties involved were able to get Kirk home in the fifteen days he was languishing in the hospital. And it could happen again, at any time, to anyone who becomes seriously ill in another country.

## Kirk's survivors remember

Ted and Kirk met in 1968, when they were a year apart in high school in Kentucky. They had lived together as lovers since 1975. Kirk, who worked for the Free Library of Philadelphia, was a founder of the Lesbian and Gay Library in the city and a supporter of Ted's work with ACT UP and Queer Action.

"I still can't believe he's gone," said Ted, as he told the horrors of fighting to get Kirk home, and of his concerns in making them public. "I want to preserve some of the dignity he went out with."

Ed Hermance has known Ted and Kirk since 1978, when they stayed in his home upon their move to Philadelphia. He currently works with Ted at Giovanni's Room, a lesbian and gay bookstore, and served as the main stateside contact for Ted while Kirk was ill.

Ed flew to Spain for five days and made countless numbers of phone calls trying to get Kirk home. When he speaks of U.S. Healthcare, his hands sculpt a diagram of endless hierarchies. He still doesn't nearly understand how things get done at the HMO.

Ed is certain, however, that it took a political campaign involving ACT UP and the offices of Sen. Spector, Sen. Woffard, Rep. Foglietta and the state lieutenant governor, to get U.S. Healthcare to send a Medivac plane to get Kirk home. "The gay

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community in Philadelphia were the people who actually responded. They responded to a type of crisis that none of us have ever dealt with before—someone desperately sick abroad—with strategic, tactical and emotional assistance," Ed said.

"I'm positive that ACT UP was what (the insurance company) was really scared of. The senators gave a certain dignity to the process. All of them played critical roles in getting U.S. Healthcare off their butt," he analyzed.

**T**heir attitude towards me was, well, he's going to die — what are you hanging around for?"

Ed also has some ideas about positive changes that can come from this disaster: distributing ACT UP Philadelphia's Standard of Care to all primary care physicians in the region, so they know appropriate prophylaxis for patients about to travel; pressuring U.S. health insurance companies to collectively fund an office with a staff doctor on each continent; and contacting U.S. embassies to urge a greater commitment to coordinating emergency situations.

"It's a complicated story, but the morals are shockingly plain. If the U.S. Embassy had been organized, if they had had a form to deal with what must be hundreds of people that walk through their doors every year, this may have ended differently."

## A change in plans

It was 2:45 p.m., Madrid time, on Saturday, April 25, when Kirk was taken by ambulance to Hospital Gregorio Maranon. Ted didn't see him again until 9 p.m.

But when he did, Kirk was conscious and sitting up in bed. The doctor said Kirk would remain overnight, but there was no need to change their travel plans.

By the next morning, however, Kirk had had more seizures. He was hooked into machines, Ted said, and was obviously unable to travel by conventional methods.

It would be another eleven days before a doctor told Ted what the diagnosis and treatment plan was. For now, Kirk was being seen by doctors on emergency room rotation, most of whom didn't speak English.

Ted moved into a hotel across the street from the hospital and began spending every possible moment with Kirk. He called Kirk's mother, Mona, and Ed, who took on the responsibility for calling their friends and Kirk's doctor.

Kirk was to remain in the emergency room, apparently waiting for confirmation of insurance before the hospital would move him to a ward, for five days.

## Resistance from the Embassy

You are in a foreign country. You know little of the language. Your life partner is critically ill, and is being seen by a different doctor every day in a crowded public hospital. None of the doctors can tell you what is going on. "He's dying," they say.

In such a situation, most people might turn to the U.S. Embassy for assistance. Ted was no exception.

On Saturday, the day of Kirk's collapse, there was no answer at the Embassy. No officials would be available until Monday.

The first thing Monday morning, Ted went to the Embassy, where he was assisted by Sen. Begonia Alvarez.

