

To: State Medical Board of Ohio  
From: Paul Coudron, Executive Director  
*Dayton Right to Life*

Subject: Formal complaint against Dr. Martin Haskell, Women's Med Center, Dayton, OH  
Dr. Roslyn Kade, Women's Med Center, Dayton, OH  
Dr. Jeffrey Glazer, Women's Med Center, Dayton, OH

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I am writing to file a formal complaint against Dr. Martin Haskell, Dr. Roslyn Kade, and Dr. Jeffrey Glazer of Women's Med Center (WMC) in Dayton, OH. A public records request to the Ohio Department of Health reveals that an abortion was conducted at Women's Med Center on a 31-year-old woman who, due to her being under the influence of drugs, could not consent to having the procedure.

The Ohio Department of Health cited WMC for "failure to ensure a patient was allowed to refuse or withdraw consent for treatment when her physical and cognitive condition precluded her from participating in her treatment." However, the inspection report does not indicate whether the licensed physician who performed that abortion was sanctioned for breaking the law.

Ohio Administrative Code 3701-83-07 states that each patient at an Ambulatory Surgical Facility "shall be allowed to refuse or withdraw consent for treatment."

The Ohio Department of Health found that this rule was not met because the staff at WMC "failed to ensure a patient was allowed to refuse or withdraw consent for treatment when her physical and cognitive condition precluded her from participating in her treatment."

The following is a list of findings included in the Ohio Department of Health's Summary Statement of Deficiencies issued after investigating this matter on June 12, 2015:

- The patient had been at the facility on June 10, 2015 for an initial evaluation. The patient was given a dilator and instructed to return the following day for the procedure. She was also given six Percocet (narcotic pain medication).
- The patient arrived at 10:30 am on June 11, 2015. The patient arrived with the help of a friend. The patient could not walk on her own or hold her head up once placed in a wheelchair. The patient's speech was slow and slurred. The patient was unable to keep her eyes open and her eyes were twitching when opened. The patient was unable to hold a conversation.
- The patient arrived in a "somolent state; responsive to strong stimuli; but otherwise not able to walk, or to make coherent conversation."
- Staff at WMC confirmed that these were signs of recreational drug use.
- The patient's friend reported to WMC staff that the patient had taken "two Soma and several Percocet and probably both Suboxone and perhaps some heroin on her way in".
- The physician consulted with two other physicians, including the medical director and the facility's transfer physician, and decided to perform the procedure.

- Staff at WMC administered Narcan, a drug used to counter opioid overdose, but only after the physician performed the abortion.
- The patient never lost consciousness but was semi-conscious with low blood pressure during the procedure.
- The physician then determined that the patient needed to be transferred to the hospital for further evaluation, monitoring and detoxification from the suspected drug overdose.
- The physician was aware of the patient's lack of cognition and inability to participate in her care prior to the procedure.
- There was no documentation that the patient was asked whether or not she would like to withdraw consent due to her altered state.

Based upon the findings recorded after the Ohio Department of Health investigated this event, it is clear that the licensed physician(s) violated the law. The licensed physician(s) knew that the patient was under the influence of drugs and was semi-conscious. The patient was never given the opportunity to withdraw consent for the procedure, and could not have given legal consent given her state of mind at the time of the procedure.

Further, the licensed physician(s) did not administer medicine to stop the effect of the drug overdose until after she had completed the abortion. This was a clear act of negligence that risked the life of the patient. The licensed physician(s) acknowledged the risk to the patient by having staff call EMS for transport to the hospital due to overdose. However, she also made sure to perform the abortion before having the patient transported for treatment and while the patient was physically and cognitively incoherent.

I urge the State Medical Board of Ohio to collaborate with the Ohio Department of Health in order to investigate this matter further. The licensed physician(s) violated Ohio law and forced abortion on this patient, denying the patient a choice and potentially jeopardizing her health.