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Alabama Abortion Clinic to Stay Shut

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MONTGOMERY, Ala., June 14 -- A Birmingham abortion clinic has surrendered its license amid allegations that a woman delivered a nearly full-term stillborn baby after a clinic staff member gave her an abortion-inducing drug and performed other medical treatments without a doctor present, health officials said Wednesday.

The Alabama Department of Health issued a suspension order against Summit Medical Center on May 17, citing numerous violations of state health rules. The center has been closed since May 18 and will not reopen, said Rick Harris, director of the state health agency's bureau of provider standards.

Wednesday's move avoids a hearing on June 20 in which the state would have presented its case against the center and sought to revoke its license.

"We got the same remedy we were trying to get in the hearing," Harris said.

State health officials say that in February a Summit staff member performed an ultrasound on a woman seeking an abortion and determined she was six weeks pregnant, when in fact she was nearly full-term. The nurse practitioner, rather than the doctor, gave the woman the RU-486 abortion drug even though the woman's blood pressure was dangerously high.

The state health department said the woman went to a hospital emergency room six days later with the baby's head protruding and "delivered a stillborn six pound, four ounce baby."

Cheryl Sabel, acting president of the Montgomery chapter of the National Organization for Women, said that the allegations against the clinic were "shocking and dismaying" and that the closure is a setback for women in Alabama, where there are now nine abortion clinics.

"Every time a women's health clinic closes, it is a huge blow for women and it's very unfortunate," she said. "But women must be protected, and there are standards -- as there are for every health care facility -- and every facility needs to abide by the rules."

Attorney General Troy King and the Alabama Board of Medical Examiners have opened investigations into the clinic, which could face criminal charges.

King's assistant, Chris Bence, said that information King had subpoenaed on the clinic arrived at the office on June 8 but that he could not comment further.

The medical examiners board has banned physician **Deborah Lyn Levich** and nurse practitioner Janet F. Onthank King from working together and accuses Levich of allowing her nurse practitioner to prescribe drugs and render services for which she was not approved.

The board's executive director, Larry D. Dixon, could not be reached to comment, and calls to a lawyer who has represented Summit were not returned.

Levich is to appear at a hearing before the board on July 18.

In December 2004, the Medical Licensure Commission of Alabama indefinitely suspended the license of Malachy M. DeHenre, a doctor who also worked at the Summit clinic.

The commission ruled that DeHenre's conduct in four cases from 2000 to 2003 was "immoral, unprofessional or dishonorable" and that he endangered his patients through "gross malpractice."