"She was actually very nice and came down to the hospital. But she impressed upon me at great lengths how lucky I was that she was able to do that, and that she just happened to have nothing else to do that afternoon," Ted said.

Alvarez remained with Ted for hours at the hospital as he waited to see Kirk. Ted was grateful to have someone to talk to—but later found out that she had, for reasons unknown to him, acted behind his back.

"She eventually left and said she was going to tell her driver to leave because it was taking a while," Ted recalled. "That's not what she did."

Alvarez went into Kirk's room, intending to have Kirk sign forms to authorize the embassy to release information. She soon discovered that Kirk, who was in a semicomatose state for most of his hospital stay, was in no condition to sign any forms. Ted didn't find out about it until many days later, when U.S. Healthcare contacted the Embassy for information about Kirk.

At that point, Alvarez told the insurance company that she didn't have authorization from their client for the release of records, and still waited until Ted called the next day to ask him for permission.

"I could have done that right away," Ted said,

"And I assume that she didn't call U.S. Healthcare back with the information but waited for them to call again."

"She had all this information, but it was crazy trying to get it out of her in a way that made it seem like it was possible," Ted explained.

Alvarez dismissed the idea of a medical evacuation, or Medivac, or plane, saying that Ted wouldn't be able to come up with a required \$50,000. She also discouraged him from transferring Kirk to a private hospital, saying that the Embassy could provide a list but not make any recommendations, and that it would take an initial \$5000 cash to get



Kirk poses beside coming attractions posters in Spain

Kirk admitted.

She had one suggestion, although Ted remains unclear as to whether it was first proposed by U.S. Healthcare. Ted could demand that TWA, the airline on which they had flown to Spain, give them the next available flight with four vacant, adjacent first-class seats—three for Kirk to lay on and one for Ted. The airline was legally required to make the seats available. But Kirk was far too sick and—as Ed later pointed out—the first class section was only two seats abreast.

All the while, Ted was relaying information back to Ed in Philadelphia to make follow-up calls. Ted's main priority remained staying near Kirk—and Kirk's room didn't have a phone.

## Reactions at home

Monday morning, Philadelphia time, Ed called Dr. Wilbur Oakes, who was Kirk's primary care physician. He also contacted Kirk's boss at the Philadelphia Free Library. Ed didn't call U.S. Healthcare directly, assuming that the doctor's office and Kirk's union would take care of it.

When Ed told Dr. Oakes what had happened in Spain, Oakes was shocked.

Dr. Oakes' group practice handles over 150 patients with HIV and is affiliated with Hahnemann Hospital. The last time Kirk had a checkup, Ed recalled, Oakes informed Kirk that there was no need for a blood test. Kirk was on AZT and pentamidine at the time.

**T**he last time we saw Kirk he was doing good. But these people are walking time bombs waiting to go off,' Oakes commented

"It was all a matter of not letting the disease rule his life," Ted later said to describe Kirk's trust in his doctor's decisions.

But now, with Kirk sick in Madrid, Ed was questioning Oakes' protocol.

"If he was being monitored, maybe there was a pill that Kirk could have taken on February 1, that

would have given us months to bring him back to health, not days," he told *Au Courant*. "I think (Oakes) was scared to death that he was in big trouble because his records will show that Kirk was not being tested for anything."

Oakes told *Au Courant* that Kirk had received excellent care at his office. He couldn't recall if Kirk had gotten a blood test at his last visit, although he said they are done routinely. He also could not remember if he had been aware of Kirk's plans to travel; even if he had been, he said, he would not have recommended any specific prophylaxis.

"The last time we saw Kirk he was doing good. But these people are walking time bombs waiting to go off," Oakes commented.

Ed made reservations to fly to Madrid. But his initial calls generated concern from the gay community and union officials.

Kevin Vaughn is the openly gay Human Relations Commissioner for the city of Philadelphia. But it was as a friend, not as a city official, that he began making calls on Kirk's behalf on Monday, the day after he heard of Kirk's collapse.

