

Incident Report Form

*** CONFIDENTIAL ***

Incident Report Number: 4132-002
Log As: Reviewed and Filed

Printed: 04/11/2019
Page 1 of 3

Date Reported: 12/ /2018
Date Submitted: 12/ /2018

Date of Incident:
Time of Incident:

FACILITY INFORMATION

Facility: Planned Parenthood Leag Ma W Ma Ctr (4132)
3550 Main Street
Springfield, MA 01107

ID: 4132
Type: Clinic Form
Facility Reported: No

INCIDENT INFORMATION

Incident/Allegation Type(s): Quality of Care/Treatment-Oth

Type of Harm(s):

Incident/Allegation Type(s) (after DPH review): Quality of Care/Treatment-Oth

Type of Harm(s) (after DPH review): Unknown

SRE Category(s): Non-SRE
SRE Category(s) (after DPH review): *Non-SRE

Body Part Affected(s):

Patient's Activity:

Location:

Equipment in Use:

Safety Precaution(s):

INCIDENT NARRATIVE

Complainant read a "Yelp" review and would like a comment left on the interne site investigated. The Yelp comment indicates that a patient had a procedure performed against his/her will and after the procedure the patient developed an infection. The Yelp comment includes that the infection was the result of dirty tools.

CORRECTIVE MEASURES

Internal Investigation?:

Internal Investigation Narrative:

Corrective Measures Narrative:

FOLLOWUP INFORMATION

NOTIFICATIONS

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Family: Unknown

Police: Unknown

Physician:

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Individual in Charge at Facility: _____ Title: _____ Directly Involved?: _____

REPORTER INFORMATION

Reporter: _____ Title: _____

PATIENT INFORMATION

First Name Last Name Age Gender Admission Date Ambulatory Status ADL Status Cognitive Level Developmentally Disabled

PATIENT ADDRESS

First Name Last Name Address 1 Address 2 City State Zip Code

Physician Name (if notified): _____

ACCUSED INFORMATION

First Name Last Name Gender Title Hire Date

WITNESS INFORMATION

First Name Last Name Title Directly Involved

END OF REPORT

Incident Report Form

*** CONFIDENTIAL ***

Incident Report Number: 4163-010
Log As: Reviewed and Filed

Printed: 04/11/2019
Page 1 of 2

Date Reported: 03/██/2018
Date Submitted: 03/██/2018

Date of Incident: 03/██/2015
Time of Incident:

FACILITY INFORMATION

Facility: Planned Parenthood Leag Ma Cnt Ma C (4163)
470 Pleasant Street
Worcester, MA 01609

ID: 4163
Type: Clinic Form
Facility Reported: No

INCIDENT INFORMATION

Incident/Allegation Type(s): Physician Services

Type of Harm(s): Emotional Harm/Upset, Quality of Care

Incident/Allegation Type(s) (after DPH review): Physician Services

Type of Harm(s) (after DPH review): Quality of Care, Emotional Harm/Upset

SRE Category(s): Non-SRE
SRE Category(s) (after DPH review): *Non-SRE

Body Part Affected(s): Internal Organ(s)

Patient's Activity: Unknown

Location: Unknown/Other

Equipment in Use: Unknown

Safety Precaution(s): Other (describe in narrative)

INCIDENT NARRATIVE

Consumer email: It is alleged an incident occurring 3 years ago at the clinic violated the standard of care. SP

CORRECTIVE MEASURES

Internal Investigation?:

Internal Investigation Narrative:

Corrective Measures Narrative:

FOLLOWUP INFORMATION

NOTIFICATIONS

Family: Unknown

Police: Unknown

Physician: Unknown

Incident Report Form

*** CONFIDENTIAL ***

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Log As: Reviewed and Filed

Printed: 04/11/2019
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Individual in Charge at Facility: Title: Directly Involved?:

REPORTER INFORMATION

Reporter: [Redacted] Title: Unknown/Other

PATIENT INFORMATION

<u>First Name</u>	<u>Last Name</u>	<u>Age</u>	<u>Gender</u>	<u>Admission Date</u>	<u>Ambulatory Status</u>	<u>ADL Status</u>	<u>Cognitive Level</u>	<u>Developmentally Disabled</u>
[Redacted]	[Redacted]		[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	

PATIENT ADDRESS

<u>First Name</u>	<u>Last Name</u>	<u>Address 1</u>	<u>Address 2</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
[Redacted]	[Redacted]					

Physician Name (if notified):

ACCUSED INFORMATION

<u>First Name</u>	<u>Last Name</u>	<u>Gender</u>	<u>Title</u>	<u>Hire Date</u>
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WITNESS INFORMATION

<u>First Name</u>	<u>Last Name</u>	<u>Title</u>	<u>Directly Involved</u>
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END OF REPORT

Postell, Susan (DPH)

From: Postell, Susan (DPH)
Sent: [REDACTED] March [REDACTED] 2018 [REDACTED]
To: Reardon, Stephen (DPH); Thayer, John (DPH)
Cc: Walsh, Joseph (DPH)
Subject: FW: complaint about Planned Parenthood

Hi. This is a complaint related to a 2015 incident at Planned Parenthood Worcester. This complainant has sent emails to us many times over the years. Even though it's a clinic, I've always handled this one....mainly because they come directly to me and I seem to remember the complainant's name. This time, a patient is identified and the Consumer is requesting a response. Steve, do you want to email him/her a response related to it being so old? A search of the system shows no patient by that name and no complaints about the clinic received after 2012.

From: EMAIL NAME [mailto:[REDACTED]]
Sent: [REDACTED] March [REDACTED] 2018 [REDACTED]
To: Walsh, Joseph (DPH); Postell, Susan (DPH)
Subject: complaint

<http://www.mass.gov/eohhs/gov/departments/dph/contact-us-dph.html>

Joseph.Walsh@MassMail.State.MA.US, susan.postell@state.ma.us

fax 617 753-8165

3 [REDACTED] 18

Division of Health Care Facility Licensure and Certification
Complaint Intake Unit
99 Chauncy Street
Boston, Massachusetts 02111

Department of Public Health
250 Washington Street,
Boston, MA 02108

Dear Complaint Dept,

My allegation is against the license of PLANNED PARENTHOOD (PP) in Worcester. There have been numerous complaints previously.

[REDACTED] was a patient at the PP on March [REDACTED] 2015.

The first step in a two-step procedure is [REDACTED]. This first-step placed [REDACTED] at risk for [REDACTED].

Under the PP physician's supervision nurse [REDACTED] discharged [REDACTED] never informing [REDACTED] that [REDACTED] was at risk for [REDACTED].

By failing to inform [REDACTED] of the risk of [REDACTED] the abortion physician violated the applicable standard of care.

The following day, March [REDACTED] 2015, [REDACTED] began [REDACTED] and called the clinic the physician and nurse [REDACTED] worked looking for advice and instructions [REDACTED] was told to take the pain medication that [REDACTED] had been prescribed; [REDACTED] was not advised that [REDACTED] was at risk for [REDACTED] and [REDACTED] was not instructed to seek medical attention.

That night [REDACTED] in the bathroom of [REDACTED] home [REDACTED] A person can [REDACTED] This was a seemingly [REDACTED] complication.

PP was negligent and breached the applicable standard of care on March [REDACTED] 2015 when they failed to advise [REDACTED] that the first step of the two-step procedure placed [REDACTED] at risk for [REDACTED]

PP failed to advise [REDACTED] that [REDACTED] was at risk for [REDACTED] and failed to advise [REDACTED] to seek medical attention if/when [REDACTED] called complaining of pain on March [REDACTED] 2015.

Breaches of the standard of care were violated. [REDACTED] was [REDACTED] [REDACTED] has incurred and will continue to incur great expense for [REDACTED] medical, surgical, and hospital care and treatment; has [REDACTED] and [REDACTED] ability to earn income and enjoy life has been permanently adversely affected. The PP physician and nurse has even created health care-related problems and risk to [REDACTED] physical well being. Evidently PP's lack of medical directorship seems to pose a threat to some patients because PP does not know how to treat patients with complications.

I'd like this documented as the public's health and safety could be at risk with these type of medical crisis incidents. I look forward to you taking action against PP's license. They should not be passing responsibility and directing patients to local hospital's emergency rooms if complications do occur. This is a lack of quality care.

Regulations have been violated. PP has been negligent and incompetent and this is unacceptable. PP's physician has inflicted injury on [REDACTED] This facility's employees seem unskilled. Perhaps they all need retraining. Timely medical care consistent with widely identified medical principles relevant to [REDACTED] health seems to have been aborted. This clinic demonstrates poor clinical judgment that puts future patients at risk. It is incumbent on me to take steps necessary to protect other patients by filing this complaint. PP is a direct threat to the public's health and safety.

[REDACTED] attorney is [REDACTED] at [REDACTED] if you need to reach [REDACTED] pertaining to this complaint. [REDACTED] has filed a lawsuit in Worcester Superior court against Planned Parenthood, C.A. No.: [REDACTED]

Please let me know that you received this complaint and the final outcome of this complaint.

Thank you very much.

Very truly yours,

[REDACTED]

Intake Work Sheet

NAME: Planned Parenthood FACILITY # 4163 - 010
 CITY/TOWN: Worcester Last Recertification Survey Date: _____
 IS THIS A DEEMED PROVIDER: YES NO

1st Review: SP Date: 3/20/18 2nd Review: _____ Date: _____
 Issue (s): Physician Services
 Harm: quality of care, emotional upset
 Disposition: On Site Awaiting Defer to other Agency: _____
 Review/File Defer to recent Survey Defer to Next Survey Off-Site
 Duplicate See # _____ Other: _____
 Facility Reported YES SRE YES NO

COMMENTS:
Consumer email:
It is alleged an incident occurring 3 years ago
at the clinic violated the standard of care.
SP

LETTERS	NEEDED	MAILED
Acknowledgment Letter: ON SITE		
Acknowledgment Letter: Other Agency Specify: _____		
Acknowledgment Letter/Response: _____		

All documents scanned and attached in the Health Care Facility Reporting System (HCFRS) including fax confirmation records: YES NO

RACE/ETHNICITY ENTERED (HOSPITAL ONLY) Date: _____ by: _____

Postell, Susan (DPH)

From: Reardon, Stephen (DPH)
Sent: Tuesday, March [REDACTED] 2018 [REDACTED]
To: Postell, Susan (DPH)
Subject: FW: Massachusetts Department of Public Health (DPH)

FYI....

From: Reardon, Stephen (DPH)
Sent: Tuesday, March [REDACTED] 2018 [REDACTED]
To: 'quantico@gmx.com'
Subject: Massachusetts Department of Public Health (DPH)

Dear [REDACTED]

Thank you for contacting the Massachusetts Department of Public Health (DPH) regarding your concerns about Planned Parenthood in Worcester that occurred back in 2015.

