

# Tubal ligation to be allowed at Dominican

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SANTA CRUZ — Dominican Hospital announced Thursday that previously banned tubal ligations will be allowed at the Catholic facility if doctors determine there is a medical need for the sterilization procedure.

The decision — hailed by reproductive rights advocates, doctors, and county officials — opens the door to perform the procedure, which had been prohibited because of the hospital's ties to the Roman Catholic Church. It also soothes a political sore with county officials

who insisted that, in a one-hospital town, a full range of reproductive services should be offered based on medical need, not religious philosophy.

At the same time, Sister Julie Hyer, Dominican Hospital president, said the facility will continue to follow ethical guidelines that apply to all Catholic ethical guidelines.

Sterilization for purposes of birth control is still prohibited at Dominican. But under the relaxed policy, when a "serious pathological condition" exists, doctors can

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perform a tubal ligation. Those decisions will be made on a case-by-case basis.

What constitutes a serious medical condition justifying a tubal ligation is up to the woman and her doctor, without review or approval by hospital personnel, said Stephanie Hauk, a member of the Dominican Santa Cruz Board of Directors. "The bottom line is that the decision rests with the patient and the physician."

The doctors will be given no guidelines in this matter.

"It would be presumptuous of us ... to tell a doctor how to practice medicine," she said.

Dr. Larimore Cummins, Dominican's medical director, and Dr. Joseph Anzalone, obstetrician/gynecologist, refused to name conditions or give examples that would qualify.

"To give an example would write it in stone," said Anzalone.

The decision ends a battle between community health advocates, county officials and the hospital that began when Dominican bought North County's only other hospital, AMI Community, in 1990.

Although tubal ligations were still offered at Watsonville Hospital and on an out-patient basis at Santa Cruz Medical Clinic, the ban on the procedure continued at Dominican Hospital.

That meant women who planned a Caesarean section birth, which must be done in a hospital, no longer had the option of having their tubes tied at the time of delivery in Dominican.

Those represented only a small portion of the tubal ligations performed, Hyer argued. In 1989, for example, Community Hospital performed 64 tubal ligations during Caesarean section deliveries or in conjunction with other surgeries.

But reproductive rights advocates pressed for a full range of services, especially for low-income women on Medi-Cal.

Cynthia Matthews, director of

public affairs for Planned Parenthood in Santa Cruz, lauded the decision as the best one possible.

The "most critical gap in services is now being closed" but within the ethical framework of the Catholic Church, said Matthews.

"Realistically, we are aware of the fact we are dealing with a Catholic institution and they are aware of their medical obligation to the community," said Matthews.

"Now decisions about tubal ligations will be made by a doctor and the doctor's patient," instead of on the basis of religious philosophy, said Supervisor Fred Keeley. "That seems to me to be the right way to do it."

Hauk said the policy change was made by unanimous vote during an emergency meeting of the Board of Directors Tuesday following consultation with Bishop Sylvester Ryan of the Diocese of Monterey.

The directors voted to accept the bishop's recommendation, which was made about two weeks ago, said Hyer.

As a Catholic hospital, Dominican consults with the bishop, who is the church authority on interpreting Catholic teaching for the Diocese of Monterey. But directors also had the option of modifying or rejecting the bishop's recommendation, said Hauk.

Hyer announced the new policy to several county officials Wednesday, and to hospital managers Thursday. The response was unanimously positive, she said. More meetings are scheduled today with other community health providers.

"I am delighted with their response in making this a medical issue and making the service available to the rich and poor in this county," said Dr. Ira Lubell, the county's health director.

"They've made a marvelous step forward. It means that a woman who has had five children can have her tubes tied," said Lubell.

Lubell is scheduled to report to the Board of Supervisors Tuesday

on Dominican's policy.

Lubell said that since June, county health workers have referred 15 women to Santa Cruz Medical Clinic, which received permission from the state in December to provide Medi-Cal-funded tubal ligations.

Dominican's new policy was deliberately downplayed by both previous critics, who refused to call it a victory, and hospital personnel, who said it was not a reversal of the church policies.

"They're trying to write this as if there is no real change," said Christine Lyons-Johnson, director of the Community Action Board, a member organization of the Reproductive Rights Network. "I think what they're trying to do is cover themselves so it looks like they're not relaxing their policies."

Lyons-Johnson said the new policy will take political steam from a proposal by Sutter Health, the Sacramento hospital company that wants to build a 30-bed maternity and surgery center in Santa Cruz.

Sutter's proposed mini-hospital on Soquel Drive near Chanticleer Avenue would be in direct competition with Dominican on Soquel Drive.

Lyons-Johnson said her hunch is that Sutter Health wouldn't get needed county building approvals as easily if a full range of reproductive services were offered at Dominican.

Keeley maintained that decisions about Sutter Health's plan will be based on land use, not health care services. But, he added, "I imagine from Dominican's point of view, the bishop's decision on this is fortuitous relative to competition coming to town. The competition won't have all the cards on this issue, that's for sure," said Keeley.

Hyer denied that Sutter Health's plans played any part in Dominican's announcement.

Rather, it was the culmination of discussions and consultations begun by Bishop Thaddeus Shubsda, who died in 1991.

The decision was pending during the 11 months until his successor was named. Bishop Ryan was installed in March and resumed study of the issue, she said.

Meanwhile, Steve Heath, an official with Sutter Health who just heard about the decision late Thursday, said the new policy didn't sound "that much different" from the old one.