He contacted the offices of Sen. Harris Wofford and Rep. Tom Foglietta, as well as Tom Cronin, the president of Kirk's union.

Other of Kirk and Ted's friends photocopied information on Kirk's possible ailments from the AIDS Library, called Traveler's Aid and the Embassy.

"The people in the Embassy, from what I'm told by Ted, were clearly nervous to be getting the calls," Vaughn said. "But we shouldn't have to do that."

Mike Walsh, administrator for the AFSCME District Council 47 Health and Welfare Fund, got involved through a conference call with Cronin and Vaughn. He verified that U.S. Healthcare had agreed, on or before April 30, to pay any bills for Kirk's care—but the insurance company was unwilling or unable to authorize transportation home without first speaking to a doctor at the hospital.

"The Embassy clearly wasn't helpful in getting a hold of a doctor," said Walsh. "Kirk could not have been the first American in Madrid that got sick."

"U.S. Healthcare didn't back off," Walsh explained, "To my knowledge, they never received any kind of written confirmation from the Embassy."

The day after Walsh confirmed that U.S. Healthcare would cover Kirk's bills, Kirk was moved into the AIDS ward.

## The hospital

Kirk entered the ward the day of Ed's arrival in Madrid. Kirk's first floor room featured open windows with no screens; one day, a bee flew in, disrupting the nurses considerably. Meals were often served with a dirty spoon, and cigarette smoking was common in the halls.

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"The place was really dirty," Ted observed.

Ted still had not been given a diagnosis for Kirk's ailments, nor confirmation of Kirk's ability to travel. With the help of the nurses, he composed a letter in Spanish for the doctors on Thursday, April 30.

The nurses explained that doctors were likely to be unavailable until Monday: May 1 was a worker's holiday, and the day after was another holiday to celebrate the ousting of Napoleon from Spain. But they did help Ed get Kirk sitting up in a chair.

Kirk had been lying prone in bed for six days. Sitting in the chair helped him breathe and speak better. When Kirk started slipping out of the chair, Ted asked if Kirk should return to bed. The nurses said no, and with the help of Ed, three of them got Kirk resealed.

Ted and Ed left for lunch. When they got back, Kirk was laying on the floor where he had fallen. The I.V. was out of his arm and broken glass was everywhere. He had been left in that chair, partially paralyzed, for a total of seven hours.

Kirk's roommate in the hospital, described by Ed as "skeletal thin" and desperately ill, had been coughing constantly throughout Kirk's stay. On the day of Ed's departure, a doctor announced that Kirk now had a "lung problem." Pneumonia was ultimately listed as a primary cause of Kirk's death.

"I had only one conversation with Ms. Alvarez," Ed said. "She was plainly defensive about Spanish hospitals and apparently felt that there was no reason to bring an American home from Spain, which I found a very odd attitude for an American Embassy official to have."

## The fight to bring Kirk home

It was Monday, May 5, the tenth day of Kirk's



hospitalization, and still no diagnosis. Ed came back to Philadelphia and repeated his calls to Kirk's doctor, the union, and U.S. Healthcare. He told the horror stories of the hospital, and began demanding answers.

For the first time, Ed spoke with a high level administrator at U.S. Healthcare—a vice president. But the next day, an assistant to the vice president called back.

"I'm in charge here," he recalled her saying. "We are in control of the situation in Madrid."

Ed regrets not asking her exactly what she knew about the situation.

She called back on Wednesday.

"Oh, Ed, this is terrible," she reportedly told him. "We haven't been able to get in touch with anyone in Madrid. You and Ted are the only ones we've been able to speak with."

Ed had had two hours of sleep the night before. His next question had been running through his head all night.

"I asked, 'Are you convinced that Kirk has to come home now?'"

"Well, as soon as possible," Ed recalls she answered.