Our role at the DPH is defined by the Centers for Medicare and Medicaid Services (CMS). We are responsible for determining if a licensed or certified facility is in compliance with all of the federal and state regulations. In general, complaint investigations involve medical record reviews, review of policies and procedures, staff interviews and results of the facilities internal investigation. This is all done in an effort to determine the status of a facilities regulatory compliance. Per federal regulations, any alleged event occurring more than 12 months prior to our receiving the complaint would not require an investigation.

Since the concerns you describe have occurred outside of the 12 month time frame, our only action is to keep a record on file of the information that you have brought to our attention. This data will be available for review by surveyors in preparation for any future inspections and surveys at this facility.

Sincerely,

Steve Reardon, MPH
Intake Supervisor of Complaint Unit
Massachusetts Department of Public Health
Division of Health Care Facility Licensure and Certification
99 Chauncy Street
Boston, MA 02108
Stephen.Reardon@MassMail.State.MA.US
617-753-8159



Incident Report Form

*** CONFIDENTIAL ***

Incident Report Number: 4174-032
Log As: Reviewed and Filed

Printed: 04/11/2019
Page 1 of 2

Date Reported: 05/ /2018
Date Submitted: 06/ /2018

Date of Incident: 03/ /2018
Time of Incident:

FACILITY INFORMATION

Facility: Planned PRNTHD/PRETRM Hlth Srv-Gt B (4174)
1055 Commonwealth Avenue
Boston, MA 02215

ID: 4174
Type: Clinic Form
Facility Reported: No

INCIDENT INFORMATION

Incident/Allegation Type(s): Unknown/Other

Type of Harm(s): Unknown

Incident/Allegation Type(s) (after DPH review): Unknown/Other

Type of Harm(s) (after DPH review): Unknown

SRE Category(s): Non-SRE
SRE Category(s) (after DPH review): *Non-SRE

Body Part Affected(s):

Patient's Activity: Unknown

Location: On Facility Grounds

Equipment in Use: Unknown

Safety Precaution(s): Other (describe in narrative)

INCIDENT NARRATIVE

Consumer email: It is alleged an ambulance was called to the clinic and then cancelled. No other details are known. SP

CORRECTIVE MEASURES

Internal Investigation?:

Internal Investigation Narrative:

Corrective Measures Narrative:

FOLLOWUP INFORMATION

NOTIFICATIONS

Family: Unknown

Police: Unknown

Physician: Unknown

Incident Report Form

*** CONFIDENTIAL ***

Incident Report Number: 4174-032
Log As: Reviewed and Filed

Printed: 04/11/2019
Page 2 of 2

Individual in Charge at Facility: Title: Directly Involved?:

REPORTER INFORMATION

Reporter: [Redacted] Title: Unknown/Other

PATIENT INFORMATION

First Name Last Name Age Gender Admission Date Ambulatory Status ADL Status Cognitive Level Developmentally Disabled

PATIENT ADDRESS

First Name Last Name Address 1 Address 2 City State Zip Code

Physician Name (if notified):

ACCUSED INFORMATION

First Name Last Name Gender Title Hire Date

WITNESS INFORMATION

First Name Last Name Title Directly Involved

END OF REPORT

Postell, Susan (DPH)

From: [REDACTED]
Sent: [REDACTED] May [REDACTED] 2018
To: Reardon, Stephen (DPH)
Cc: Walsh, Joseph (DPH); Postell, Susan (DPH)
Subject: Complaint against the license of Planned Parenthood
Attachments: pp boston ems 911 incident best.JPG

stephen.reardon@state.ma.us
Joseph.Walsh@MassMail.State.MA.US, susan.postell@state.ma.us

5 [REDACTED] 18

DPH
Boston, MA

Dear Complaint Dept,

My allegation is against the license of PLANNED PARENTHOOD (PP) in Boston. Planned Parenthood had a medical emergency with one of their patients so they called the EMS 911. Then they canceled the ambulance. It is unknown if the patient is alive or dead now. It is unclear if the patient was simply dumped back on the sidewalk or if the Planned Parenthood abortion physician drove them to the Emergency Room themselves.

I'd like this documented as the public's health and safety could be at risk with these type of medical crisis incidents. I look forward to you taking action against PP's license. This is a lack of quality care.

Please let me know that you received this complaint and the final outcome of this complaint.

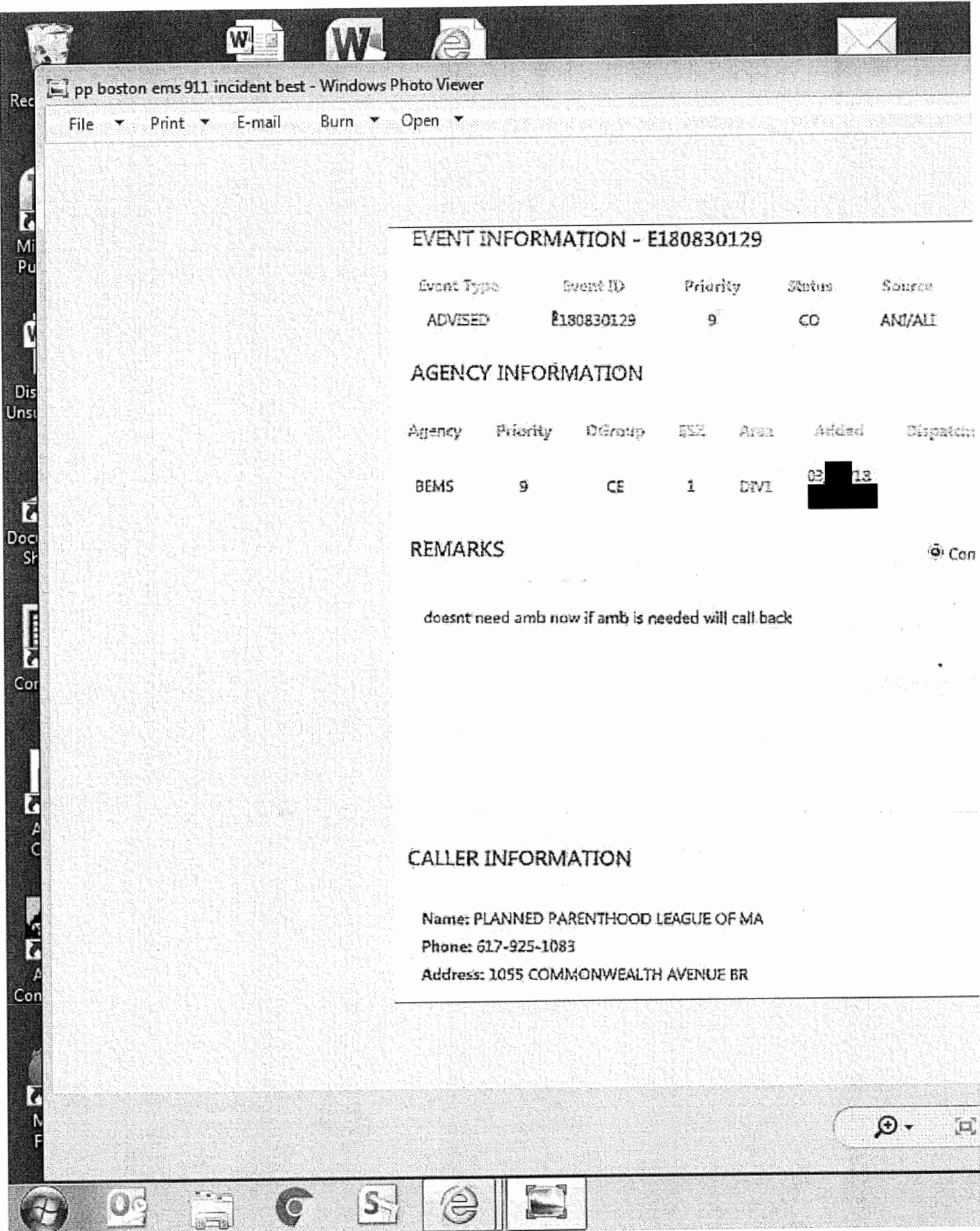
Thank you very much.

Very truly yours,

[REDACTED]

Enclosure:

EMS Document



pp boston ems 911 incident best - Windows Photo Viewer

File Print E-mail Burn Open

EVENT INFORMATION - E180830129

Event Type	Event ID	Priority	Status	Source
ADVISED	E180830129	9	CO	ANI/ALI

AGENCY INFORMATION

Agency	Priority	DGroup	ESZ	Area	Added	Dispatch
BEMS	9	CE	1	DVI	03 13	

REMARKS

doesnt need amb now if amb is needed will call back

CALLER INFORMATION

Name: PLANNED PARENTHOOD LEAGUE OF MA
 Phone: 617-925-1083
 Address: 1055 COMMONWEALTH AVENUE BR

Susan L. Pastell

√ - E180830129

D	Priority	Status	Source	DisGroup	Case Numbers	Disposition Code	Terminal	Dep
29	9	CO	ANI/ALI	CE		ADV	ect41	

DN

dup	EE	Area	Added	Dispatched	Arrived	Closed	Close ID	Close Terminal	Event ID	Primary Unit
E	1	DIV1	03/13			03/18	880502	ect41	E180830129	

Common Agency Specific

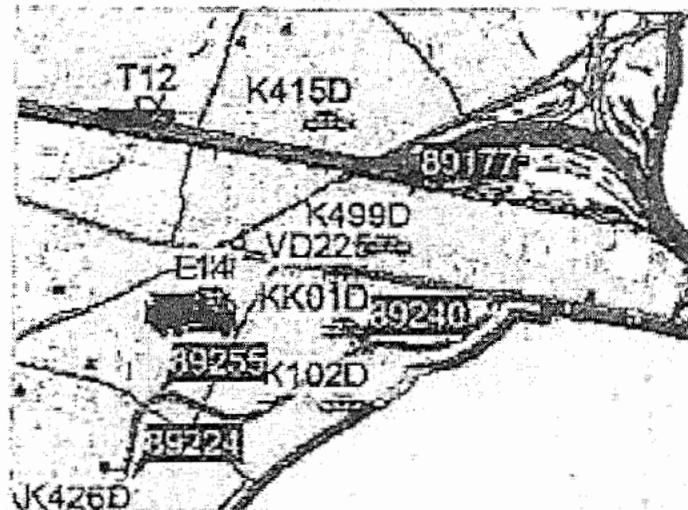
LOCATION INFORMATION

1055 COMMONWEALTH AVE BR B8TN

X-STREET 1: BABCOCK ST

X-STREET 2: ALCORN ST

Location Choices



b is needed will call back

√

JOD LEAGUE OF MA

ALTH AVENUE BR

Intake Work Sheet

NAME: Planned Parenthood FACILITY # 4174 - 032
 CITY/TOWN: BOSTON Last Recertification Survey Date: _____
 IS THIS A DEEMED PROVIDER: YES NO

