Louisville medical practice leaves KentuckyOne Health over medical restrictions on birth control

Aug. 22

courier-journal.com

Different directives

KentuckyOne Health has different rules regarding reproductive care at different types of hospitals and doctors’ offices within the company.

• Traditionally Catholic facilities: Within these sites, medical providers must follow all Catholic health-care directives, which ban sterilization and abortion. The directives also say that Catholic health institutions “may not promote or condone contraceptive practices,” but should instruct married couples “in methods of natural family planning.”

• “Legacy” Jewish Hospital facilities: Within these sites, medical providers are prohibited specifically from performing elective abortions, sterilizations and fertility treatments, and from dispensing contraceptives solely to prevent pregnancy.

KentuckyOne Health’s restrictions on contraception have spurred a Bardstown Road medical practice to leave the hospital company, which is controlled by a majority owner that follows Catholic health directives.

“We didn’t want to work within any organization where any religion was controlling our practice,” said Dr. Rachel Busse, part of a three-person team that runs Highlands Family Medicine in Mid City Mall. “Anything that limits (birth control), even on the philosophical level, is difficult for us.”

The six-person staff of Highlands Family Medicine, led by Busse, Dr. Stephen Roszell and nurse practitioner Megan Ward, will become employees of Norton Healthcare beginning Sept. 1.

The medical team, which sees about 6,000 patients, was employed by Jewish Hospital & St. Mary’s HealthCare before that system merged in January with Lexington-based St. Joseph Health System to form KentuckyOne Health.

Doctors within facilities that had been part of Jewish & St. Mary’s don’t have to abide by the Catholic health directives, but they must avoid dispensing birth control, said Dr. Dan Varga, chief clinical officer of KentuckyOne.

That means that while member doctors can prescribe birth control for pregnancy prevention in former Jewish facilities, they are not allowed to give birth-control shots, hand out birth control pills or place intrauterine devices solely for the purpose of preventing pregnancy, Varga said.

Those doctors can still dispense birth control if there is a medical reason other than simply preventing pregnancy, such as regulating a woman’s menstrual periods.

There are currently 180 doctors in Jewish Physician Group, now under KentuckyOne. Only one other practice has left Jewish for Norton since the merger and that wasn’t over the directive, said Ginger Figg, president of Norton Healthcare Physician Services.

Busse said she places IUDs and gives Depo-Provera birth-control shots and wants to continue. Roszell said he prescribes various forms of birth control, including the morning-after pill Plan B, and also refers women for abortions.

In a personal statement on the practice’s new Norton website, Roszell wrote: “I believe that a woman’s ability to choose whether and when to have a baby is a basic right.”

Leaving KentuckyOne “is 100 percent, totally, completely because of the issue of birth control,” Roszell said. “There is no (reproductive-age) woman … for whom birth control is not part of her care.”

Ward said one reason she and her colleagues are switching to Norton is to make a statement about their medical
beliefs. Roszell said they will earn about the same amount of money at Norton as they do at KentuckyOne, which leases the offices where they now work as employees.

“We were just generally concerned about any limits on reproductive choices,” she said. “We just don’t think there should be any dictates at all.”

Controversial merger

Concerns about reproductive care were paramount in a fierce debate leading up to the merger that created KentuckyOne.

At first, University Hospital sought to merge with St. Joseph and Jewish & St. Mary’s. But Gov. Steve Beshear rejected that proposal, saying state officials didn’t want to lose control of a public asset.

Shortly after that decision, Jewish & St. Mary’s merged with St. Joseph in a deal that excluded University. Catholic Health Initiatives of Denver, which was the parent company of St. Joseph and part-owner of Jewish & St. Mary’s, is the majority owner in the merged system.

Under the merger deal, traditionally Catholic facilities must continue to follow all of the Catholic health-care directives, including a ban on sterilization and abortions. The directives also say that Catholic health institutions “may not promote or condone contraceptive practices,” but should instruct married couples “in methods of natural family planning.”

“Legacy” Jewish Hospital facilities are prohibited specifically from performing elective abortions, sterilizations and fertility treatments, and from dispensing contraceptives solely to prevent pregnancy.

Varga said the prohibitions are clear, and are “facility specific,” meaning they apply to facilities and not to doctors. Doctors employed or affiliated with KentuckyOne can, for example, perform a sterilization or place an IUD in a facility not controlled by KentuckyOne, he said.

“Physicians with Jewish Physician Group, which is not a Catholic entity, can have a conversation about the full-range of contraceptive options,” KentuckyOne spokeswoman Barbara Mackovic said. “Following this discussion, the doctor and patient will make the decision in terms of what is in the best interest of the patient.”

Members of the Highlands team said they sought answers to specific questions about what would be allowed under certain circumstances, or a written assurance that they could continue to do what they were doing — partly because they said the agreement between KentuckyOne and legacy Jewish facilities could change in the future.

But Varga said KentuckyOne does not want to put out a written list of “500 potential scenarios … because we trust the doctor-patient judgment.”

“If it’s vague,” he said, “it’s only vague because it’s impossible to describe every scenario.”

Ward said the team also felt they were being encouraged to discuss and document natural family planning “as an option for all women.”

Ward said natural family planning involves the “rhythm method” of tracking a woman’s menstrual history to predict when she’ll ovulate. Ward said she and her team don’t think it’s appropriate for all women, and they shouldn’t have to discuss the method unless the situation warrants it.

Varga said “a doctor’s judgment” should determine what is discussed, and the doctor-patient relationship is sacred.

“Doctors are going to have preferences around what they think a reasonable scope of options are,” he said. “Lots of doctors would have a discussion around family planning that includes natural family planning to condoms to sterilizations.”
Patients’ choice

Figg said Norton doesn’t limit doctors on birth control prescribing or dispensing — as long as it falls within the scope of their practice.

“I know the birth-control issue was something driving them to make a change,” Figg said. “But I truly believe they’ve also joined us because Norton is a great environment for physicians and patients.”

She said she hopes the medical team’s patients follow them to their new Norton Highlands Family Medicine offices at 1169 Eastern Parkway, Suite 1234.

“But that’s the patients’ choice,” she said.

Mackovic said officials at KentuckyOne “wish the Highlands Family Medicine group the best and appreciate the services they have provided to our patients.”

Honi Goldman, a critic of the hospital merger that fell through, praised the practice for leaving KentuckyOne, and urged other doctor’s offices in the former Jewish system to look at why they’re staying.

“… It is heartening that the Highlands Family (Medicine) group has the courage and conviction to do what is in the best interest of their patients,” Goldman said.

Varga said he doesn’t think many other doctors will follow their lead, though he understands the group’s choice.

“We really didn’t want to see them leave Jewish Physician Group,” Varga said. “But I respect their decision that within their ethics, they didn’t feel like this is a place where they can continue to practice.”

Reporter Laura Ungar can be reached at (502) 582-7190.

• Economist: "I Don't Think Our Civilization Can Survive This" (Money Morning)