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Doctor Tied to 2 Deaths Loses License : Abortions: His credentials had been revoked in earlier disciplinary actions, but he was allowed to continue practicing on probation. Citing praise for the physician in a previous ruling, his lawyer says he will appeal.

By DOUGLAS P. SHUIT

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TIMES STAFF WRITER

The Medical Board of California has revoked the medical license of controversial Dr. Leo F. Kenneally in a case tied to the abortion-related deaths of two women and serious injuries to five others.

The license revocation is without condition, unlike heavily criticized actions by the board in the past that allowed Kenneally to continue practicing despite a series of disciplinary actions stemming from the physician's practice.

Kenneally, speaking through Los Angeles lawyer Jay Hartz, said he will appeal the decision.

Hartz cited a decision by an administrative law judge last August-- that would have allowed Kenneally to continue practicing on probation--that praised the physician for providing abortions to low-income women and said his "complication rates do not appear to be above average."

The action was the latest chapter in a seven-year legal battle. Board problems for Kenneally, who has performed roughly 100,000 abortions over a 20-year career, began even earlier than that. His license was first suspended in 1976 after he was convicted of a federal narcotics violation. There was another license revocation in 1982, but again, he was given probation and allowed to practice.

Over the years, Kenneally was implicated in cases in which at least two women died and a number of others suffered from shock, hemorrhaging and other significant injuries resulting from abortions. Critics drew on the Kenneally case to support longstanding arguments that the Medical Board, dominated by physicians, is too soft in policing doctors.

Jeannette Dreisbach, director of a group known as Women's Advocate, said that lives could have been saved had the board acted sooner.

"This is a bittersweet victory," she said. "After so many years, you are numb. It is difficult to rejoice because the Medical Board and the attorney general's office . . . really did not perform their mandated function, which is to protect the consumer."

Jamie Court of Consumers for Quality Care praised the board's action, but said he found the timing "odd." He noted that it came on the eve of a scheduled vote in the Assembly on a bill, sponsored by his group, that would require the board to be headed by a majority of public members with no financial ties to medicine.

"It's good they are moving on this--consumers need to be protected," Court said. "But it doesn't change statistics that show the Medical Board is ranked in the bottom third of all state boards on doctor discipline."

The license revocation came about after Dixon Arnett, executive director of the Medical Board since 1993, asked the board to reconsider its decision last August that allowed Kenneally to continue to practice. Kenneally operates Her Medical Clinic in Pacoima.

Kenneally was accused of gross negligence and incompetence involving a 22-year-old woman, whose name was withheld by the board, who had a seizure during an abortion in September, 1986. Despite the seizure, Kenneally continued with the abortion without giving any medication to prevent further convulsions. The woman died of a heart attack within an hour.

The second case that led to a death, which also resulted in a finding of gross negligence against Kenneally, involved an 18-year-old woman about a year later. As in the earlier case, the Medical Board said Kenneally continued with the abortion even after the woman had a seizure. She died of complications 58 days after the procedure.

Arnett refused to accept another probationary action against Kenneally and urged the Medical Board to reconsider.

“I basically agree with the critics that the board was not firm enough with some of its past decisions,” Arnett said from his Sacramento office.

Arnett said he asked the board to reconsider its earlier probationary recommendation because the Kenneally case was “the most egregious I have ever seen, bar none.”

Talking about one of Kenneally’s patients who went into shock because of excessive bleeding and was taken by ambulance to a hospital, Arnett said, “I am not even sure [Kenneally] knew what to do when this person was bleeding profusely except to call 911. I can do that, and I am not an MD.”

Arnett said the license revocation without probation was indicative of a much tougher stance by the board in recent years. In 1992-93, 41 physicians lost their licenses; a year later, 62 suffered the same penalty. This year, projections are that 80 doctors will lose their licenses, Arnett said.

Hartz, Kenneally’s attorney, said: “What’s going on here is the agency is of a mind to collect some scalps, to improve its disciplinary statistics in light of the criticism it has

taken for being too soft.”

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