1st Review: SP Date: 5/18 2nd Review: _____ Date: _____
 Issue (s): unknown/other
 Harm: unknown
 Disposition: On Site Awaiting Defer to other Agency: _____
 Review/File Defer to recent Survey Defer to Next Survey Off-Site
 Duplicate See # _____ Other: _____
 Facility Reported YES NO SRE YES NO

COMMENTS:

Consumer email:
I+ is alleged an ambulance was called to
the clinic and then cancelled. No other details are
known.
SP

LETTERS:	NEEDED:	MAILED:
Acknowledgment Letter: ON SITE		
Acknowledgment Letter: Other Agency Specify: _____		
Acknowledgment Letter/Response: _____		

All documents scanned and attached in the Health Care Facility Reporting System (HCFRS)
 including fax confirmation records: YES NO

RACE/ETHNICITY ENTERED (HOSPITAL ONLY) Date: _____ by: _____

Incident Report Form

*** CONFIDENTIAL ***

Incident Report Number: 4174-033
Log As: Reviewed and Filed

Printed: 04/11/2019
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Date Reported: 06/██/2018
Date Submitted: 07/██/2018

Date of Incident: 06/██/2018
Time of Incident:

FACILITY INFORMATION

Facility: Planned PRNTHD/PRETRM Hlth Srv-Gt B (4174)
1055 Commonwealth Avenue
Boston, MA 02215

ID: 4174
Type: Clinic Form
Facility Reported: No

INCIDENT INFORMATION

Incident/Allegation Type(s): Quality of Care/Treatment-Oth

Type of Harm(s): Unknown

Incident/Allegation Type(s) (after DPH review): Quality of Care/Treatment-Oth

Type of Harm(s) (after DPH review): Unknown

SRE Category(s): Non-SRE
SRE Category(s) (after DPH review): *Non-SRE

Body Part Affected(s):

Patient's Activity:

Location:

Equipment in Use:

Safety Precaution(s): Other (describe in narrative)

INCIDENT NARRATIVE

7/██/18 see attached Group a strep reported in a past-procedure Patient. stl

CORRECTIVE MEASURES

Internal Investigation?:

Internal Investigation Narrative:

Corrective Measures Narrative:

FOLLOWUP INFORMATION

8/██/18 Discussed this case with JWT and we will R&F for now. If there is another case of GAS we will perform and on-site survey. JLT

NOTIFICATIONS

Family:

Police:

Physician:

Incident Report Form

*** CONFIDENTIAL ***

Incident Report Number: 4174-033
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Individual in Charge at Facility: Title: Directly Involved?:

REPORTER INFORMATION

Reporter: [REDACTED] Title: Unknown/Other

PATIENT INFORMATION

First Name Last Name Age Gender Admission Date Ambulatory Status ADL Status Cognitive Level Developmentally Disabled

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

PATIENT ADDRESS

First Name Last Name Address 1 Address 2 City State Zip Code

[REDACTED] [REDACTED]

Physician Name (if notified):

ACCUSED INFORMATION

First Name Last Name Gender Title Hire Date

WITNESS INFORMATION

First Name Last Name Title Directly Involved

END OF REPORT

Incident Report Form

*** CONFIDENTIAL ***

Incident Report Number: 4174-034
Log As: Reviewed and Filed

Printed: 04/11/2019
Page 1 of 2

Date Reported: 02/ /2019
Date Submitted: 02/ /2019

Date of Incident:
Time of Incident:

FACILITY INFORMATION

Facility: Planned PRNTHD/PRETRM Hlth Srv-Gt B (4174)
1055 Commonwealth Avenue
Boston, MA 02215

ID: 4174
Type: Clinic Form
Facility Reported: No

INCIDENT INFORMATION

Incident/Allegation Type(s): Quality of Care/Treatment-Oth

Type of Harm(s):

Incident/Allegation Type(s) (after DPH review): Quality of Care/Treatment-Oth

Type of Harm(s) (after DPH review): Unknown

SRE Category(s): Non-SRE
SRE Category(s) (after DPH review): *Non-SRE

Body Part Affected(s):

Patient's Activity:

Location:

Equipment in Use:

Safety Precaution(s):

INCIDENT NARRATIVE

2/ /19 Legal Brief submitted by Complainant (not the patient) for a 2016 procedure.

CORRECTIVE MEASURES

Internal Investigation?:

Internal Investigation Narrative:

Corrective Measures Narrative:

FOLLOWUP INFORMATION

2/ /19 Discussed this case with JWT and the Complaint was filed not by the Patient but by her legal representative. The procedure took place in February of 2016 and will be R&F. No letter to the legal representative. JLT

NOTIFICATIONS

Family:

Police:

Physician: Unknown

Incident Report Form

*** CONFIDENTIAL ***

Incident Report Number: 4174-034
Log As: Reviewed and Filed

Printed: 04/11/2019
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Individual in Charge at Facility: Title: Directly Involved?:

REPORTER INFORMATION

Reporter: [Redacted] Title: Unknown/Other

PATIENT INFORMATION

<u>First Name</u>	<u>Last Name</u>	<u>Age</u>	<u>Gender</u>	<u>Admission Date</u>	<u>Ambulatory Status</u>	<u>ADL Status</u>	<u>Cognitive Level</u>	<u>Developmentally Disabled</u>
[Redacted]	[Redacted]		[Redacted]		[Redacted]	[Redacted]	[Redacted]	

PATIENT ADDRESS

<u>First Name</u>	<u>Last Name</u>	<u>Address 1</u>	<u>Address 2</u>	<u>City</u>	<u>State</u>	<u>Zip Code</u>
[Redacted]	[Redacted]					

Physician Name (if notified):

ACCUSED INFORMATION

<u>First Name</u>	<u>Last Name</u>	<u>Gender</u>	<u>Title</u>	<u>Hire Date</u>
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WITNESS INFORMATION

<u>First Name</u>	<u>Last Name</u>	<u>Title</u>	<u>Directly Involved</u>
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END OF REPORT



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Care Facility Licensure & Certification
Intake Unit
99 Chauncy Street, Boston, MA 02111
Fax 617-753-8165

Consumer / Resident / Patient Complaint Form

Please answer all questions on both pages as fully and clearly as possible:

1. I have notified a manager at the facility about my concerns **YES** _____ **NO** **x** _____

2. Name of person contacted _____

Today's Date:	Date of Event:	Time of event:
Full name of Facility: Planned Parenthood League of Massachusetts	Full Address of Facility: 1055 Commonwealth Ave. Boston, MA 02205	Facility Telephone Number (if known)
Name and address of person reporting: [REDACTED] Boston: [REDACTED] Email: [REDACTED]	Best telephone number for contacting you: none	Best time of day to contact you: anytime
Name of Resident/Patient: Date of Birth/Age: Location of Resident/Patient:	I am: (please check) Family member _____ Legal guardian _____ Power of Attorney _____ _____ Resident/patient _____ Employee/Former Employee _____ (please indicate which) Friend _____ Visitor _____ Anonymous* _____	I am not the patient/resident and have submitted the necessary HIPAA release form to obtain details of the outcome of any investigation. YES NO
Is the Resident/Patient still at the facility? YES NO	<p>*Please note if you wish to remain anonymous we will not be able to inform you of the outcome of your complaint.</p>	

RECEIVED

FEB [REDACTED] **2019**

Please describe the event you are reporting as fully as possible including dates, names and times if you have them: (Please note additional information may be requested if necessary.)

My complaint is against the license of Planned Parenthood League of Massachusetts (PP), license 4174, the Boston location at 1055 Commonwealth Ave.

██████████ was a patient of PP Boston.

At all times material hereto, Planned Parenthood, and through its contractors, employee agents and/or persons for whom Planned Parenthood was legally responsible, owed a duty to ██████████ to provide appropriate medical care to her at it's Boston location.

At all times material hereto, Planned Parenthood, and through its contractors, employee agents and/or persons for whom Planned Parenthood was legally responsible, negligent breached this duty of care by failing to provide proper care and treatment to ██████████ and in failing to implement procedures and protocols that would prevent retained products of conception, and/or ensure that a follow up consultation with the plaintiff was performed and her calls returned.

As a direct and proximate result of said acts and omissions of Planned Parenthood, by through its contractors, employees, agents and/or persons for whom Planned Parenthood was legally responsible, the plaintiff suffered significant pain, mental anguish and disability, was deprived of a more favorable medical outcome, and suffered unnecessary hospitalization and medical expense.

Breaches of the standard of care were violated.

Evidently PP's lack of medical directorship seems to pose a threat to some patients because PP does not know how to treat patients with complications.

I'd like this documented as the public's health and safety could be at risk with these type of medical crisis incidents. I look forward to you taking action against PP's license. They should not be passing responsibility and forcing patients to local hospital's emergency rooms if complications do occur. This is a lack of quality care.

Regulations have been violated. PP has been negligent and incompetent and this is unacceptable. PP's physician has inflicted injury on ██████████. This facility's employees seem unskilled. Timely medical care consistent with widely identified medical principles relevant to ██████████ health seems to have been aborted. This facility demonstrates poor clinical judgment that puts future patients at risk. It is incumbent on me to take steps necessary to protect other patients by filing this complaint. PP is a direct threat to the public's health and safety.

There are numerous complaints already on file against the license of this Planned Parenthood.

Planned Parenthood's expatient ██████████ is now suing them in Suffolk county court:

1984CV00119 ██████████ vs. ██████████ et al.

Ms [REDACTED] attorney is Ross Schreiber.

DIRECT LINE (617) 742-1981
res@schreiberlawboston.com

Planned Parenthood is a direct threat to the public's health and safety. They have violated the Rules and regulations pertaining to being a state licensed clinic. Planned Parenthood and it's Medical Director is incompetent, negligent and has created a health problem that didn't exist.

Please let me know that you received this complaint and the final outcome of this complaint.

Thank you very much.

Thank you for completing and submitting this form to DPH. You will receive an acknowledgement letter that confirms our receipt of your complaint.

1

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUFFOLK SUPERIOR COURT
CIVIL ACTION NO. 19-0119H

AMANDA DAVIS,
Plaintiff

vs.

COMPLAINT &
JURY DEMAND

PLANNED PARENTHOOD LEAGUE OF
MASSACHUSETTS, INC.,
JOSHUA M. MULARELLA, MD,
CAMBRIDGE PUBLIC HEALTH
COMMISSION d/b/a CAMBRIDGE HEALTH
ALLIANCE and CAMBRIDGE HEALTH
ALLIANCE PHYSICIANS ORGANIZATION,
Defendants

2019 JAN 16 4 57 PM
SUFFOLK SUPERIOR COURT

PARTIES

1. The plaintiff, AMANDA DAVIS, is an individual residing in Chelsea, Suffolk County, Massachusetts.
2. The defendant, [REDACTED] is a licensed practicing physician who at all times material hereto had a usual place of business at 1055 Commonwealth Avenue, Boston, Suffolk County, Massachusetts.
3. The defendant, Planned Parenthood League of Massachusetts, Inc. (hereinafter "Planned Parenthood"), is a Massachusetts corporation with a principal and/or usual place of

business at 1055 Commonwealth Avenue, Boston, Suffolk County, Massachusetts, that at all times material hereto provided pregnancy termination services.

