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Abortion's Underside

Kermit Gosnell is not the only seedy backroom abortionist operating in the age of Roe v. Wade.

By Jillian Kay Melchior

Similar transitions happened at the clinic in Hialeah. In May 2006, as the clinics were still being investigated, Gonzalez and Senises filed articles of incorporation for their new clinic, A Gyn Diagnostic Center, listing an address previously associated with A Gyn of Hialeah. Bazile and Gonzalez filed articles of dissolution for A Gyn of Hialeah in September 2006, about two months after Williams gave birth at the clinic. Also in September 2006, Gonzalez resigned from the new A Gyn Diagnostic Center. In January 2007, Natali Vergara became the vice president of A Gyn Diagnostic Center. A month later, in February 2007, Senises filed papers stating she had sold the business to Vergara. 81

And the final clinic, A Woman's Care Abortions in Miami, listed Senises as secretary and treasurer in 1995 and 1996, and as vice president from 1996 to 2009. She pled no contest to charges of unlicensed medical practice, and her three-year probation began on September 28, 2008.⁸²

In November 2008, the Florida Agency for Health Care Administration issued a notice of intent to fine A Woman's Care for failing to submit a monthly report of induced terminations of pregnancy.⁸³ In 2010, while Senises was still on probation, no annual corporate report appears to

have been filed, but the Agency for Health Care Administration found problems during an inspection. A surveyor discovered that several bottles of emergency drugs had expired, though a medical supplier said the replacements had been ordered. Furthermore, the defibrillator for the crash cart needed a new battery and was not functional, and reporting on staff and patients was deficient. The records had apparently been misplaced.⁸⁴ In 2011, a reinstatement was filed, listing Senises once again as vice president.⁸⁵

T. Don TenBrook, the prosecutor, says that if he had been aware that corporate records suggested Gonzalez may have been violating her probation, he would have looked into it. And “if somebody had put together evidence indicating that she was either directly or indirectly owning a health care facility and thereby violating probation, yes, we would have sought a warrant, and, yes, we would have prosecuted.”⁸⁶

Gonzalez’s probation ended in December 2012, after which point the court could no longer prohibit her from working in medicine. My investigation revealed that she is regularly present at the Miramar Women’s Center offices, and a staff member told me she is the owner.

Overton, the former Hialeah deputy police chief, says that while he is concerned about the abortion clinics’ leadership, “it’s the symptom of the bigger issue, and the bigger issue is the state statutes and what [the law] supports. Whether [Belkis Gonzalez] is running it or not, does it matter? The state supports what they did. Even as horrific an event as it was . . . the law supports what they did that day.”⁸⁷

The clinics’ ownership and the deficiencies of Florida law are both troubling, but the troubled careers of the doctors employed at the clinics are of at least as much concern.

Frantz Bazile, the former owner who first came to the attention of the law with that botched Illinois abortion in 1987, still performs abortions at A Gyn Diagnostic Center. When I visited the clinic, a staffer told me that a “malpractice [history], [Bazile] does not have. You can research him, but . . .”

David Steven Brown is the medical director at A Woman’s Care. He began working at the Miramar Clinic around September 2004, just before the investigation into unlicensed medical practice at these establishments began.⁸⁸ His criminal record is minor — one DUI in 2007⁸⁹ — but, according to a sworn statement by the receptionist who was sanctioned for unauthorized medical practice at the clinics, Brown had trained her to do sonograms although she was unlicensed.⁹⁰ I found no evidence that he was ever prosecuted. He did not respond to my message, left with a receptionist.

Finally, a doctor named Harvey Craig Roth practices at all three clinics. In 1998, Roth performed a circumcision that went horribly awry. According to insurance records, a “Mogen clamp was used during the procedure” and the “circumcision resulted in an amputation of a portion of the glans penis.” Once again, the case was settled, and Roth’s insurance paid out in 2005.⁹¹

I left a message for Roth with a receptionist, but he did not respond.

* * *

Like the Gosnell case, the story of these Florida clinics is representative of the abortion industry’s seedy underside.

