

Health Impact News

Medical Kidnapping Children in the United States: Virginia

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Virginia



Social Workers Snatch Sick Kids Away from Parents on Fake Diagnosis



Health Impact News Editor Comments

Homeschool Legal Defense Association (HSLDA) helps defend parents who chose to educate their children at home from medical tyranny and abuse. They are a non-profit organization that depends on contributions and membership fees to provide free legal representation. They have successfully litigated cases on parental rights all the way to the U.S. Supreme Court.

HSLDA recently announced they had taken on a case in Virginia where social workers removed two children from the home where they lived with their parents over a fake psychological diagnosis.

Social Workers Snatch Sick Kids

HSLDA Seeks Justice for Mom Accused of Faking Her Kids' Illness

by [HSLDA](#)

Excerpts:

When parents have a sick child, the last thing they should have to worry about is being falsely accused of child abuse. Unfortunately, this appears to be a more and more frequent pattern in the United States.

HSLDA is undertaking a new case that reveals a very troubling example of this problem. Any of us could be this family. We could be the parents falsely accused of abuse. We could be the ones who have our children removed from us at the very moment when they most need us—when they are genuinely ill.

Lane Funkhouser, his wife Susan, and their two children (whom we will call James and Kat) were all very sick. They went to their family doctor, who was unable to diagnose the problem.

Because the children were not getting better, their attendance at public school became an issue. So Lane and Susan decided that they would homeschool James and Kat while they searched for a diagnosis and treatment.

School officials filed truancy charges against the family, which were quickly dismissed. But, as a result of these charges, the family became embroiled with a social worker named Michael Austin, an investigator for the Clarke

County, Virginia, Department of Social Services (DSS).

Austin is not a doctor. He is not a nurse. He is not a psychologist. He is not a medical professional of any stripe.

But Austin determined that Susan was suffering from Munchausen syndrome by proxy. This outdated term refers to a psychological disorder in which a parent contends that her child is ill to draw attention to herself. It is extremely rare, and it requires a proper diagnosis by a qualified professional.

There's one thing we know for sure about this case: laboratory results showed that the children were actually sick with difficult-to-treat illnesses, and it was not the result of Munchausen by proxy.

On July 25, 2012, Shenandoah County social workers removed James and Kat Funkhouser from their home. Lane and Susan were cooperative, thinking the social workers were simply helping transport the children to the hospital for additional treatment. But that's not what happened.

A week later, the social workers showed up in court to defend their decision to take away the Funkhouser children. Even though they now had medical confirmation that the children were actually sick and that Susan wasn't just making up stories to get attention, the judge allowed them to continue the investigation and keep the children in foster care.

Read the [Full Story here](#).

Devastated Parents of Children Medically Kidnapped in Virginia Fight Back



Justis and Kayleigh during happier days, prior to being kidnapped. Photo supplied by family.

Health Impact News Editor Comments

A nightmare story that has become all too familiar to those of us at Health Impact News, parents in Virginia reached out to us to expose a corrupt system that has ravaged families all across America, and is completely out of control. Trying to find solutions to medical problems for their family, these parents did what families all across the United States do every day: they took their children to see medical doctors.

Not finding solutions to their family illness, these parents pressed on to find answers. The result was that they were allegedly accused of having a mental disorder, Munchausen Syndrome by Proxy, and even denied medical care. Worse, their children were terrorized and kidnapped out of the hospital by force.

“My daughter ran screaming and crying to an old folks’ home next to the hospital, locked herself in the bathroom, and called me. When I got there from our house down the street from hospital, my son was inside of a van with no handles on the inside and my daughter was in the bathroom surrounded by six to eight police. One cop from Shenandoah County looked at my fourteen year old son and saw tears in his eyes and asked in a mean way, ‘What is wrong with you, why are you crying?!?’ It was awful.”

Lane and Susan have their children back now, but they want the world to know their story. They feel their children have been scarred for life:

“My daughter is now back with me and is no longer a child, she left me believing in fairies and Santa and came back waking screaming every night, scared to death of being taken.”

This family has lost their home, their jobs, and their health, but they are not done. They are fighting back, and currently have a pending lawsuit in federal court. Here is their story.