4. The defendant, Joshua M. Mularella, MD, is a licensed practicing physician who at all times material hereto had a usual place of business at 1493 Cambridge Street, Cambridge, MA 02139.
5. The defendant, Cambridge Public Health Commission d/b/a Cambridge Health Alliance (hereinafter "CHA"), is an entity created by statute with a principal place of business at 1493 Cambridge Street in Cambridge, Middlesex County, Massachusetts, and a public employer within the meaning of G.L. c. 258, *et. seq.*, that at all times material hereto provided health care, through its employees, contractors and agents, to patients at its various campuses and affiliated locations, including CHA Cambridge Hospital.
6. The defendant, Cambridge Health Alliance Physicians Organization, Inc. (hereinafter "CHAPO"), is a Massachusetts corporation with a principal place of business at 1493 Cambridge Street in Cambridge, Middlesex County, Massachusetts, that at all times material hereto was wholly owned by, and/or affiliated with, CHA, and which employed, and/or contracted with, physicians who provided health care services at CHA campuses, including CHA Cambridge Hospital.

FACTS COMMON TO ALL COUNTS

7. At all times material hereto, [REDACTED] represented and held herself out to be an Obstetrician/Gynecologist ("hereinafter "OB/GYN"), physician and surgeon, skilled in the treatment of various illnesses and conditions, and, in particular, represented to the plaintiff that she was knowledgeable, competent and qualified to perform an abortion procedure on her in February of 2016.
8. At all times material hereto, Joshua Mularella, MD, represented and held himself out to be a physician, skilled in the treatment of various illnesses and conditions, and, in particular, represented to the plaintiff that he was knowledgeable, competent and qualified to care and treat her in March of 2016.
9. On or about February 4, 2016, the plaintiff, then twenty-one (21) years old and of limited financial means, presented to [REDACTED] at Planned Parenthood in Boston, Massachusetts, for a first-term surgical abortion.
10. On or about that date, [REDACTED] confirmed the ten (10) week gestational age of the pregnancy, performed the surgical abortion procedure with the assistance of ultrasound guidance (due to difficulty with dilation), then purportedly conducted a gross tissue exam of the removed products, declared the pregnancy "terminated" and discharged the plaintiff.
11. The standard(s) of medical care applicable to the average qualified OB/GYN at that time provided that an OB/GYN conducting an abortion procedure in a clinic setting confirm that the abortion was in fact completed and that all products of conception removed *via*

examination employing the flotation of tissue and backlighting, pathological examination, ultrasound (hereinafter "US") and/or other diagnostic procedure(s).

12. The standard(s) of medical care applicable to the average qualified OB/GYN at that time further provided that an OB/GYN conducting an abortion procedure in a case such as the plaintiff's, where US guidance is required due to difficulty with dilation, confirm that the abortion was in fact completed and that all products of conception removed *via* US, pathological examination and/or other heightened diagnostic testing.
13. Moreover, the standard(s) of medical care applicable to the average qualified OB/GYN also provided that an OB/GYN conducting a gross tissue exam of the evacuated contents following an abortion procedure properly perform the exam and actually visualize a gestational sac and other items in the contents.
14. The standard(s) of medical care applicable to the average qualified OB/GYN further provided that an OB/GYN conduct a follow up consultation or examination with a patient within one (1) to two (2) weeks of an abortion procedure, to confirm that the patient is not suffering signs and symptoms suggestive of retained products of conception (hereinafter "RPOC"), and/or to return the patient's calls.
15. On or before her discharge from Planned Parenthood on February 4, 2016, [REDACTED] and/or other providers at Planned Parenthood, obtained and recorded the plaintiff's correct phone number, and advised her that [REDACTED] and/or Planned Parenthood would call her to obtain her status, and/or to schedule a follow-up appointment, within two (2) weeks or sooner.

16. Neither [REDACTED] or anyone else at Planned Parenthood ever advised the plaintiff that prolonged bleeding and severe abdominal pain/cramping could be a sign that she had RPOC.
17. During the days following the February 4, 2016 procedure, the plaintiff suffered significant and continuous bleeding, abdominal pain and cramping.
18. Notwithstanding that Planned Parenthood had correctly recorded the plaintiff's phone number on or before February 4, 2016, neither [REDACTED] or anyone else from Planned Parenthood ever called her to obtain her post-abortion status, or to schedule a follow-up appointment.
19. Moreover, the plaintiff's repeated phone call messages to [REDACTED] and/or Planned Parenthood during the two (2) week period following her procedure were never returned.
20. Her debilitating symptoms having not resolved, and having received no reply from [REDACTED] and/or others at Planned Parenthood in response to her repeated phone calls and/or messages, the plaintiff presented at the CHA Cambridge Hospital Emergency Department on/or about March 15, 2016, where she was examined and treated by Joshua Mularella MD.
21. Upon her presentation, Dr. Mularella noted that the plaintiff was "status post abortion at Planned Parenthood last month", and that she suffered from, *inter alia*, "heavy vaginal bleeding" and "lower abdominal cramping"; he further confirmed her vaginal bleeding and blood clots *via* a pelvic exam.

22. At the time of the plaintiff's presentation at CHA Cambridge Hospital, the standard of medical care applicable to the average qualified emergency physician, and/or general physician, required that an OB/GYN consultation and/or an ultrasound, or other diagnostic testing, be ordered when a patient presented with the symptoms and signs exhibited by the plaintiff, in order to determine RPOC.
23. Notwithstanding her confirmed symptoms and recent medical history, which plainly raised a strong suspicion of RPOC, Dr. Mularella discharged the plaintiff from the hospital with an incomplete diagnosis and without ruling out RPOC *via* US or other diagnostic testing, and/or seeking an OB/GYN consultation, all of which were available on-campus at Cambridge Hospital and/or at others CHA campuses or affiliated institutions.
24. As a result of Dr. Mularella's failure to properly diagnose and treat the plaintiff's condition, the RPOC were left inside the plaintiff's uterus, causing her great pain and morbidity.
25. Her symptoms having not abated, the plaintiff ultimately presented at the MGH Emergency Department on April 4, 2016, where a gynecological consultation summarily advised the need for an US, which in turn revealed to the plaintiff, for the first time, that the abortion procedure at Planned Parenthood had resulted in substantial RPOC; the plaintiff received appropriate medical treatment at MGH and was discharged.
26. On or about January 16, 2018, the plaintiff, in accordance with Massachusetts General Laws Chapter 258 § 4 and Chapter 231 § 60L, provided timely notice and presentment of the instant claims to the defendants. More than six (6) months thereafter no settlement has

been agreed to and no offer of settlement has been received. A copy of this notice and presentment is attached hereto as EXHIBIT A, sans attachments, and is incorporated herein pursuant to Mass. R. Civ. P. 10(c).

COUNT 1 - NEGLIGENCE vs. [REDACTED]

27. The plaintiff repeats the allegations contained in all of the preceding paragraphs, and, by this reference, incorporates the same herein.
28. At the time(s) of her care and treatment of the plaintiff, a physician-patient relationship existed between [REDACTED] and the plaintiff.
29. At all times material hereto [REDACTED] owed to the plaintiff a duty to exercise the reasonable care and skill of the average, qualified OB/GYN in treating and caring for her, which included confirming that the abortion was in fact complete and that there were no RPOC.
30. The defendant, [REDACTED] negligently breached this duty of care in failing to properly perform a first-term abortion upon the plaintiff, in failing to confirm that the procedure was complete, in failing to confirm the absence of RPOC, in failing to properly perform a sufficient gross tissue examination to determine that the abortion was complete and that there was no RPOC, and in failing to confirm that the abortion was complete and that there was no RPOC *via* US (which was available and had been used in the procedure), flotation of tissue, backlighting, pathology and/or other diagnostic procedures.

31. The defendant, [REDACTED] also negligently performed the gross tissue examination that was purportedly made, as RPOC would not ordinary occur in the absence of such negligence, and there is no other explanation for the RPOC in this case (Edwards v. Boland, 41 Mass. App. Ct. 375 (1996) rev. denied 423 Mass. 1113).

32. The defendant, [REDACTED] further negligently breached this duty of care in failing to properly follow up with the plaintiff after the abortion procedure, in failing to schedule a follow-up appointment with her, in failing to return the plaintiff's phone calls, and/or causing someone else at Planned Parenthood to return her calls, and in failing to advise the plaintiff of the symptoms and signs of RPOC.

33. As a direct and proximate result of said acts and omissions of the [REDACTED] the plaintiff suffered significant pain, mental anguish and disability, was deprived of a more favorable medical outcome, and suffered unnecessary hospitalization and medical expense.

WHEREFORE, the plaintiff prays judgment against the defendant [REDACTED] for the above described harms, with awards of damages, attorneys' fees, interest and costs.

COUNT 2 – NEGLIGENCE vs. PLANNED PARENTHOOD

34. The plaintiff repeats the allegations contained in all of the preceding paragraphs, and, by this reference, incorporates the same herein.

35. At all times material hereto, Planned Parenthood, and through its contractors, employees, agents and/or persons for whom Planned Parenthood was legally responsible, owed a duty to the plaintiff to provide appropriate medical care to her at Planned Parenthood in Boston.
36. At all times material hereto, Planned Parenthood, and through its contractors, employees, agents and/or persons for whom Planned Parenthood was legally responsible, negligently breached this duty of care by failing to provide proper care and treatment to the plaintiff, and in failing to implement procedures and protocols that would prevent RPOC, and/or ensure that a follow up consultation with the plaintiff was performed and her calls returned.
37. As a direct and proximate result of said acts and omissions of Planned Parenthood, by and through its contractors, employees, agents and/or persons for whom Planned Parenthood was legally responsible, the plaintiff suffered significant pain, mental anguish and disability, was deprived of a more favorable medical outcome, and suffered unnecessary hospitalization and medical expense.

WHEREFORE, the plaintiff prays judgment against the defendant Planned Parenthood, for the above described harms, with awards of damages, attorneys' fees, interest and costs.

COUNT 3 – NEGLIGENCE vs. JOSHUA MULARELLA, MD

38. The plaintiff repeats the allegations contained in all of the preceding paragraphs, and, by this reference, incorporates the same herein.

