
Birmingham abortion clinic surrenders license after baby's death (Clinic closed for killing baby!)

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MONTGOMERY, Ala. - A Birmingham abortion clinic has surrendered its license amid allegations that a woman delivered a nearly full-term stillborn baby after a clinic staffer 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 it was shutdown the next day and will not reopen, said Rick Harris, director of the state health agency's bureau of provider standards.

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

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

State health officials say in February a Summit staff member, rather than a doctor, performed an ultrasound on a woman seeking an abortion and determined she was six weeks pregnant, even though 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 in a report that the woman went to a hospital emergency room six days later with the head of a baby protruding and "delivered a stillborn, macerated, foul smelling, six pound, four ounce baby."

Cheryl Sabel, acting president of the Montgomery chapter of the National Organization for Women, said the allegations against the clinic were "shocking and dismaying" and the closure is a setback for women in Alabama, where there are now just 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 information that King had subpoenaed on the clinic arrived at the office on June 8, but could not comment further.

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

A search of Levich's name Wednesday on the medical examiners Web site listed her license status as "active." Board director Larry Dixon could not be reached for comment and calls to a lawyer who has represented Summit were not returned Wednesday.

Levich is scheduled 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 **Dr. Malachy DeHenre**, who also worked at the Summit clinic located on Birmingham's Southside.

The commission ruled DeHenre's conduct in four cases between 2000 and 2003 was "immoral, unprofessional or dishonorable," and he endangered his patients through "gross malpractice." Two of the cases were in Alabama and two were in Mississippi.

Records show Malachy's Alabama license expired on Dec. 31, 2004.

Harris said his department has not received any recent proven complaints about Summit's other Alabama location, Beacon Women's Center in Montgomery. He said the clinics are inspected every two years instead of annually because of a staffing shortage and suspensions are fairly rare.

"It's not something we do every day or every year," he said.

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