"It's not like those individuals at U.S. Healthcare were personally horrible people," Ed said. "Every one of those folks that I talked to expressed at one stage or another a genuine horror at what was going on. But they themselves were helpless."

Ed told the insurance representative that he had worked with them as much as he could. But he had to try something else.

"Who would have thought that, instead of calling the doctor, you call all of your friends and say 'Let's get over to U.S. Healthcare and make a stink.'"

"At that stage my fantasy was, let's get Spector and Woffard to get a military plane. Naive—but no one had proposed any better ideas. That at least got us connected with the senators' offices."

**'E**veryone I talked to expressed at one stage or another a genuine horror at what was going on. But they themselves were helpless'

Back at the hospital, Ted was also getting increasingly frustrated. He had finally succeeded in getting the Embassy to find out the name of a doctor at the hospital. Dr. Barber was supposed to talk to Ted on Monday, but he didn't show up until Tuesday.

Dr. Barber came into Kirk's room and introduced himself to Ted through an interpreter. Ted said the doctor couldn't have been more grim—he said Kirk was dying, and that Kirk was going to die in that hospital.

"They're not going to let Kirk go," Ted thought.

But Ted had also gotten the name of an AIDS specialist through the executive director of the Madrid English Language Help Line. This doctor came the same day, spent an hour reviewing Kirk's records, and had a drastically different opinion.

Kirk's illness was not necessarily a death sentence, he told Ted. There had been similar cases of toxoplasmosis-related paralysis where the patient was now up and walking around.

"I was still getting conflicting information. I didn't know who to believe, who to trust. And then, the next day, there was another new doctor," Ted said.

"At least this one was nice," he added, saying that the doctor had decided that Kirk would be ready to travel in three or four days.

#### More action at home

It was Wednesday, May 6, and Ed was about to have his last conversation with Dr. Oakes.

According to Ed, Oakes had agreed to allow Kirk to transfer to Graduate Hospital, rather than Hahnemann, when Ed had called him on the basis of Dr. Barber's harsh prognosis. But when Ed called back with the good news that Kirk would be ready to travel, he claims that Oakes refused to send Kirk to Graduate.

"He started out the conversation by saying, 'Don't talk to me until you have Kirk here,' as though it were my responsibility to get Kirk from Spain to the United States."

"That was the first time that it was clear to me that this doctor, who I had assumed was my liaison to the medical community, wasn't going to do anything," Ed said.

"He would not let me tell him the wonderful news that the Spanish doctors had reached the decision that Kirk was able to travel."

When he finally was able to tell Oakes the news, Ed said, Oakes refused to transfer Kirk to Graduate.

"The only explanation he offered was that we have a lot of good doctors at Hahnemann, he'll do just fine here. Why would he change his mind?" Ed asked. "We needed Oakes to be vociferous on the fact that Kirk had to come home, that being treated in Spain was a disaster. We needed him to tell U.S. Healthcare that."

It was 4:00 p.m., Philadelphia time, on Thursday when Ted called Ed to let him know that Kirk was ready to travel. The doctors were going to produce a report—the first real diagnosis of Kirk's condition—at noon, Madrid time, on Friday.

Ed called everyone he had come to know at U.S. Healthcare. No one answered. In desperation, he called their general number.

The first time, Ed said, he was "hung up on" right away. The next time, he got disconnected. But with the third call, after two transfers, Ed was connected to a nurse named Diane.

Ed once again told the story, adding that he couldn't find anyone that was interested in hearing what the Spanish doctors were going to say about Kirk.



▲ Kirk and Ted in Spain

But he had found a receptive ear, at last. "She started the conversation by saying, 'I don't know about the other people you've talked to at U.S. Healthcare, but I and the people that I work with operate with the medical ethic of what is best for the patient.' And I believed her."

The nurse said that she would get up at six in the morning and before she went to work she would do her best to find out what those doctors were saying in Spain.