39. At the time(s) of his care and treatment of the plaintiff, a physician-patient relationship existed between Joshua Mularella, MD, and the plaintiff.
40. At all times material hereto, Joshua Mularella, MD, owed to the plaintiff a duty to exercise the reasonable care and skill of the average, qualified emergency and/or general physician in treating and caring for her, which included ordering an OB/GYN consultation and confirmation of RPOC *via* US or other diagnostic procedure(s) upon her presentation to Cambridge Hospital in March of 2016.
41. The defendant, Joshua Mularella, MD, negligently breached this duty of care in failing to properly diagnose the plaintiff's condition, in failing to order an OB/GYN consultation, in failing to order a US or other diagnostic testing for RPOC, and in discharging the plaintiff from the hospital.
42. As a direct and proximate result of said acts and omissions of Joshua Mularella, MD, the plaintiff suffered significant pain, mental anguish and disability, was deprived of a more favorable medical outcome, and suffered unnecessary hospitalization and medical expense.

WHEREFORE, the plaintiff prays judgment against the defendant, Joshua Mularella, MD, for the above described harms, with awards of damages, attorneys' fees, interest and costs.

COUNT 4 - NEGLIGENCE vs. CHA & CHAPO

43. The plaintiff repeats the allegations contained in all of the preceding paragraphs, and, by this reference, incorporates the same herein.
44. At all times material hereto, CHA and CHAPO, and through their contractors, employees, agents and/or persons for whom CHA and/or CHAPO were legally responsible, owed a duty to the plaintiff to provide appropriate medical care to her at CHA Cambridge Hospital.
45. At all times material hereto, CHA and CHAPO, and through their contractors, employees, agents and/or persons for whom CHA and/or CHAPO were legally responsible, negligently breached this duty of care by failing to provide proper oversight, supervision, care and treatment to the plaintiff, and in failing to provide a proper and correct diagnosis of her condition.
46. As a direct and proximate result of said acts and omissions of the defendants, by and through their contractors, employees, agents and/or persons for whom CHA and/or CHAPO were legally responsible, the plaintiff suffered significant pain, mental anguish and disability, was deprived of a more favorable medical outcome, and suffered unnecessary hospitalization and medical expense.

WHEREFORE, the plaintiff prays judgment against the defendants, CHA and/or CHAPO, for the above described harms, with awards of damages, attorneys' fees, interest and costs.

REQUESTS FOR RELIEF

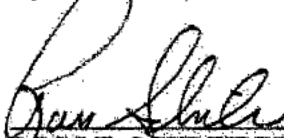
Wherefore, the plaintiff requests that this court:

1. Enter judgment for the plaintiff on all counts of her complaint;
2. Award the plaintiff damages as determined at trial, including punitive damages and attorney's fees, plus interest and costs as provided by law; and
3. Grant the plaintiff such other relief as the court deems necessary, appropriate, equitable or just.

JURY DEMAND

The plaintiff demands a jury trial on all issues so triable.

The Plaintiff,
AMANDA DAVIS,
By her attorney,



ROSS E. SCHREIBER
BBO#: 639643
8 FANEUIL HALL MARKETPLACE
THIRD FLOOR
Boston, MA 02109
(617) 742-1981
res@schreiberlawboston.com

Dated: January 14th, 2019

THE SCHREIBER LAW FIRM LLC
BOSTON

8 FANEUIL HALL MARKETPLACE
3RD FLOOR
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T: 617.973.5120
F: 617.973.6406



FILE COPY

ATTORNEY ROSS B. S...
DIRECT LINE 617.742.1981
res@schreiberlawboston.com

January 16, 2018

Via Certified Mail

Joshua M. Mularella, MD
c/o CHA Everett Hospital
103 Garland Street
Everett, MA 02149

Via Certified Mail

[Redacted]
c/o Planned Parenthood League of MA, Inc.
1055 Commonwealth Avenue
Boston, MA 02215

Via Certified Mail

Mr. Patrick Wardell
Chief Executive Officer
Cambridge Public Health Commission
d/b/a Cambridge Health Alliance
1493 Cambridge Street
Cambridge, MA 02139

Via Certified Mail

[Redacted]
President and Chief Executive Officer
Planned Parenthood League of MA, Inc.
1055 Commonwealth Avenue
Boston, MA 02215

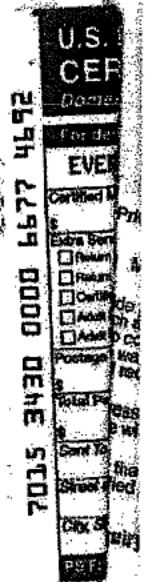
Via Certified Mail

Mr. David Porell
Chief Administrative Officer
Cambridge Health Alliance Physicians Organization
1493 Cambridge Street
Cambridge, MA 02139

Re: Amanda Davis - Notice of Claim(s) Pursuant to G.L. c. 231 § 60L
& Presentment To Public Employer(s) Pursuant to G.L. c. 258 § 4

To the above-named parties:

Please be advised that this office represents Ms. Amanda Davis in connection with medical malpractice claims arising out of a negligent abortion procedure(s) performed by [Redacted] at Planned Parenthood on 02/04/2016, and for injuries caused by Dr. Joshua Mularella's negligent failure to subsequently diagnose and properly treat Amanda at a Cambridge Health Alliance hospital on 03/15/2016.



Notwithstanding that this notice is being forwarded to Cambridge Health Alliance ("CHA"), and *ergo* to its wholly owned or controlled subsidiary/division, Cambridge Health Alliance Physicians Organization ("CHAPO"), as presentments pursuant to G.L. c. 258, § 4, the plaintiff contends that Dr. Mularella does *not* meet the criteria of a "public employee" for purposes of G.L. c. 258 § 2, et. seq. See, e.g., Kelley v. Rossi, 395 Mass. 659, 661-663 (1985). Similarly, insofar as Planned Parenthood is considered a "public employer" under the statute, the plaintiff contends that Dr. Mark also does not meet the public employee criteria.

In support of the claims stated herein, please find attached hereto the following materials, which are incorporated herein by this reference and which include, in accordance with G.L. c. 231 § 60L(f), all treatment records related to said claims:

- Exhibit 1 - Medical Records from Planned Parenthood;
- Exhibit 2 - Medical Records from CHA;
- Exhibit 3 - Medical Records from Massachusetts General Hospital; and
- Exhibit 4 - Letter from Therapist Louisa Gould dated 01/03/2018.

Factual Basis For Claims

On February 4, 2016, Ms. Amanda Davis, then twenty-one (21) years old and ten (10) weeks pregnant, underwent a first term abortion procedure at the Planned Parenthood facility at 1055 Commonwealth Avenue in Boston, Massachusetts. [See PP records]. [REDACTED] performed the procedure. Upon her discharge that same day, Amanda was advised by Planned Parenthood that they would call her later to set up a follow-up appointment. They never did.

Immediately following the procedure Amanda experienced some vaginal bleeding. As time progressed, however, and even after two (2) weeks had passed, the bleeding became much more pronounced and constant, and included clots as large as a baseball. Amanda called Planned Parenthood four or five times, but on each occasion she was directed to leave a voicemail, which she did. Her calls were never returned. Within three weeks of the procedure Amanda had become so weak due to the prolonged heavy bleeding that she had to confine herself to bed. She suffered from debilitating fatigue and experienced fainting spells when attempting to walk or stand. She also experienced, *inter alia*, intense cramping and continuous lower abdominal pain during this time. She could not work or perform any kind of physical activity. As the weeks and month passed she became progressively more symptomatic.

On March 15, 2016, Amanda's concerned mother had her transported to the emergency department at Whidden Hospital (i.e., CHA Everett), where she was seen by Joshua M. Mularella, MD. [See CHA records]. Dr. Mularella noted that Amanda was "status post abortion at Planned Parenthood last month", and was then experiencing "heavy vaginal bleeding" and "lower abdominal cramping." He further confirmed the vaginal bleeding and blood clots *via* a pelvic exam. Notwithstanding her symptoms and known post-abortion status, Dr. Mularella failed to perform or order a pelvic ultrasound ("US") and/or other diagnostic or clinical testing with respect to Amanda's condition. Nor did he order or seek a gynecological consultation. Instead, he simply diagnosed her with "dysfunctional uterine bleeding," and

advised her that her symptoms were "most likely due to the change in hormones following the abortion." He discharged her to home that same day.¹ Amanda's symptomatology thereafter worsened and she continued to decline.

Her condition having not resolved, Amanda presented at Massachusetts General Hospital ("MGH") on April 4, 2016, accompanied by her mother, "curled up in a ball" and with the same persistent symptoms. Her treatment providers there ordered a gynecology consultation and recognized the need for a pelvic US to confirm or rule out the existence of "retained products of conception." [See MGH records]. The pelvic US revealed a "complex heterogeneous endometrial echocomplex measuring up to 2 cm with internal vascular flow", indicative of retained products of conception ("RPOC").² Amanda relates that her treatment providers at MGH advised her that about ¾ of the fetus had been retained.³

This was the first time Amanda was advised that the procedure at Planned Parenthood was incompletely performed, and it caused her severe emotional shock which has since been followed by a deep depression and mental anguish. Amanda's condition was managed at MGH with Misoprostol. She was hospitalized and discharged the next day. Thereafter Amanda suffered the debilitating after-symptoms of the Misoprostol induced "second abortion", i.e., heavy bleeding and cramping, for a number of weeks. She became anemic and was treated at CHA hospital facilities. [CHA records]. Only in May of 2016 did her vaginal bleeding substantially diminish.

Applicable Standard(s) of Care, Deviations & Liability

At all times material hereto, the standard of care applicable to the average qualified Obstetrician/Gynecologist required [redacted] to remove all products of conception when performing the abortion procedure upon her patient, Amanda Davis. Similarly, the applicable standard(s) of care required [redacted] and/or Amanda's other treatment providers at Planned Parenthood, to take all appropriate studies and examinations, including a properly performed ultrasound, to determine that all products of conception were in fact removed following the procedure, and/or to inspect and/or take a substantial inventory of the evacuated contents to ensure that she was not discharged therewith. The applicable standard(s) of care further required [redacted] and/or Amanda's other treatment providers at Planned Parenthood, to follow up with Amanda within two (2) weeks of the procedure to obtain a status on her post-abortion condition, and to evaluate her possible need for further treatment.

¹ Later CHA records dated April 22, 2016 summarize this encounter as follows: "[the patient] [w]ent to Whidden ED, 3/15/16, ED provider felt to be a heavy menses after TAB, no further studies done, and patient was discharged home."

² Blood tests also revealed low HGB/HCT levels, indicative of heavy and/or prolonged bleeding.

³ A CHA physician described the RPOC in a 4/13/16 note as "retained fetal parts."

