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State Panel Accuses MD of Negligence in 3 Deaths

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A Los Angeles physician has been accused of gross negligence and incompetence in the deaths of three young women who died shortly after undergoing abortions.

The Medical Board of California said **Dr. Leo F. Kenneally**, who operates Her Medical Clinic in South Los Angeles, neglected to follow emergency life-saving procedures when the women developed complications while undergoing the operation.

In a 53-page explanation of the charges, the board said Kenneally caused the death of Donna K. Heim, 20, of Covina in August, 1986, by failing to get her breathing again after she developed respiratory problems during an abortion.

A month later, the board said a second woman, Liliana Cortez, 22, who like Heim was an asthmatic, suffered a seizure during an abortion. Instead of "appropriately managing her life-threatening emergency," the board said Kenneally continued to perform the abortion. It said the woman was pronounced brain dead a few minutes later.

On Nov. 17, 1987, the board said, 18-year-old Michelle Thames of Lynwood died of brain damage caused by lack of oxygen. It accused Kenneally of taking too long to call paramedics when it was apparent her heart had stopped during the abortion.

The board also accused a second doctor, **Mahlon Douglas Cannon**, of repeated negligent acts and incompetence in the deaths of Heim and Cortez.

In both cases, the agency asked that the licenses of the two doctors be revoked or suspended.

Kenneally's attorney, Alan R. Freedman, said the doctor will challenge the charges in an administrative hearing. He said he expected to prove that there was "no medical malpractice" on

Kenneally's part. Cannon, who no longer practices in Kenneally's office, could not be reached for comment.

Freedman said it was curious that the medical board had waited until now to file charges against Kenneally when the deaths of two of the women had occurred as long ago as 1986.

"If the evidence is so clear here and such terrible things were being done, why did it take them three years to file an accusation?" he asked.

He accused the agency of bowing to pressure from anti-abortion protesters and what he said was its own prejudice toward physicians who perform abortions in an office setting.

While being questioned by one of the board's medical consultants, Freedman said Kenneally was told that it was board policy that "abortions should never be performed in an outpatient setting."

"We believe that the medical board in its own way is trying to legislate new law so they're trying to close down the outpatient clinics which are performing abortions," Freedman said.

He described Kenneally's clinic at 2700 S. Figueroa St. as serving mostly poor and mostly black and Latino women. If the doctor is ultimately forced to give up his license, he said, the clinic will be closed.

"This man is not dangerous to the community," he said. "He's been working in the community for years and years and he's helped so many women."

A spokeswoman for the medical board blamed the long delay in filing charges against Kenneally on the "complexity" of the case. She noted that the board had cited several additional cases that had not resulted in patient deaths but where it believed that Kenneally had been negligent in treating women who suffered complications during an abortion. She said it took a long time to investigate those cases.

Although the Los Angeles County district attorney's office also conducted preliminary investigations into the deaths of the three women, a spokesman said there are no plans to file criminal charges against Kenneally.

But Robert Schirn, head deputy district attorney for special crimes, added: "These things are always open if there is some additional evidence that comes to light that would show lack of medical care warranted a criminal filing."

Times staff writer Dean Murphy also contributed to this article.