Not only that, but Diane's boss was Dr. Chaim Khan, a medical director at U.S. Healthcare who had the authority to authorize a Medivac plane to get Kirk home.

Ed told Diane that there was going to be a political campaign the next day. He was calling in ACT UP, and the Congressional offices of Woffard, Spector and Foglietta.

"She said, 'Tell me about that. It's very important for me to be able to pass on what's going to happen, because it might affect what's going on here.'"

#### ACT UP gets involved

Every Wednesday night is the Action Committee meeting of ACT UP Philadelphia. It's usually a small group that gets together to work out the details of ACT UP's demonstrations and zaps.

ACT UP had been following, as best they could, the news and the gossip about Kirk's illness.

"Everyone was pretty much horrified. At first we heard that he was in an AIDS ward in Spain, that it was terrible. Then we heard it wasn't terrible, and that Kirk was getting what he needed," said ACT UP's Mike Marsico.

"And then we heard the opposite again."

Marsico remembers ACT UP member Jane Shull contacting the Action Committee, saying that people should call Dr. Oakes and ask him to refer Kirk to a specialist so he could be airlifted home.

"A couple people got through and left messages," Marsico said.

Marsico says he was in for the evening on Thursday when Ed called him at home. He says Ed dropped a bomb on him—if they were going to save Kirk, they needed to move immediately.

Marsico called everyone he knew who had access to a fax machine or an office.

The message read "BRING KIRK HOME ALIVE." It went out to the offices of U.S. Healthcare on many miles of fax paper that night.

#### Friday: The final day

Right before the doctors in Madrid were scheduled to deliver their report, a man showed up in the doorway of Kirk's room. Ted remembers distinctly what he said:

**'I** just knew that Kirk wasn't going to make it. He was in a coma at that point'

"I'm from the insurance company. I've come to tell you that we're transferring Kirk to a hospital in the United States. There is an intensive care ambulance standing by, waiting to take you to the airport. The plane could be here at any time."

No one knows why the man said that. But it wasn't true.

It's likely that he was Dr. Jose Ferrera, a Madrid doctor who was contacted by Dr. Khan of U.S. Healthcare. Khan said he had asked Ferrera to check out Kirk's condition to finally determine if Kirk should be airlifted home.

Ferrera did see Kirk, and did report back to Khan. And, eventually, Khan authorized a Medivac plane to Madrid. But the message that Ferrera delivered created even more turmoil in the final hours of Kirk's life.

Ted checked out of the hotel and came over to wait for the plane.

Ed said that the 5:30 a.m. phone call he received from Ted in his hotel room was the most ecstatic moment of his life.

"The last thing I knew was talking to that nurse the night before. My God, (U.S. Healthcare has) taken the reins and they're doing it!"

Ed called Marsico and others who were prepared to continue to zap U.S. Healthcare, and told them to hold off.

Ted continued to wait. It was getting close to 2:00 p.m., and, as he had learned well, all the doctors and all the administrators would leave for the day at 2:30 p.m. That would be 8:30 a.m. Philadelphia time, a half hour before most people would get to work.

Kirk was discharged from the hospital. He was no longer being fed or receiving information. Nurses were coming in to say goodbye and giving Ted things to take on the plane.

So Ted called Ed. Ed called U.S. Healthcare. There was no answer.

At 8:45 a.m., the vice president with whom Ed has dealt before answered her phone.

When she casually asked Ed how he was doing, Ed told her, "Terrible. Where's the airplane?"

"Oh, did you get the TWA reservations?" she asked. Ed called back all his friends.

"This is unbelievable," he told them, "but what I told you three hours ago is a lie. Do everything you can now."

Ted was standing across the street from the hospital at a payphone, waiting for Ed to call back. Ed's news to him was that U.S. Healthcare didn't know anything about an airplane.

#### Medivac departs

Late Friday night, Philadelphia time, Khan called Ed to let him know that the Medivac plane had actually left the ground in Tennessee. Ed had done all he could do.

