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Pennsylvania governor fires 6 over abortion clinic horrors

By AMY WORDEN / The Philadelphia Inquirer

HARRISBURG, Pa. -- Pennsylvania Gov. Tom Corbett announced Tuesday that he has fired a half-dozen senior agency employees and ordered changes in the two agencies responsible for oversight of health facilities, following the release of a damning grand jury report that concluded state officials had ignored years of complaints against a Philadelphia abortion doctor now charged with murder.

The governor also said three other former agency employees named in the grand jury investigation had previously resigned. Actions are pending against eight others, spokesman Kevin Harley said.

"This happened because people weren't doing their jobs, plain and simple," Corbett said at a news conference in the Capitol Tuesday afternoon. "This doesn't even rise to the level of government running amok. It's government not running at all."

Corbett fired six individuals involved in the grisly case against Dr. Kermit Gosnell and nine others, who were indicted in the operation of a West Philadelphia abortion clinic where a patient died and seven newborns were allegedly killed. The clinic, which only closed after federal drug agents investigating illegal prescription drug sales raided it a year ago, had not been inspected by the state since 1993.

Department of Health senior counsel Kenneth Brody was faulted for ignoring complaints against Gosnell, and did not tell the jury about a complaint made against Gosnell around 1996 by Donald Schwarz, a pediatrician who is now Philadelphia's health commissioner. Brody was also part of the circle of top officials who decided not to resume regular clinic inspections in 1999.

Christine Dutton was the Department of Health's chief counsel. She defended her agency's nonresponse to patient Karnamaya Mongar's death by telling the grand jury: "People die." The report alleges that Dutton showed a "blatant refusal to enforce the law." It says that she knew that abortion clinics could have been treated as ambulatory surgical centers, requiring yearly inspections. But she went along with an unwritten policy not to apply that law for political reasons.

Stacy Mitchell was a deputy secretary in the health department. She was among the leaders that gave their blessing for a "do nothing policy on oversight," based on "the legally faulty excuse that the department lacked the authority to inspect abortion clinics."

The Department of Health is responsible for inspecting health facilities and the Department of State is charged with licensing medical professionals.

Corbett on Tuesday outlined some of the specific changes he will make in each department. They include requiring clinics that perform abortions to be inspected annually, in addition to random, unannounced inspections; requiring a computerized system to track complaints, injuries and investigations into clinics; and requiring that plans of corrections be due within 10 days of an inspector finding a problem at a clinic.

Among the charges against Gosnell is a third-degree-murder count involving the November 2009 abortion in which Mongar, 41, of Virginia, died after being overdosed with anesthetics by unlicensed clinic personnel.

Gosnell is also charged with seven counts of first-degree murder on allegations that he killed newborns by cutting their spinal cords with scissors.

Gosnell, 69, is being held without bail because he has been charged with murder and prosecutors are considering seeking the death penalty. He is scheduled to be arraigned on March 2.