Abortion is, quite simply, a lucrative profession for its practitioners, including the crooked or incompetent ones: In August 2012, the research firm IBISWorld Inc. noted that the recession had decreased

the demand for babies, boosting revenue in the abortion business. It forecast 4 percent average annual growth for the Family Planning and Abortion Clinics industry through 2017.⁹²

Women seeking an abortion often rely heavily on confidentiality, a reasonable expectation. But the secrecy that shrouds the procedures can also protect unethical doctors. Furthermore, abortion rates are higher among women with lower educational attainment.⁹³ They may be at greater risk for being taken advantage of and harmed.

Finally, the charged politics surrounding abortion prompt many to look the other way, even when a practice devolves, as it did in Kermit Gosnell's clinic, to truly horrific levels.

These factors can create a situation that puts both women and newborn babies at mortal risk. In the end, the owners and practitioners at sinister clinics are the only ones whose interests are served.

— Jillian Kay Melchior is a Thomas L. Rhodes Fellow of the Franklin Center for Government and Public Integrity.

[1] Hialeah Police Department supplemental report by J. Elosegui; also recounted by Anthony Rodriguez, lead investigator, in interview with National Review

[2] Interview with investigator Ralph Gracia; interview with lead investigator Anthony Rodriguez

[3] Miami-Dade County Medical Examiner report; National Review also obtained the unsigned Affidavit in Support of Warrant, which is not

official public record. It includes the summary

of a police interview with an expert physician in neonatal and perinatal medicine.

[4] Affidavit for Search Warrant filed in the Circuit Court of the 11th Judicial Circuit Court of Florida, signed by Judge Mark King Leban on July 28, 2006.

[5] Interview with police detectives Ralph Gracia and Anthony Rodriguez

[6] Interview with Detective Ralph Gracia

[7] State of Florida Department of Health, Case No. 2006-24381, Order of Emergency Restriction of the License of Pierre Jean-Jacque Renelique, M.D., General Allegations

[8] State of Illinois Department of Professional Regulation, No. 88-631-LEG, Amended Complaint

[9] State of Illinois Department of Professional Regulation, No. 88-631-LEG, Order

[10] Green, Joanne. "In the Bag." Miami New Times. n.p., 26 Oct. 2006. Web. <<http://www.miaminewtimes.com/2006-10-26/news/in-the-bag/full/>>.

[11] Public records available from Florida's Division of Corporations; annual filings for the abortion clinics list the same residential addresses for Frantz Bazile and Belkis Gonzalez.

[12] Sycloria Williams v. Pierre Jean-Jacque Renelique, et al., Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 9-6136-CA09, Complaint filed

January 27, 2009: "Natali Vergara is Belkis Gonzalez's daughter. Frantz Bazile, M.D., is either her father or her half-brother's father." Vergara was born in 1984, according to public records.

[13] Hialeah Police Department supplemental report by D. Hernandez

[14] Public records available from Florida's Division of Corporations

[15] Green, Joanne. "In the Bag." Miami New Times. n.p., 26 Oct. 2006. Web. <<http://www.miaminewtimes.com/2006-10-26/news/in-the-bag/full/>>.

[16] State of Florida Department of Health, Case No. 2000-02140; 2000-14273, Administrative Complaint, Facts Relating to Patient M.D.; also, State of Florida Board of Medicine, Case

No. 2000-02140, Final Order states that "the allegations of fact set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the findings of

fact by the Board."

[17] Public records available from Florida's Division of Corporations

[18] State of Florida Department of Health, Case No. 2000-02140; 2000-14273, Administrative Complaint, Facts Relating to Patient M.D.; also, State of Florida Board of Medicine, Case

No. 2000-02140, Final Order states that "the allegations of fact set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the findings of

fact by the Board."

[19] Florida Office of Insurance Regulation Medical Malpractice Closed Claims Report, Department File Number M200013984, Claim Number A97-18141-96, Date Submitted 11/8/2000

| [20] State of Florida Department of Health, Case No. 2000-02140; 2000-14273, Administrative Complaint, Facts Relating to Patient M.D.; also, State of Florida Board of Medicine, Case

No. 2000-02140, Final Order states that "the allegations of fact set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the findings of

fact by the Board.”