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deviated from these standards of care in failing to remove all products of conception, and in failing to take and/or properly perform post-procedure examinations and/or studies to confirm that all products of conception were in fact removed, and/or in failing to diagnose and/or treat Amanda's post-operative condition. Moreover, not only did [REDACTED] and Planned Parenthood fail to follow up with Amanda in any way post-procedure, they never even returned her multiple phone calls and/or voice messages. Had [REDACTED] performed, *inter alia*, a proper post-procedure ultrasound, and/or a proper itemization of the removed products of conception, she would have been advised of the likelihood of substantial RPOC, and would have been able to immediately perform a second procedure and/or treat Amanda medically. Similarly, had [REDACTED] or Planned Parenthood followed up with Amanda in the weeks following the procedure, and/or returned her voicemails/calls, they would have been advised that she was suffering from symptomatology suggestive of RPOC, and could have had her return to the clinic and treated her medically, as was done at MGH months later. Unfortunately, and as a result of the deviations by [REDACTED] and/or the other providers at Planned Parenthood, Amanda was caused to suffer the retention of substantial products of conception to her harm and injury.

Similarly, at all times material hereto, the standard(s) of care applicable to the average qualified emergency and/or general physician required Dr. Mularella to order a gynecological consult and diagnostic testing, including ultrasound, with respect to Amanda's presentation and treatment on 03/15/2016 at the CHA hospital. The medical history known to Dr. Mularella at the time, and Amanda's clinical presentation and symptoms, would have advised the average qualified emergency or general physician that he or she should consult an OBGYN and verify or rule out RPOC as a diagnosis. Dr. Mularella's failure to do either was a gross deviation(s) that caused Amanda Davis to remain undiagnosed/untreated, and to unnecessarily continue to suffer the retention of substantial products of conception to her harm and injury. See, e.g., Shirk v. Kelsey, 617 N.E.2d 152 (Ill. App. 1993) (jury verdict for plaintiff sustained where evidence indicated that Dr. failed to utilize ultrasound or otherwise confirm that abortion was complete); see, also, generally Margaret Vroman, Medical Malpractice in Performance of Legal Abortion, 69 ALR4th 875, 880 (West Supp. 2017) ("courts have recognized potential liability where the abortion was performed incompletely and all of the products of conception were not removed").

Moreover, apart from the liability attaching to the individual negligence and medical malpractice of [REDACTED] and Dr. Mularella, Planned Parenthood League of MA, Inc., CHA, and/or CHAPO are all similarly potentially liable pursuant to G.L. c. 258 § 2, and/or common law principles of *respondeat superior*, (Dias v. Brigham Medical Associates, Inc., 438 Mass. 317, 319 (2002)), as well as for negligent supervision/training and/or hiring. See, e.g., Roe No. 1 v. Children's Hospital Medical Center, 469 Mass. 710, 714 (2014) ("there is little doubt that [hospital] had a duty to supervise and monitor [defendant's] conduct while he was employed as a physician there"); Copithorne v. Framingham Union Hospital, 401 Mass. 860 (1988) (hospital negligent in continuing MD's staff privileges after receiving notice of previous incidents of similar harms).

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Damages

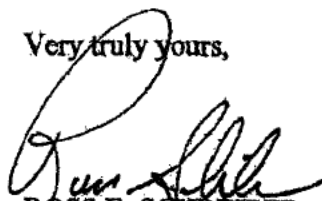
As a direct result of the negligently performed abortion by [redacted] and Dr. Mularella's subsequent failure to timely diagnose and properly treat her condition, Amanda was caused to suffer unnecessary physical pain, hospitalization(s), emotional distress and morbidity. To this day Amanda continues to experience severe depression, anxiety and mental anguish from the memory of the shock that she suffered when being advised at MGH that the initial abortion had been incomplete. See Payton v. Abbot Labs, 386 Mass. 540 (1982) (Massachusetts recognizes a claim for negligent infliction of emotional distress against a physician); see, also, Ferrara v. Bernstein, 613 N.E.2d 542 (N.Y.2d 1993) (plaintiff's emotional distress resulted from negligently performed abortion). Specifically, *inter alia*, she suffers from loss of appetite and sleeplessness due to recurrent nightmares, has suicidal thoughts and experiences stomach pain, headaches and chest pain/shortness of breath when the memory reappears. Her treating therapist further opines that this experience has contributed to, and/or severely exacerbated, Amanda's post-traumatic stress disorder symptoms. [See Gould Letter].

In view of the preceding, and given the circumstances present in this case, the egregiousness of the deviations and the seriousness of the injuries sustained, and with a view to facilitating a fair resolution of this matter, on behalf of Amanda I am demanding \$200,000.00 to settle this case. See, e.g., Shirk v. Kelsey, 617 N.E.2d at 152 (after plaintiff's comparative negligence considered, jury awarded \$225,000.00 verdict); Bauman v. Bresnick, MD, et. al., JVR No. 45866 available at 1985 WL 352836 (N.Y. Sup.) (\$200,000.00 plaintiff's verdict in incomplete abortion case, including award for emotional distress).

Please contact this office at your earliest possible convenience to discuss this matter. Please also forward any medical information release form(s) you wish Amanda to execute, authorizing your access to her medical records. Notwithstanding that the potential public employers addressed herein have six (6) months in which to respond to this presentment under the statute, I would invite an earlier response(s). Needless to say, if the parties fail to respond to this presentment/notice within the respective statutory periods, I shall file the appropriate civil complaint on behalf of Amanda. I also shall reserve the right to supplement this letter, and the exhibits hereto, in the future.

Thank you for your attention to this matter. I look forward to speaking with you soon.


Very truly yours,


ROSS E. SCHREIBER

enc. 3

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CIVIL ACTION COVER SHEET	DOCKET NUMBER 19-0119H	Trial Court of Massachusetts The Superior Court
PLAINTIFF(S): <u>Amanda Davis</u>	COUNTY: <u>Suffolk</u>	
ADDRESS: <u>Chelsea, MA</u>	DEFENDANT(S): <u>Planned Parenthood League of Massachusetts, Inc., Joshua Mutarella, MD, Cambridge Public Health Commission d/b/a Cambridge Health Alliance and Cambridge Health Alliance Physicians Organization</u>	
ATTORNEY: <u>Ross Schreiber</u>	ADDRESS: <u>1055 Commonwealth Avenue, Boston, MA [redacted] and Planned Parenthood 1463 Cambridge Street, Cambridge, MA (Dr. Mutarella, CHA and CHAPO)</u>	
ADDRESS: <u>8 Faneuil Hall Marketplace, 3rd Floor Boston, MA 02109</u>		
BBO: <u>639643</u>		
TYPE OF ACTION AND TRACK DESIGNATION (see reverse side)		
CODE NO. <u>B06</u>	TYPE OF ACTION (specify) <u>Medical Malpractice</u>	TRACK <u>A</u>
"If "Other" please describe: _____		HAS A JURY CLAIM BEEN MADE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
STATEMENT OF DAMAGES PURSUANT TO G.L. c. 212, § 3A		
The following is a full, itemized and detailed statement of the facts on which the undersigned plaintiff or plaintiff counsel relies to determine money damages. For this form, disregard double or treble damage claims; indicate single damages only.		
TORT CLAIMS (attach additional sheets as necessary)		
A. Documented medical expenses to date:		
1. Total hospital expenses	\$	@\$12,000.00
2. Total doctor expenses	\$	
3. Total chiropractic expenses	\$	
4. Total physical therapy expenses	\$	
5. Total other expenses (describe below)	\$	@\$1,000.00
Treatment for emotional injury		
Subtotal (A):	\$	
B. Documented lost wages and compensation to date	\$	
C. Documented property damages to dated	\$	
D. Reasonably anticipated future medical and hospital expenses Treatment for emotional injury	\$	@\$2,000.00
E. Reasonably anticipated lost wages	\$	@\$1500.00
F. Other documented items of damages (describe below)	\$	
G. Briefly describe plaintiff's injury, including the nature and extent of injury: Retained products of conception remaining after failed abortion at Planned Parenthood caused plaintiff to suffer substantial and debilitating pain and bleeding. Planned Parenthood failed to follow up with plaintiff and she was thereafter misdiagnosed at Cambridge Hospital, causing her to continue to suffer pain and bleeding until properly diagnosed at MGH two months after the procedure. Upon discovery of incomplete abortion plaintiff suffered shock and emotional injury, and had to undergo further treatment.		TOTAL (A-F):\$
		\$15,500.00
CONTRACT CLAIMS (attach additional sheets as necessary)		
Provide a detailed description of claims(s):		TOTAL: \$
Signature of Attorney/Pro Se Plaintiff: X <u>Ross Schreiber</u>		Date: <u>1-14-2019</u>
RELATED ACTIONS: Please provide the case number, case name, and county of any related actions pending in the Superior Court.		
CERTIFICATION PURSUANT TO SJC RULE 1:18		
I hereby certify that I have complied with requirements of Rule 5 of the Supreme Judicial Court Uniform Rules on Dispute Resolution (SJC Rule 1:18) requiring that I provide my clients with information about court-connected dispute resolution services and discuss with them the advantages and disadvantages of the various methods of dispute resolution.		
Signature of Attorney of Record: X <u>Ross Schreiber</u>		Date: <u>1-14-2019</u>

CIVIL TRACKING ORDER (STANDING ORDER 1- 88)	DOCKET NUMBER 1984CV00119 H	Trial Court of Massachusetts The Superior Court	
CASE NAME: Amanda Davis vs. [REDACTED] et al		Michael Joseph Donovan, Clerk of Court	
TO: File Copy		COURT NAME & ADDRESS Suffolk County Superior Court - Civil Suffolk County Courthouse, 12th Floor Three Pemberton Square Boston, MA 02108	

TRACKING ORDER - A - Average

You are hereby notified that this case is on the track referenced above as per Superior Court Standing Order 1-88. The order requires that the various stages of litigation described below must be completed not later than the deadlines indicated.

STAGES OF LITIGATION

DEADLINE

	SERVED BY	FILED BY	HEARD BY
Service of process made and return filed with the Court		04/16/2019	
Response to the complaint filed (also see MRCP 12)		05/14/2019	
All motions under MRCP 12, 19, and 20	05/14/2019	06/13/2019	07/15/2019
All motions under MRCP 15	03/09/2020	04/08/2020	04/08/2020
All discovery requests and depositions served and non-expert depositions completed	01/04/2021		
All motions under MRCP 56	02/02/2021	03/04/2021	
Final pre-trial conference held and/or firm trial date set			07/02/2021
Case shall be resolved and judgment shall issue by			01/13/2022

The final pre-trial deadline is not the scheduled date of the conference. You will be notified of that date at a later time.
Counsel for plaintiff must serve this tracking order on defendant before the deadline for filing return of service.
 This case is assigned to

DATE ISSUED 01/14/2019	ASSISTANT CLERK Steven J Masse	PHONE (617)788-8147
----------------------------------	--	-------------------------------

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1. Go to www.hellofax.com/HighRes

2. Enter Access Code:

d8da37643a

Postell, Susan (DPH)

From: [REDACTED]
Sent: [REDACTED] January [REDACTED] 2019
To: Walsh, Joseph (DPH); Postell, Susan (DPH)
Subject: complaint against the licene of Planned Parenthood
Attachments: PP DPH COMPLAINT jan [REDACTED] 2019.pdf; PP MA [REDACTED] v PP case.pdf

My complaint is attached.

