

Fairfax abortion clinic's license suspended by Virginia health department

By Jenna Portnoy April 26

RICHMOND — Virginia has temporarily suspended the license of a Fairfax abortion clinic whose owner has a decades-long record of violations and criminal charges stemming from substandard care in multiple states.

The state Department of Health found 26 deficiencies at the Virginia Health Group on Arlington Boulevard during a two-day inspection this month and immediately suspended the clinic's operating license.

Inspectors observed dirty equipment, expired medication in unlocked cabinets, lax storage of medical records and a failure of staff to sterilize and maintain medical equipment and follow hand-washing protocols, according to a 52-page report.

In one case, a patient had to be rushed to a local emergency room for prolonged bleeding after sutures were not available at the clinic, the report says. In another, a nurse used a plunger to unstop a toilet and then held a patient's hand during a surgical procedure without changing scrubs, according to the report.

The clinic is registered to Steven Chase Brigham, according to state records. It is one of 14 facilities in Virginia, Maryland and New Jersey listed on the website of corporate parent American Women's Services. Attempts to reach Brigham were unsuccessful.

Brigham has had his medical license temporarily suspended, relinquished or revoked or has faced criminal charges in several states, including New York, Pennsylvania, New Jersey, Florida and California, according to public records.

The Fairfax clinic appealed the license suspension, and an administrative hearing is set for next month. As of April 8, the clinic had canceled all abortion appointments but continued to see patients for follow-up visits, administrator Ebony Fobbs wrote to the state.

About two weeks later, another clinic official wrote to the state requesting an "informal fact-finding conference," in part to show that some of the deficiencies had been corrected.

"Despite the 52 pages of deficiencies that we were dismayed to receive," director of operations Kirsy Japs wrote, "we believe that we are not fundamentally irredeemable health care providers who should not be afforded the opportunity to correct these problems and return to providing health care."

Advocates on both sides of the abortion debate have called for the permanent closure of Brigham's facilities in Virginia. He also has a clinic in Virginia Beach, which passed inspection earlier this month with minor citations.

"Evidence of wrongdoing at Brigham's American Women's Services facility in Fairfax is part of a clear pattern of repeated and serious misconduct that poses a significant threat to patient safety, and which cannot be allowed to go unchecked in Virginia," Vicki Saporta, president of the National Abortion Federation, said in a statement.

Antiabortion advocates say the clinic report on the Fairfax clinic confirms the need for licensing and routine inspections put in place in 2012. Those requirements include strict hospital-style building rules that have come under assault in Virginia and elsewhere.

"It is absolutely appalling that it took this long for the state to shut him down, but it's more appalling that he may still be allowed to operate," Victoria Cobb, president of the Family Foundation of Virginia, said in a statement. "Virginians need to understand the very health and safety standards that are intended to protect women from the likes of Steven Brigham are the same standards [Gov.] Terry McAuliffe is trying to water down and eliminate."

Abortion rights advocates, including Claire Guthrie Gastañaga, executive director of the ACLU of Virginia, and Anna Scholl, executive director of Progress Virginia, said "one rogue provider's failure" to follow standards of medical care should not draw increased political scrutiny on providers who follow the rules.

"Proponents of these politically motivated restrictions will attempt to use this deplorable incident as part of their coordinated campaign to close clinics and restrict access to reproductive health care. We strenuously urge you to reject their propaganda," they wrote in a letter to the state.

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McAuliffe (D), who has promised to be a “brick wall” against limits on abortion access, [scored a victory last fall](#) when the Virginia Board of Health said existing abortion clinics should no longer have to have transfer agreements with hospitals or face strict construction and design standards.

Rules put in place under former governor Robert F. McDonnell (R) required the inspection and licensing of clinics that perform five or more first trimester abortions a month. That will continue.

Staff researcher Julie Tate contributed to this report.

Jenna Portnoy covers Virginia politics for The Washington Post. [Follow @jennaportnoy](#)

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