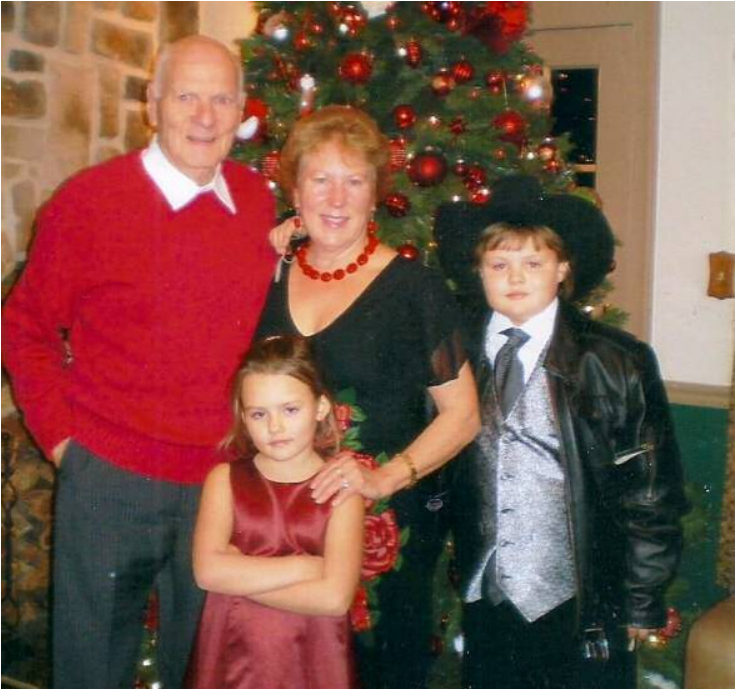
Parents of Children Medically Kidnapped in Virginia Fight Back

by **Health Impact News/MedicalKidnap.com**

Lane Funkhouser, Susan Parker, and their children, Kayleigh and Justis, had their lives ripped apart after seeking medical care at Pediatric Specialists of Virginia. Dr. Daniel Keim, a specialist for pediatric infectious diseases, allegedly was unable to diagnose the cause of the family's illness. Instead of referring the family to another doctor who may have been able to help, Dr. Keim allegedly claimed the family was not sick at all. Dr. Keim shared his opinion with the family's primary care doctor's office, NOVA Medical and with Susan's infectious disease specialist, Dr. Sujata Ambardar, making an early valid diagnosis and treatment next to impossible, according to the mother, Susan Parker.

Determined to see her family healed, Susan requested medical records from Dr. Keim so she could seek treatment elsewhere. When she received the records, she was shocked to see Dr. Keim's notes. He stated that the mother thought her family was suffering from a hospital superinfection and a parasite called Strongyloids, but that he disagreed with her and would not test for the infectious, contagious diseases. From research, Susan knew that if anyone in her household had Clostridium Difficile disease, it would need to be diagnosed and treated quickly, or chances of survival would be slim. She refused to give up on finding a doctor who would accurately diagnosis the family's ailments.

Children Stop Attending School and Begin Homeschooling due to Illness



Justis and Kayleigh with grandparents, including Donald C. Master (nickname Doc), former mayor of Charlestown, WV for 20 years. Image supplied by family.

Susan told us that meeting public school attendance guidelines became difficult due to the children's sickness. Before long, school officials filed truancy charges against the family.

Both of the children had previously received perfect attendance awards and had been on the honor roll since kindergarten. During the illness, Susan says she kept

constant contact with the schools in Clarke County, Virginia. She had email correspondence with the principals of both schools.

Dr. Rachel Bonner, with NOVA Medical, sent a letter to the school advising them that the children were out due to being extremely ill. She cautioned the school that the illness had not yet been diagnosed but appeared to be contagious. Their absences were obviously due to a severe illness, which helped the charges of truancy to quickly be dismissed. However, realizing the absences in school were going to continue causing problems, the family removed their children from the public school system and began teaching them at home.

DSS Gets Involved due to Truancy Charges – Mom Charged with Munchausen Syndrome by Proxy



Susan with daughter Kayleigh at an earlier time. Photo supplied by family.