Thank you very much.

fax 1 617-753-8165

Joseph.Walsh@MassMail.State.MA.US, susan.postell@state.ma.us

1 [REDACTED].19

Division of Health Care Facility Licensure and Certification
Complaint Intake Unit
99 Chauncy Street
Boston, Massachusetts 02111

Department of Public Health
250 Washington Street
Boston, MA 02108

Dear Complaint Dept,

My complaint is against the license of Planned Parenthood League of Massachusetts (PP), license 4174, the Boston location at 1055 Commonwealth Ave.

[REDACTED] was a patient of PP Boston.

At all times material hereto, Planned Parenthood, and through its contractors, employee agents and/or persons for whom Planned Parenthood was legally responsible, owed a duty to [REDACTED] to provide appropriate medical care to her at it's Boston location.


At all times material hereto, Planned Parenthood, and through its contractors, employee agents and/or persons for whom Planned Parenthood was legally responsible, negligent breached this duty of care by failing to provide proper care and treatment to [REDACTED] and in failing to implement procedures and protocols that would prevent retained products of conception, and/or ensure that a follow up consultation with the plaintiff was performed and her calls returned.

As a direct and proximate result of said acts and omissions of Planned Parenthood, by through its contractors, employees, agents and/or persons for whom Planned Parenthood was legally responsible, the plaintiff suffered significant pain, mental anguish and disability, was deprived of a more favorable medical outcome, and suffered unnecessary hospitalization and medical expense.

Breaches of the standard of care were violated.



Enclosure:

 v. Planned Parenthood lawsuit

Postell, Susan (DPH)

From: Postell, Susan (DPH)
Sent: [REDACTED] February [REDACTED] 2019 [REDACTED]
To: [REDACTED]
Cc: Walsh, Joseph (DPH)
Subject: RE: complaint against the licene of Planned Parenthood

Dear [REDACTED]

Thank you for contacting the Massachusetts Department of Public Health, Division of Health Care Facility Licensure and Certification. I am writing to acknowledge receipt of your complaint regarding Planned Parenthood of Boston.

The Department is in the process of reviewing your concerns. Your information, as well as information from other sources, helps to keep us informed of the quality of care provided at this facility.

In the future, kindly refrain from filing complaints directly to staff email addresses. Unfortunately, the Department's email is not secure. As a result, the privacy and confidentiality of patients' names and information cannot be assured when such information is emailed to Staff. Therefore, to protect patients' rights, I respectfully request that you submit any future complaints directly to our office. Your complaint will then be triaged to the appropriate staff member for review in a timely manner. You may do this via either of the following methods:

FAX: 617-753-8165

MAIL: Department of Public Health
Complaint Unit
99 Chauncy Street
Boston, Massachusetts 02111

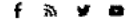
Susan L. Postell
Susan L. Postell, LSW
Intake Surveyor
Complaint Unit
Division of Health Care Facility Licensure and Certification
Department of Public Health
99 Chauncy Street
Boston, Massachusetts 02111
Phone: 617-753-8152
Fax: 617-753-8165

From: [REDACTED]
Sent: [REDACTED] January [REDACTED] 2019 [REDACTED]
To: Walsh, Joseph (DPH); Postell, Susan (DPH)
Subject: complaint against the licene of Planned Parenthood

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Three-Fourths of Aborted Baby Left Inside Woman for 2 Months After Botched Abortion at Planned Parenthood

March 4, 2019 By Operation Rescue 37 Comments



Planned Parenthood abortion clinic, Boston, Massachusetts.

By Cheryl Sullenger

Boston, MA -- When a 21-year old [redacted] reported to the Planned Parenthood abortion clinic in Boston, Massachusetts, on February 4, 2016, for a routine elective first trimester surgical abortion, she likely expected to receive a "safe" and easy abortion from the largest abortion business in the country.

What she got instead was a two-month long nightmare of debilitating pain and bleeding while her calls to Planned Parenthood for help were ignored and never returned, according to a lawsuit she filed against Planned Parenthood on January 14, 2019.

And that was only the beginning of the suffering she would endure.

According to [redacted] complaint, her abortion at 10 weeks of pregnancy did not go smoothly from the start. Planned Parenthood abortionist [redacted] conducted the abortion with the use of ultrasound guidance after she had difficulty dilating the opening of the womb.

After the abortion [redacted] supposedly conducted a "gross examination" of the removed tissues and "declared the pregnancy 'terminated.'"



Operation Rescue Video

Abortion Pill by Mail Sche...



Planned Parenthood is dishing out abortion drugs to women using an smart phone app & the US Mail. Population Control agenda is behind this new scheme!

Hemorrhaging Abortion P...



Hemorrhaging woman calls 911 for herself after abortion clinic kicks her to the curb at closing time.

Life or Death Reasons to...



Life of Death Reasons to #DefundPP

Chilling 911 Call Mom Fin...



Heartbreaking 911 call. Mother finds daughter dead after abortion.



Abortionist [redacted]

[redacted] was discharged without being informed that prolonged bleeding and abdominal pain/cramping were signs of "retained products of conception." Because of that, it never occurred to her that she might be still carrying parts of her aborted child.

if left untreated, an incomplete abortion such as the one [redacted] experienced can become serious, as it did in this case.

[redacted] was also told that Planned Parenthood would follow up with a phone call to see how she was doing within two weeks of the abortion. Not only did no one call to follow up, but four to five calls placed to Planned Parenthood by Ms. Davis concerning complications she was experiencing were never returned.

Two weeks after her abortion, her symptoms became worse. She began passing large blood clots, some the size of a baseball. By week three, she had become so weak that she experienced "debilitating fatigue and fainting spells to the extent that that she confined herself to her bed.

By week four, her mother became so concerned that she had her daughter transported to a Whidden Hospital. There, despite the physician there noting that [redacted] was "status post abortion at Planned Parenthood last month" and confirmed vaginal bleeding and blood clots, he never performed an ultrasound exam on her nor did he consult with an Ob/Gyn, as would have been indicated for a patient with [redacted] symptoms. She was misdiagnosed as having "dysfunctional uterine bleeding" and told that her symptoms were likely due to a "change in hormones" after the abortion.

She was sent home where her condition continued to worsen.

Finally, on April 4, 2016 -- a full two months after her botched abortion at Planned Parenthood -- [redacted] mother took her "curled up in a ball" to Massachusetts General Hospital (MGH).

It was only then that an ultrasound was done and it was discovered that [redacted] had left three-fourths of [redacted] dead baby inside her.

Davis was stunned to hear this news, which caused her "severe emotional shock" followed by "deep depression and mental anguish," according to a report filed with her legal complaint.

She was treated with Misoprostol and released from the hospital the next day, but that was far from the end of her suffering.

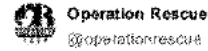
For days, [redacted] experienced the strong cramping and bleeding that resulted from the use of Misoprostol, a drug that causes strong and sometimes unpredictable uterine contractions. During that time, she became so anemic that she required treatment at a local hospital.

It was only in May 2016 -- three months after her Planned Parenthood abortion -- that her bleeding finally subsided.

As of the lawsuit's filing [redacted] was seeing a therapist and continues to suffer exacerbated symptoms of post traumatic stress disorder. She endures ongoing severe depression, anxiety and mental anguish when remembering her shock at the news she had been

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How The Obama Presidency Normalized A...

The Obama administration did everything it c... (thefederalist.com)

Mar 4, 2019



Three-Fourths of Aborted Baby Left Inside Woman for 2 Months After Botched Abortion at #PlannedParenthood. #ShutThemDown #DefundPP operationrescue.org/archives/three...

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Operation Rescue's Annual Reports on **CLOSED** Abortion Clinics. Central Women Services, Inc. 316-688-010

KERMIT COSNELL Operation Rescue's EXCLUSIVE REPORT ARCHIVE

An archive of documented abortion deaths reported by Operation Rescue.

Oklahoma Abortionist **ARRESTED & JAILED** Due to Operation Rescue Complaint!

Abortion Whistleblowers Earn a \$25,000 Reward!

Three-Fourths of Aborted Baby Left Inside Woman for 2 Months After Botched Abortion... Page 3 of 4

carrying parts of her dead baby for so long. She still suffers loss of appetite, nightmares, and suicidal thoughts along with stomach pain, headaches, and chest pain/shortness of breath "when the memory reappears."

Before initiating legal action [redacted] attorney sought settle with Planned Parenthood on behalf of his client for \$200,000. Six months later, when that offer was still ignored, the lawsuit was filed. Its status remains pending as of this writing.

"What happened to [redacted] was a travesty," said Newman. "Not only was her first trimester abortion completely botched, but there was no follow-up from Planned Parenthood. Calls for help were ignored. An examination that should have revealed that her abortion was incomplete was done negligently -- or perhaps not at all. She wasn't fully informed about the complications that ended up devastating her. You can bet if this shoddy treatment happened to one woman, it is routinely happening to others."

Operation Rescue has documented several abortion emergencies at the Boston Planned Parenthood facility and posted accounts of them at Abortion911.com. Their abortionist, [redacted] has been involved in several other medical malpractice suits, as documented at AbortionDocs.org.

"I don't care how many times the Abortion Cartel claims abortion is safe, I can attest that it is not. I have seen far too many ambulances at abortion clinics, listened to far too many 911 calls, seen far too many legal complaints involving horrifically botched abortions, and read far too many autopsy reports of women who suffered fatal complications to abortions," said Newman. "In America today, abortion is about as dangerous as playing Russian Roulette. Every abortion facility should be shut down."

Read the lawsuit and attached report.

Share this:



Filed Under: [Abortion911.com](#), [AbortionDocs.org](#), [Planned Parenthood](#), [Press Releases](#), [Pro-Life](#)
Tagged With: [abortion](#), [abortion complications](#), [abortion injuries](#)

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Three-Fourths of Aborted Baby Left Inside Woman for 2 Months After Botched Abortion... Page 4 of 4

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#

ATTENTION SUE POSTELL

ARTICLE TO ADD TO COMPLAINT AGAINST THE LICENSE OF PLANNED PARENTHOOD.

THANK YOU.