[21] Florida Office of Insurance Regulation Medical Malpractice Closed Claims Report, Department File Number M200013984, Claim Number A97-18141-96, Date Submitted 11/8/2000

[22] Green, Joanne. “In the Bag.” Miami New Times. n.p., 26 Oct. 2006. Web. <<http://www.miaminewtimes.com/2006-10-26/news/in-the-bag/full/>>.

[23] State of Florida Department of Health, Case No. 2000-02140; 2000-14273, Administrative Compliant, Facts Relating to Patient D.F.; also, State of Florida Board of Medicine, Case No.

2000-02140, Final Order states that “The allegations of fact set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the findings of fact

by the Board.”

[24] Green, Joanne. “In the Bag.” Miami New Times. n.p., 26 Oct. 2006. Web. <<http://www.miaminewtimes.com/2006-10-26/news/in-the-bag/full/>>.

[25] Arrest Report for Belkis Gonzalez, Case No. 041202953, Arrest No. 21722

[26] Arrest Report for Belkis Gonzalez, Case No. 041202953, Arrest No. 21722

[27] Arrest Report for Belkis Gonzalez, Case No. 041202953, Arrest No. 21722

[28] Circuit Court Disposition Order in and for Broward County, Florida, Case No. 07005004CF10A

[29] Circuit Court Disposition Order in and for Broward County, Florida, Case No. 06021259CF10A

[30] Broward County Complaint Affidavit, Offense Report 04-12-02953; confirmed through several interviews

[31] State of Florida Department of Health, Case No. 2004-41669, Order of Emergency Restriction of the License of Kieron Nisbet, Findings of Fact

[32] <http://www.flboardofmedicine.gov/licensing/resident-physicians-interns-f...>

[33] State of Florida Department of Health, Case No. 2004-41669, Order of Emergency Restriction of the License of Kieron Nisbet, Findings of Fact

[34] Interview with Russell Etherington

[35] <http://uscode.house.gov/download/pls/18C209.txt>

[36] My reporting

[37] State of Florida Department of Health, Case No. 2006-24381, Order of Emergency Restriction of the License of Pierre Jean-Jacque Renelique, M.D., Findings of Fact.

[38] State of Florida Department of Health, Case No. 2006-24381, Order of Emergency Restriction of the License of Pierre Jean-Jacque Renelique, M.D., Findings of Fact.

[39] State of Florida Department of Health, Case No. 2006-24381, Order of Emergency Restriction of the License of Pierre Jean-Jacque Renelique, M.D., Findings of Fact.

[40] Sycloria Williams v. Pierre Jean-Jacque Renelique, et al., Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 9-6136-CA09, Complaint filed

January 27, 2009

[41] National Review obtained the unsigned Affidavit in Support of Warrant, which is not official public record; confirmed through personal interviews with investigators Gracia and

Rodriguez

[42] Sycloria Williams v. Pierre Jean-Jacque Renelique, et al., Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida,

Case No. 9-6136-CA09, Complaint filed

January 27, 2009

[43] State of Florida Department of Health, Case No. 2006-24381, Order of Emergency Restriction of the License of Pierre Jean-Jacque Renelique, M.D., Findings of Fact

[44] National Review obtained the unsigned Affidavit in Support of Warrant, which is not official public record. It summarizes a consultation with “an expert physician who is board certified

in neonatal and perinatal medicine.”

[45] State of Florida Department of Health, Case No. 2006-24381, Order of Emergency Restriction of the License of Pierre Jean-Jacque Renelique, M.D., Findings of Fact.

[46] Sycloria Williams v. Pierre Jean-Jacque Renelique, et al., Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 9-6136-CA09, Complaint filed

January 27, 2009

[47] State of Florida Department of Health, Case No. 2006-24381, Order of Emergency Restriction of the License of Pierre Jean-Jacque Renelique, M.D., Findings of Fact.

[48] Sycloria Williams v. Pierre Jean-Jacque Renelique, et al., Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 9-6136-CA09, Complaint filed

January 27, 2009

[49] Hialeah Police Department supplemental report by J. Elosegui; the same information is contained in the unsigned Affidavit in Support of Warrant, which was obtained by National

Review but is not official public record.