Even though the truancy case was quickly dropped, the bogus truancy charge flung a door wide open for Michael Toby Austin, an investigator for the Clarke County, Virginia Department of Social Services (DSS) to investigate the family. Being ill themselves and having recently gone through the truancy issues with the court system and the school board, Lane and Susan say they contacted their attorney and asked him to follow up with Michael Austin. Austin, frustrated with the family for involving an attorney, quickly developed what Susan described as a “personal

vendetta” against the family.

Austin, allegedly a non-medical professional, said Susan had Munchausen Syndrome by Proxy. This diagnosis would insinuate that Susan had a psychological disorder which caused her to pretend her children were ill simply to draw attention to herself. Munchausen Syndrome is a rare disorder that requires a proper diagnosis by a qualified professional, which Michael Austin was not, according to the family.

Susan did not have any psychological disorders. As a matter of fact, she was a Virginia Tech graduate with degrees in Public Relations, English, and Art. Prior to having children, she became a Senior Weapons and Combat Systems Engineer for the Navy. However, because her job required a lot of travel, after Justis was born, Susan decided to become a stay-at-home mother. Lane and Susan started their own construction business in Northern Virginia. Every year for thirteen years, their company sponsored a children’s baseball team, donated funds to help with building a new library, as well as donated to schools, a local firehouse, the sheriff’s office, etc.

To prove the absence of any mental disorders, Lane and Susan both spent a couple of days with Dr. Robert S. Brown Jr., M.D., Diplomat of the American Board of Psychiatry, Forensic Psychiatry, and American Board of Internal Medicine, who was working as Assistant Professor of Psychiatry and Neurobehavioral Sciences at the UVA School of Medicine. Dr. Brown came to the conclusion that Susan did not have Munchausen by Proxy or any other mental disorder.

Sadly, even though the family was very community oriented, and there was no proof of any mental ailments in the family

whatsoever, Austin's false conclusions turned the community against them according to the family.

Both Children Test Positive for Clostridium Difficile Toxin B



Justis and Kayleigh on the USS Cole. Susan was a Senior Weapons and Combat Systems Engineer for the Navy for numerous years. Image supplied by family.

By the time Austin made his allegation, the family had learned more about what was causing their sickness. On June 7, 2012, Lane called 911 and had an ambulance take the entire family to Shenandoah Memorial Hospital in Woodstock, Virginia due to how ill they had become. The hospital recommended the children be taken to a pediatrician for follow-up care.

Mary Catlett, a nurse practitioner with the Mr. Jackson Family Practice, ordered additional tests and on July 13, 2012, both children tested positive for Clostridium Difficile Toxin B.

Susan said,

“Mary Catlett is one of the medical persons that testified against me in court and she lied on the stand in court. I was shocked.”

On July 13, 2012 Susan received a telephone call from Mary Catlett telling her that both children should be taken straight to the hospital. In court, however, Ms. Catlett did not admit to giving the family these instructions. As instructed by the medical professional, Susan took her children to Rockingham Memorial Hospital, hoping the family would receive better treatment. There, Dr. Christina M. Johnson allegedly diagnosed the entire family with Clostridium Difficile.

Emergency Room Doctor Influenced by DSS to Refuse Treatment?

On July 22, 2012, the family was not getting better and

Kayleigh was begging to be taken back to the hospital. Susan and Lane took their children back to Rockingham Memorial Hospital where the Emergency Room physician, Dr. Kent Folsom, allegedly denied the family medical care.

Susan said,

“Dr. Folsom came into our room and basically asked us what we wanted him to do for us. How are you supposed to answer a question like that? I practically begged him to help my children in tears and when he continued to be rude, my husband walked out with our children. He proceeded to say in paperwork he suspected I was Munchausen by Proxy.”

Prior to this visit, Rockingham Memorial Hospital had reportedly already diagnosed and had been treating the entire family for Clostridium Difficile. The hospital had previously told the family, and put these instructions in writing, that if symptoms continued to worsen or the health of family members was not improving, that they should return to the hospital.