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5486530fb0

Incident Report Form

*** CONFIDENTIAL ***

Incident Report Number: 4163-011
Log As: Reviewed and Filed

Printed: 04/11/2019
Page 1 of 2

Date Reported: 03/█/2018
Date Submitted: 03/█/2018

Date of Incident: 03/█/2015
Time of Incident:

FACILITY INFORMATION

Facility: Planned Parenthood Leag Ma Cnt Ma C (4163)
470 Pleasant Street
Worcester, MA 01609

ID: 4163
Type: Clinic Form
Facility Reported: No

INCIDENT INFORMATION

Incident/Allegation Type(s): Quality of Care/Treatment-Oth

Type of Harm(s):

Incident/Allegation Type(s) (after DPH review): Quality of Care/Treatment-Oth

Type of Harm(s) (after DPH review): Unknown

SRE Category(s): Non-SRE
SRE Category(s) (after DPH review): *Non-SRE

Body Part Affected(s):

Patient's Activity:

Location:

Equipment in Use:

Safety Precaution(s):

INCIDENT NARRATIVE

3/█/18: The Complainant alleges that the Clinic did not provide the Patient with █ entire medical record because they redacted the name of the physician that performed the procedure at the Planned Parenthood Facility on or about March █, 2015. JWT

CORRECTIVE MEASURES

Internal Investigation?:

Internal Investigation Narrative:

Corrective Measures Narrative:

FOLLOWUP INFORMATION

NOTIFICATIONS

Family:

Police:

Physician:

Incident Report Form

*** CONFIDENTIAL ***

Incident Report Number: 4163-011
Log As: Reviewed and Filed

Printed: 04/11/2019
Page 2 of 2

Individual in Charge at Facility: Title: Directly Involved?:

REPORTER INFORMATION

Reporter: [REDACTED] Title: Advocate/Advocacy Group

PATIENT INFORMATION

First Name Last Name Age Gender Admission Date Ambulatory Status ADL Status Cognitive Level Developmentally Disabled

[REDACTED] [REDACTED] [REDACTED]

PATIENT ADDRESS

First Name Last Name Address 1 Address 2 City State Zip Code

[REDACTED] [REDACTED]

Physician Name (if notified):

ACCUSED INFORMATION

First Name Last Name Gender Title Hire Date

WITNESS INFORMATION

First Name Last Name Title Directly Involved

END OF REPORT

PRO-LIFE ACTION LEAGUE

6160 N. Cicero Avenue, Chicago, Illinois 60646 • (773) 777-2900 • Newsline (773) 777-2525 • FAX (773) 777-3061
Joseph M. Scheidler, National Director Website www.prolifeaction.org • E-mail info@prolifeaction.org

MAR [REDACTED] 2018

March [REDACTED] 2018

MA Dept. of Public Health
99 Chauncy Street
Boston, MA 02111

Dear Department of Public Health,

This is a complaint against Planned Parenthood Worcester, a licensed clinic.

From 140.302 regulations for licensed clinics:

(3) Medical records retained by the clinic in accordance with 105 CMR 140.302(C) shall be made available for inspection and copying upon written request of the patient or his/her authorized representative. The clinic may charge a reasonable fee for copying, not to exceed the rate of copying expenses, as specified in M.G.L. c. 111, § 70.

According to a news article Planned Parenthood did not make available the entire medical record to this patient. The name of the physician was redacted. A copy of the article and the lawsuit is enclosed.

<https://www.operationrescue.org/archives/planned-parenthood-hides-abortionists-name-after-bungled-abortion-causes-woman-to-deliver-dead-baby-in-home-bathroom/>

I complain that Planned Parenthood Worcester is in violation of the regulations for clinics. I also believe that the violation was intentional, due to its limitedness, to shield the provider from scrutiny and make the legal complaint more difficult on the patient. I can only speculate as to why.

The altering (through redaction) of medical records is a serious offense. This patient has a right and a need to know who the provider is and to have assurance that all other parts of her medical record have been released.

I have no personal interest or knowledge of this situation. I am acting in the public interest. Please look into this.

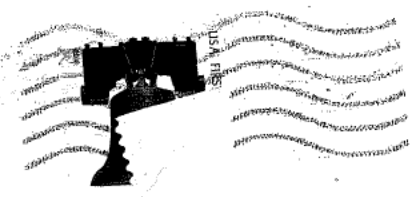
Thank you [REDACTED]



 **PRO-LIFE ACTION LEAGUE**
6160 N. Cicero Ave., Suite 600, Chicago, IL 60646

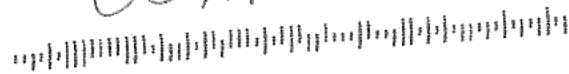
CAROL STREAM IL 601

23 MAR 2018 PM 2 L



Complaint Unit
Dept. Public Health
99 Chauncy St. 3rd floor
Boston, MA 02111

02111-170311



Planned Parenthood Hides Abortionist's Name after Bungled Abortion Causes Woman to Deliver Dead Baby in Home Bathroom

March 20, 2018 By Operation Rescue 17 Comments



Planned Parenthood's abortion facility in Worcester, Massachusetts.

By Cheryl Sullenger

Worcester, MA – A lawsuit was filed in the Superior Court in Worcester, Massachusetts, on March 5, 2018, against Planned Parenthood League of Massachusetts by a woman who experienced a bungled late-term abortion that resulted in the birth of her presumably dead baby in her bathroom. While the lawsuit names Planned Parenthood League of Massachusetts, Inc. and the nurse practitioner, [REDACTED] there is no mention of the abortionist who started the two-day abortion. That's because Planned Parenthood redacted his or her name from the woman's medical records. The lawsuit states:

On or about March 12, 2015, a doctor, whose name is **redacted from the medical records and whose identity is unknown**, performed the first

step in a two-step abortion at the Planned Parenthood clinic in Worcester by softening the cervix. [Emphasis added.]

“Everyone who receives medical treatment of any kind deserves to know the name of their provider. It’s unbelievable that Planned Parenthood decided to keep this woman in the dark by withholding that information from this her own medical record – after they failed to inform her of the risks of the type of abortion she was having,” said Troy Newman, President of Operation Rescue.

The plaintiff, ██████████ has claimed she was never informed that there was a risk of vaginal delivery prior to her next appointment. The drug Misoprostol, also known as Cytotec, is usually used to soften the cervix prior to a multi-day abortion. However, Misoprostol does more than soften. It also induces unpredictable uterine contractions strong enough to expel a baby in the second trimester.

The following day, March 13, 2015, the complaint states that ██████████ began experiencing “sever labor type pains” and called Planned Parenthood for advice and instruction. She was only told to take the prescribed pain medication. She was never advised that the contractions could cause delivery, and she was never told to seek medical attention.

That night ██████████ delivered her baby in her home’s bathroom. The lawsuit claims the incident caused her severe emotional and mental trauma. The suit also alleges that she suffered undefined “severe and permanent personal injuries.”

But what about the mystery abortionist, who appears to have been let off the hook by the lawsuit?

Operation Rescue has verified that ██████████ currently serves as medical director of Planned Parenthood League of Massachusetts, Inc., but there’s no way to know if she was involved in ██████████ abortion.

The Worcester Planned Parenthood abortion facility has a long history of patient care problems, including emergency medical transports and two patient deaths. A complaint was also once filed alleging misuse of Cytotec, the drug that apparently caused the plaintiff’s ill-timed delivery. (Read documents pertaining to these and other incidents at AbortionDocs.org.)

Operation Rescue will continue to monitor this case and will report back with updates.

[Read the Complaint in Casas v. Planned Parenthood, et al](#)

1275

3/5

COMMONWEALTH OF MASSACHUSETTS

WORCESTER, ss

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO. 1885CV373C

_____)
Celina Casas,)
Plaintiff,)
)
v.)
)
Planned Parenthood League of)
Massachusetts, Inc., and Rebecca Krieger,)
RN,)
Defendants.)
_____)

FILED

MAR 05 2018

ATTEST: *[Signature]* CLERK

COMPLAINT AND DEMAND FOR JURY TRIAL

FACT COMMON TO ALL COUNTS

1. The Plaintiff Celina Casas ("Ms. Casas") is an individual currently residing in Cicero, Illinois. At all times relevant hereto, she was a resident of Shrewsbury, Worcester County, Massachusetts.
2. The Defendant Planned Parenthood League of Massachusetts, Inc. ("Planned Parenthood") at all times relevant was and is a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, with a confidential and unpublished principal place of business. At all times relevant hereto, Planned Parenthood operated a clinic in Worcester, Worcester County, Massachusetts.

3. The Defendant [REDACTED] ("Nurse [REDACTED]" at all times relevant was a registered nurse duly licensed to practice medicine in the Commonwealth of Massachusetts and an agent, servant or employee of Planned Parenthood.
4. On or about March 12, 2015, a doctor, whose name is redacted from the medical records and whose identity is unknown, performed the first step in a two-step abortion at the Planned Parenthood clinic in Worcester by softening the cervix.
5. This first-step placed Ms. Casas at risk for vaginal delivery of the fetus.
6. Neither the doctor who performed the procedure nor Nurse [REDACTED] who discharged Ms. Casas, ever informed her that she was at risk for vaginal delivery of the fetus.
7. By failing to inform Ms. Casas of the risk of vaginal delivery of the fetus, the unknown doctor and Nurse [REDACTED] breached the standard of care applicable to each of them.
8. The following day, March 13, 2015, Ms. Casas began experiencing severe labor type pains and called Planned Parenthood looking for advice and instructions. Ms. Casas was told to take the pain medication that she had been prescribed; she was not advised that she was at risk for a vaginal delivery and she was not instructed to seek medical attention.
9. That night Ms. Casas delivered the fetus in the bathroom of her home, causing her physical pain and severe emotional and mental trauma.

COUNT ONE—MEDICAL NEGLIGENCE

Ms. Casas vs. Planned Parenthood and Nurse [REDACTED]

10. Ms. Casas incorporates by reference all of the averments in paragraphs 1-9.
11. The unknown doctor and Nurse [REDACTED] breached the applicable standard of care on March 12, 2018 when they failed to advise Ms. Casas that the first step of the two step procedure placed her at risk for vaginal delivery of the fetus.
12. The agent, servant, and/or employee of Planned Parenthood who failed to advise Ms. Casas that she was at risk for vaginal delivery of the fetus and who failed to advise her to see medical attention when she called complaining of pain on March 13, 2014 also breached the applicable standard of care.
13. Planned Parenthood is vicariously liable for the negligence of the unknown doctor and Nurse [REDACTED] and the person who failed to instruct Ms. Casas to seek medical attention when she called to complain of pain.
14. As a direct and proximate result of the above-referenced breaches of the standard of care, Ms. Casas was caused to sustain severe and permanent personal injuries; has incurred and will continue to incur great expense for her medical, surgical, and hospital care and treatment; has suffered and will continue to suffer great pain of body and anguish of mind; has been and will continue to be unable to pursue normal activities; and her ability to earn income and enjoy life has been permanently adversely affected.

WHEREFORE, the Plaintiff Celina Casas demands judgment against the Defendants Planned Parenthood League of Massachusetts, Inc., and [REDACTED] in an amount which will

fully and fairly compensate her for all of her injuries, past, present and future, together with interest and costs.

THE PLAINTIFF CLAIM A TRIAL BY JURY ON ALL ISSUES.

The Plaintiff, Celina Casas by her attorneys,



Kevin Donius, Esquire BBO#551298
Sbrogna, Brunelle & Donius, LLP
424 Adams Street, Suite 100
Milton, MA 02186
(617) 296-4900
kdonius@sbd.legal

Dated: March 5, 2018