

AL State Dept of Health Violations Report on Planned Parenthood in Birmingham

Regulatory Violation #1

In summary, the Center failed to comply with the State Board of Health's rules in that the Center had no policy or procedure in regard to verifying parental consent. Staff at the Center were inconsistent with their understanding in regard to obtaining parental consent for minors and failed to obtain parental consent for 9 of 9 minor patients in a manner that complies with state legal requirements. In addition, on the 7/2/08 visit by Lila Rose who was portraying to be a 14 year old girl pregnant by a 31 year old boyfriend, Center staff suggested that someone other than a parent or legal guardian could give consent for a minor to have an abortion. (anyone with the same last name)

Excerpt from page 21 13 year old minor undergoing 2 separate abortions in 4 months time :A reasonable person would suspect abuse or neglect of this 13 year old child based on the above. (2 abortions in 4 month time frame) The Center failed to report the suspected abuse or neglect. Neither the Registered Nurse, the Medical Doctor, nor any other Center staff reported the suspected abuse or neglect to the authorities as required by law.

The Governing Body failed to have policies and procedures that included a method to ensure compliance with state law. Based on state law, record reviews and an interview, it was determined that the Governing Authority failed to require that minor children verify the signature of a parent or legal guardian as authentic, and failed to assure the mandatory abuse or neglect reporting law was followed. The parental consent law was not followed for 9 of 9 sampled records that involved minors. The mandatory reporting law was not followed for 1 of 2 sampled patients for whom it would be only reasonable to suspect abuse or neglect. Further, during the surreptitious visit in which Lila Rose posed as a 14 year old pregnant by a 31 year old, the Center staff member 's verbal responses to Lila Rose revealed a disregard or lack of knowledge regarding the mandatory reporting of statutory rape and the requirements for obtaining the consent of a parent or guardian prior to performing an abortion on a minor. This had the potential to affect all minor patients served by the center.