[50] Interview with Ralph Gracia

- [51] Hialeah Police Department supplemental report by Detective Domingo Hernandez
- [52] State of Florida Department of Health, Case No. 2006-24381, Order of Emergency Restriction of the License of Pierre Jean-Jacque Renelique, M.D., Findings of Fact.
- [53] Miami-Dade County Medical Examiner Department, Investigation Report, M.E. Case 2006-01925, Baby Girl Williams
- [54] Interview with Renelique
- [55] http://www.nbcnews.com/id/29053830/ns/us_news-crime_and_courts/t/board-r...
- [56] Determination and Order ruling from the NY Department of Health State Board for Professional Medical Conduct
- [57] http://www.nbcnews.com/id/29053830/ns/us_news-crime_and_courts/t/board-r...
- [58] <http://www.nydoctorprofile.com>
- [59] Interview with Anthony Rodriguez
- [60] Interview with Anthony Rodriguez
- [61] Interview and email exchange with Denise Burke
- [62] Interview and email exchange with Denise Burke
- [63] Interview and email exchange with Denise Burke
- [64] Miami-Dade County Medical Examiner Department, Investigation Report, M.E. Case 2006-01925, Baby Girl Williams
- [65] Email exchange with Bruce Hyma
- [66] Interview with David Waksman
- [67] Interview with Mark Overton
- [68] Sycloria Williams v. Pierre Jean-Jacque Renelique, et al., Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 9-6136-CA09, Complaint filed

January 27, 2009

- [69] Interview and email exchange with Tom Pennekamp
- [70] Sycloria Williams v. Pierre Jean-Jacque Renelique, et al., Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida,

Case No. 09-6136-CA09, Notice of Voluntary

Dismissal without Prejudice, Fla. Bar No. 860840, filed May 6, 2010

[71] Interview with T. Don TenBrook

[72] Circuit Court Disposition Order in and for Broward County, Florida, Case No. 06021259CF10A

[73] Sycloria Williams v. Pierre Jean-Jacque Renelique, et al., Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 9-6136-CA09, Complaint filed

January 27, 2009

[74] Sycloria Williams v. Pierre Jean-Jacque Renelique, et al., Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 9-6136-CA09, Complaint filed

January 27, 2009

[75] Senises, Siomara v. Diaz, Mario, Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 1992-047901-FC-04, Recorded June 1, 1992

[76] Sycloria Williams v. Pierre Jean-Jacque Renelique, et al., Circuit Court of the 11th Judicial Circuit in and for Miami-Dade County, Florida, Case No. 9-6136-CA09, Complaint filed

January 27, 2009

[77] Hialeah Police Department supplemental report by J. Elosegui; also recounted by Anthony Rodriguez, lead investigator, in interview; National Review also reviewed a summary of the

police interview when it obtained the unsigned Affidavit in Support of Warrant, which is not official public record.

[78] According to Miami records, the two were married on Oct. 7, 1992.

[79] Public records from the Florida Division of Corporations.

- [80] Agency for Health Care Administration report, Case No. 2009001169, License No. 895
- [81] Public records from the Florida Division of Corporations.
- [82] Circuit Court Disposition Order in and for Broward County, Florida, Case No. 07005004CF10A
- [83] Agency for Health Care Administration report, Case No. 2008012527, License No. 833
- [84] Agency for Health Care Administration Report on findings of a state licensure survey conducted April 27, 2010, for provider AC13910053
- [85] Public records from the Florida Division of Corporations.
- [86] Interview with T. Don TenBrook
- [87] Interview with Mark Overton
- [88] Information from my query to the Agency for Health Care Administration
- [89]
<http://ww2.doh.state.fl.us/IRM00profiling/ProfileACTIONS.asp?LicId=48925&ProfNBR=1501>
- [90] Miramar Police Department, Arrest Report for Belkis Gonzalez, Case No. 041202953
- [91] Florida Office of Insurance Regulation Medical Malpractice Closed Claims Report, Department File Number M200535165, Claim Number 5359-A, Date Submitted 5/11/2005
- [92] <http://www.ibisworld.com/industry/default.aspx?indid=1567>
- [93] <http://core.arhp.org/search/searchDetail.aspx?itemId=1001>