Susan believes Toby Austin of DSS and/or the nurse practitioner Mary Catlett may have contacted the hospital and told them the family might be coming there for care, because Dr. Folsom had jumped to this conclusion of Munchausen by Proxy after talking to Susan for no more than five minutes, and without examining her or any members of her household.

Dr. Folsom later testified in court, under oath, that Kayleigh nor Justis had ever tested positive for any illness. Susan states that his testimony could easily be disproved via medical records from the same hospital he was working for

dated July 13, 2012.

DSS Kidnaps Children from Hospital While Dad is Hooked to IV

After leaving Rockingham Memorial Hospital that evening, the family suffered for a few days before Lane took the children to the Shenandoah Memorial Hospital on July 25, 2012 where one year after getting sick, the children were finally given the Vancomycin treatment. Lane was hooked up to an IV and while he was unable to get out of the hospital bed, Jennifer Wimer and Brittany Utterback of the Shenandoah Department of Social Services, seized Kayleigh and Justis. To assist them with the abduction, they involved three police cars to capture the two children. As soon as Lane realized what was taking place, he reportedly ripped the IV out of his arm to try to save his babies.

“My daughter ran screaming and crying to an old folks’ home next to the hospital, locked herself in the bathroom, and called me. When I got there from our house down the street from hospital, my son was inside of a van with no handles on the inside and my daughter was in the bathroom surrounded by six to eight police. One cop from Shenandoah County looked at my fourteen year old son and saw tears in his eyes and asked in a mean way, ‘What is wrong with you, why are you crying?!?’ It was awful. No warrant or anything except a hand written piece of paper signed by a judge with no reason why they were taking our children away,” Susan said.

III Children are Placed in a Home for Juvenile Delinquents

According to DSS/CPS guidelines, the family of children believed to have been abused/neglected are supposed to be provided with an opportunity to temporarily care for the children while an investigation is under way if the relatives are deemed fit to supervise them.

That allegedly did not happen in this case. Not only had Susan's father been a mayor of Charlestown, WV for 20 years, but her younger sister, Wendy Parker, as well as her husband, Clinton Yapp, are both Air Traffic Controllers. Susan's uncle, Jeff Parker, is a law professor at George Mason University. However, the children were not placed in the care of any of their relatives.

Instead, Kayleigh and Justis were placed in the Henry and William Evans Home for children in Winchester, VA, which is a home for juvenile delinquents, where they, along with other children in the home, were allegedly told that their parents did not love them. They were allegedly required to tell the group home parents, "I love you," each night before going to bed.

"It was a very scary and violent atmosphere for my kids. They were scared to death, and didn't understand why they were being taken from the hospital when they were sick.

I would do anything for my children. My kids are being brave talking about their experience, because it has created a fear that they are still living. Every knock at our door or telephone call I can tell they are fearful it will happen again since we are suing," Susan said.

“My children were honest with the doctors throughout, and because of betrayal by doctors, and the fact that they were an integral part of taking my children from us, the kids will not go to the doctors. My children fight me or my mom if they have to go to any doctor appointment and can anyone blame them?”

In the hospital, anyone entering the same room as a patient diagnosed with Clostridium Difficile had to wear a gown, mask, and gloves. However, Kayleigh and Justis were placed in a home with other children who were not safeguarded from exposure to their contagious disease. The state also placed these two ill children back into the public school system, allegedly exposing even more people to the deadly hospital infection.

Justis Gets Broken Ankle While in State’s Care and Receives No Medical Care



Justis' Broken Ankle, October 1, 2012. Image supplied by family.

As if developing a serious illness, being accused of truancy, being kidnapped from their loving parents, and being told their parents didn't love them was not enough turmoil for children to endure, during their first week at Henry and

William Evans, Justis allegedly hurt his ankle and reported the injury to staff members. The staff allegedly refused to take him to a doctor, claiming his injury was not serious. The house staff allegedly insisted Justis stay active, including playing sports on his injured ankle.

On August 29, 2012, approximately thirty days after the children had been taken away, the court system ordered the Shenandoah County DSS to release Justis and Kayleigh into their parents' care. As soon as Lane and Susan regained custody of their beloved children, they say they took Justis to a doctor to check out his ankle. There, they learned that the boy's ankle injury was not as insignificant as the staff had thought it was. He had a broken ankle, which had been left untreated for three weeks.

