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## Delaware Attorney General's Office asks for emergency suspension of two abortion docs links to Gosnell abortion clinic

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By SEAN O'SULLIVAN

The News Journal

WILMINGTON — The Delaware Attorney General's Office is seeking the emergency suspension of two doctors associated with an abortion provider in Delaware that employed **Dr. Kermit Gosnell**, who is accused of murdering infants in Philadelphia.

Prosecutors also are asking the state's Board of Medical Licensure and Discipline to fine **Atlantic Women's Medical Services** — which has clinics in Wilmington and Dover — for unprofessional conduct by the two doctors and the clinic's owner, who has been holding herself up as a doctor despite not having a license to practice medicine in the state.

Because of regulatory reforms passed last year after sex-abuse charges were lodged against Lewes pediatrician Earl B. Bradley, the board now has the ability to act on emergency complaints within 24 hours, meaning the two doctors — **Albert Dworkin** and **Arturo A. Apolinario** — may be suspended from practicing in Delaware as soon as this evening.

Division of Professional Regulation Director James Collins said his office will be working closely with the Attorney General's Office "to expedite these proceedings. The whole situation is very serious."

An employee at Atlantic Women's Medical Services who answered the phone Wednesday declined to comment. An attorney who represents the clinic could not be reached.

It is unclear how the suspensions and penalties — if they are imposed — would affect the two clinics.

The five complaints filed by Delaware Attorney General Beau Biden on Wednesday come as part of an investigation into the Delaware activities of Gosnell, who is facing murder charges in Philadelphia for allegedly killing infants who were delivered alive during late-term abortions. A Philadelphia grand jury report charged Gosnell and three other employees at his Women's Medical Society clinic in West Philadelphia with killing seven infants by stabbing them with scissors.

**The report also indicated that Gosnell, who worked one day a week at Atlantic's Wilmington office for a number of years, regularly started late-term abortion procedures that were illegal under Delaware law at Atlantic's Wilmington clinic.**

He then ordered the patients to report to his West Philadelphia clinic the next day to complete the process, according to court papers. Delaware Right to Life and other groups called for investigations of Atlantic after Gosnell's arrest, and the National Abortion Federation suspended Atlantic's membership in the organization and stopped referring patients to it.

On Wednesday, Nicole Collins, president of Delaware Right to Life, said it "is all very good news" that Biden's office is taking action against Atlantic and several of its employees.

Prosecutors charged that **Dworkin** — who works at Atlantic and also was listed as the board-certified obstetrician and gynecologist of record for Gosnell's West Philadelphia clinic — **failed to report unprofessional and criminal behavior by Gosnell and his staff.**

Prosecutors charge that **Dworkin** knew or should have known about the "deplorable" conditions at Gosnell's clinic along with the substandard care that was provided to patients there, including "permitting unlicensed employees to administer drugs ... and perform examinations and procedures on patients ... **and murdering babies born alive at the clinic.**"

In addition to allegations that infants were slain at Gosnell's Pennsylvania clinic, Philadelphia District Attorney Seth Williams charged that Gosnell and two employees — both women from Delaware — were responsible for the death of an abortion patient who was oversedated in 2009.

**The Delaware complaint charged that Dworkin's failures in his dealings with Gosnell made him an "immediate danger to the public health."**

In the two complaints against **Apolinario**, prosecutors say he **let his license to prescribe controlled substances lapse** in June 2009 but continued during the next 20 months to prescribe and dispense drugs at the Wilmington and Dover Atlantic clinics.

He renewed his license on Feb. 14, according to court papers.

In the second complaint, prosecutors charge that **Apolinario** was Atlantic's "general medical adviser" and is responsible for providing "overall guidance and ongoing consultation of clinical and ethical issues." In that role, Apolinario also was responsible for the care of patient

records, which must be kept at the facility in secured cabinets for at least seven years, according to the complaint.

Prosecutors charge Gosnell removed or destroyed records of patients at Atlantic.

**The complaint charges that Apolinario knew or should have known about Gosnell's actions and reported them.**

The Philadelphia grand jury report indicated that despite Gosnell's long association with Atlantic, **the clinic was only able to produce three files for patients seen by Gosnell at the Delaware clinic.**

**As in the Dworkin complaint, prosecutors alleged that Apolinario is an immediate threat to the public, requiring an immediate suspension.**

In January, the Delaware Family Policy Council called attention to Apolinario letting let his license to prescribe controlled substances in Delaware lapse. On Wednesday, Jordan Warfel, director of life issues for the council, praised Biden's actions. "I thank Beau Biden for doing the right thing," Warfel said.

Delaware prosecutors also are asking the Board of Medical Licensure to issue an immediate cease-and-desist order against **Atlantic's owner and sole shareholder, Panzy Myrie, charging she has been holding herself up in online advertisements as a doctor and gynecologist even though she has no license to practice medicine in Delaware.**

Philadelphia prosecutors had identified Leroy Brinkley as the owner of Atlantic but Delaware prosecutors listed him as Atlantic's managing director and president.

The Attorney General's Office also is asking the board to impose the maximum possible fines against Atlantic for the many violations of the doctors and the owner, which could be up to \$10,000 for a first offense and up to \$50,000 for subsequent violations.

While the Philadelphia case against Gosnell and nine employees of his West Philadelphia clinic is criminal, the complaints filed Wednesday are civil, meaning only a fine or suspensions may result, not jail time.

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