



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

201 W. Preston Street • Baltimore, Maryland 21201

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

June 25, 2013

The Honorable Thomas McLain Middleton
Chairman
Senate Finance Committee
11 Bladen Street, 3 East
Annapolis, MD 21401

The Honorable Peter A. Hammen
Chairman
House Health and Government Operations
Committee
6 Bladen Street, Room 241
Annapolis, MD 21401

Dear Chairman Middleton and Chairman Hammen,

This letter updates you on the Office of Health Care Quality's (OHCQ) investigation into the complaint that Steven Brigham has a relationship with the Associates in OB/GYN Care LLC's (OB/GYN Care) facilities in Maryland, contrary to regulations for surgical abortion facilities at COMAR 10.12.01.03.

Management of OB/GYN Care initially denied to OHCQ that there was a relationship between their facilities and Mr. Brigham. At a public show cause hearing on May 21, 2013, however, Melissa Shachnovitz, OB/GYN Care's administrator, stated that Mr. Brigham is the owner of an entity that provides physician services to the OB/GYN Care facilities. Such a relationship is not specifically prohibited by the Department's regulations. Moreover, the Department has not discovered evidence that Mr. Brigham was involved in direct patient care at any of the facilities operated by OB/GYN Care.

On May 9, 2013, the Department suspended the OB/GYN care's licenses to perform surgical abortions at its four facilities in Maryland. This action was taken based on patient safety.

The Department is reviewing its current regulations in light of its understanding of Mr. Brigham's apparent role with OB/GYN Care and the experience over the last year in regulating surgical abortion facilities. The Department will keep you posted of changes that may be proposed based on this review.

Sincerely,

Joshua M. Sharfstein, M.D.
Secretary