Children are Exposed to Tuberculosis in Juvenile Delinquent Home

While in the group home, the children were allegedly exposed to tuberculosis. As a result, in addition to the other illnesses they were being treated for, they were reportedly given a series of anti-tuberculosis drugs for approximately one year.

Susan attempted to stand up for the rights of other children in the home. When she tried to talk to children in the facility, she states that she promptly received a letter in the mail from an attorney for the William and Even Henry Home for Children threatening legal consequences if she continued reaching out to them.

State Admits Munchausen Syndrome by Proxy Claim was Unfounded

After another month passed, the Shenandoah County DSS allegedly admitted the initial allegations about Munchausen by proxy were unfounded. On October 16, 2012, Lane and Susan received a letter; the investigation was closed.

Even though their children were returned to their care thirty days after their kidnapping, their kids have been scarred for life. Susan said,

“My daughter is now back with me and is no longer a child, she left me believing in fairies and Santa and came back waking screaming every night, scared to death of being taken. They now have to worry about having TB which entails chest x-rays every time they want to apply for a job, or go to a new school.”

Even though the investigation was closed, no one was charged with any wrong doing, and the allegations about Munchausen Syndrome by proxy was proven to be a false allegation made by the DSS employee responsible for the kidnapping of two ill children, at a court date on November 7, 2012.

The attorney for Shenandoah County insisted the family should still be supervised. Fortunately, the judge did not agree.

Judge Says Employees of DSS Cannot be Sued

Irate by the injustices they incurred, Lane and Susan, with

assistance of the Home School Legal Defense Association (HSLDA), sought legal action against government employees for alleged violations of the Fourth and Fourteenth Amendments to the United States Constitution and state law claims for false imprisonment and negligence as a result of removal of the children from their parent's home by the local department of Social Services.

The [case was filed](#) in the United States District Court for the Western District of Virginia in Harrisonburg, Virginia.

Sadly, the judge in the case, Michael F. Urbanski, decided no legal action could be taken against Michael Toby Austin or against any employees of the DSS, because if the state was going to err, it should be on the side of the children. They are, however, allowing the family to file a suit against the Henry and William Evans Home regarding the children being exposed to Tuberculosis, which resulted in the children being placed on medications that are known to cause liver damage, as well as for Justis suffering from a broken ankle and not being provided medical care. [The case](#) is now at the federal court level.

Lane and Susan are currently asking to [appeal the case](#) against the state employees and the Evans home concerning the federal constitutional claims. They will continue the personal injury claims against the Evans home as well. Magistrate Welsh has been assigned to the case. They are currently awaiting a new court date to be assigned.

Mother Writes Book About Her Family's Traumatic Experiences

In addition to filing a lawsuit, Susan has been writing a book about her family's trials, titled "Kicking and Screaming."

She hopes that her book will bring more understanding to the problems of medical kidnapping and to shed light on how traumatic it is to take sick children away from their parents. She hopes to have the book out within a few months and is currently looking for the right publisher to share her family's story.

Medical Practice Attorney Sought

Lane and Susan are also searching for a medical malpractice attorney for the medical issues that caused their family to not be able to recover from some of their illnesses. Unfortunately, the current court case and the illness has forced the family out of being able to work at this point in time and they no longer have health insurance. This has also caused the family to lose the house that they renovated to raise their family in. They are still presently living in the house, but will not be able to do so much longer. The children are devastated at the thought of having to leave their home.

Susan Does Everything She Can to Fight Against Medical Kidnapping

Susan, determined to fight what happened to her family as well as what is happening to families throughout our nation, has created an organization called "Families Against Medical Kidnapping" to educate the public about medical kidnapping, provide current medical kidnapping news, a resources page to assist families, provide information about current laws for families as well as up-and-coming laws that require attention/support and a place where families can request donations to help with court cases. The website is currently being developed but will be located at www.famkinc.com. Susan said,

“I think that we need to fight medical kidnapping and for our constitutional rights.”