**'T**ed was still faced with the task of arranging for Kirk's cremation. And again, the Embassy was no help'

"That was like the final confirmation. (Khan) knew I had been under terrific stress for days. He said 'everything is taken care of now, you can relax.'"

Ed decided to have Khan call Ted to let him know the plane was on the way. He expected Khan to treat Ted with equal, if not greater, sensitivity and consideration.

It's not surprising that Ted doesn't remember all of his conversation with Khan. But there's one part he can't forget.

"He said, 'Where did you get the idea that a plane was on the way? That's something that you and Ed cooked up.'"

When Ted told Khan about the man that had come into his room, Khan said that he didn't know who it had been.

"He said, 'All I know is I called a personal friend of mine in Madrid and asked him to go over and look at Kirk and report back to me on what his condition is.'" said Ted.

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# A dream vacation turned nightmare

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Khan told Ted that the plane would arrive at 8 a.m. the following morning, Saturday, but that it would not depart for 24 hours.

"When he said that, I just knew that Kirk wasn't going to make it. He was in a coma at that point," said Ted.



▲ Amid gargoyles, Kirk overlooks Notre Dame

## Medivac arrives

The plane touched down at 8:00 in the morning. The doctor and the nurse came into the room, and were very nice. The doctor was gay. They told Ted that they would come at 6:00 in the morning to take them away.

"There might not be any doctors here, or administrators, at that hour," Ted warned. The Medivac staff answered that they knew where the medical records were, and that they would just take Kirk and go.

An orderly took Kirk upstairs for tests as the Medivac crew left for their hotel. When Kirk came back down, he was wide awake, and very conscious. Ted noticed that Kirk had started moving his left side, which had been paralyzed since his first day in the hospital.

But Kirk began shaking a little bit, and Ted feared he was about to have another seizure.

"He started to say something and it was all quiet," said Ted. "His face turned white and he stopped breathing. The nurses finally noticed and threw me out of the room and I knew that was it."

After many minutes, a doctor came out and tapped Ted on the shoulder. It was yet another one Ted had never seen before.

"*Se finito*. He's dead." the doctor spat out and walked away.

## Going home

The story, regrettably, doesn't end there. Ted was still faced with the task of arranging for Kirk's cremation. And again, the Embassy was no help.

In the course of finding money to pay for the procedure, Ted called the Global Assist service of the American Express credit card.

It was a different world from the Embassy. They were sympathetic, and offered to help Ted resolve things quickly so he could return home.

"They immediately gave me a case number," said Ted, who needed to negotiate several labyrinthine office buildings and get approval from customs officials before he could come home with Kirk's remains.

'We were begging them, phone call on top of phone call. The process for them to get up and go is incredibly slow. You have to get on your knees'

"By the third time I called, somebody just made the offhand comment of, 'I was looking through your file—it's very thick.' (At) the Embassy, if I called them or went there, they paid attention to me. But as soon as I left, they just hoped I never came back."

Hector Lucena, who works for the office of Rep. Tom Foglietta also made many calls to both U.S. Healthcare and the Embassy in Madrid to try to get Kirk home. He is still haunted by the Embassy's inaction.

"We were begging them, phone call on top of phone call. The process for them to get up and go is incredibly slow. You have to get on your knees," Lucena said.

"The thing that still hurts me about Kirk's situation was that he didn't have to die on foreign soil."

## Epilogue

Ed Hermance and Ted Faigle are currently attempting to get Kirk's medical records from Dr. Oakes to demonstrate the need for a standard of care for HIV patients.

ACT UP Philadelphia's standard of care was published on April 15, 1992. 1,500 copies have already been distributed.

Presently, there are no legal actions for the city of Philadelphia to take to give Kirk's pension to anybody except a legally married spouse or a blood relative. Kirk never had the option of giving his pension to Ted.

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