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Catholic Health Association backs Phoenix hospital

by Jerry Filteau



The main entrance of St. Joseph's Hospital in Phoenix

St. Joseph's Hospital and Medical Center in Phoenix acted in accord with Catholic directives on medical ethics when it performed an abortion last year to save the mother's life, the head of the Catholic Health Association of the United States said Dec. 21.

Earlier in the day Bishop Thomas J. Olmsted of Phoenix decreed that St. Joseph's can no longer "utilize in any way the name "Catholic"" because the hospital has refused to accede to his view that the abortion violated the U.S. bishops' "Ethical and Religious Directives for Catholic Health Care Services."

Daughter of Charity Sr. Carol Keehan, CHA president and CEO, said, "St. Joseph's Hospital and Medical Center in Phoenix has many programs that reach out to protect life. They had been confronted with a heartbreaking situation. They carefully evaluated the patient's situation and correctly applied the "Ethical and Religious Directives for Catholic Health Care Services" to it, saving the only life that was possible to save."

NCR received Keehan's statement in an e-mail late Dec. 21.

St. Joseph's is run by the Sisters of Mercy and is part of San Francisco-based Catholic Healthcare West, a system of 41 hospitals, mainly Catholic, in Arizona, California and Nevada.

"Catholic Healthcare West and its system of hospitals are valued members of the Catholic Health Association," Keehan said. "Their long and stellar history in the protection of life at all stages is well known."

In a Web page responding to frequently asked questions about Olmsted's Dec. 21 announcement that the hospital could no longer call itself Catholic, St. Joseph's said, "At issue is whether St. Joseph's acted correctly in terminating a pregnancy to save the mother's life. St. Joseph's and its parent company, Catholic Healthcare West, continue to stand by the decision, which was made in collaboration with the patient, her family, her caregivers and the hospital's ethics committee."

On "the facts of the case," the hospital said:

"A woman in her 20s with a history of moderate but well-controlled pulmonary hypertension found out she was pregnant. There was concern for her health because pregnancy with pulmonary hypertension carries a serious risk of mortality. Because of the severity of her disease, the woman's risk of mortality was close to 50 percent. In November 2009 the woman was admitted to St. Joseph's Hospital and Medical Center with worsening symptoms. Tests revealed that she now had life-threatening pulmonary hypertension. The chart notes that she had been informed that her risk of mortality was close to 100 percent if she continued the pregnancy. The medical team contacted the Ethics Consult team for review. The consultation team talked to several physicians and nurses as well as reviewed the patient's record. The patient and her family, her doctors and the Ethics Consult team agreed that the pregnancy could be terminated, and that it was appropriate since the goal was not to end the pregnancy but save the mother's life."

National controversy over the case erupted last May when the Phoenix daily newspaper, *The Arizona Republic*, learned that Olmstead had been told about the abortion and had privately informed the head of the ethics committee, Mercy Sr. Margaret McBride, that in approving the abortion McBride had incurred automatic excommunication from the church.

At the time it was revealed that the woman in question was in the 11th week of pregnancy, had four other young children, and had resisted abortion as an option until it became clear that both she and the unborn child were in imminent danger of death if she tried to continue her pregnancy.

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Olmsted contended that the hospital violated Directive 45 of the bishops' "Ethical and Religious Directives for Catholic Health Care Services," which says, "Abortion " that is, the directly intended termination of pregnancy before viability or the directly intended destruction of a viable fetus " is never permitted. Every procedure whose sole immediate effect is the termination of pregnancy before viability is an abortion."

The hospital contended that it was not in violation of that directive but rather was following the modifying principle in Directive 47, which says, "Operations, treatments, and medications that have as their direct

purpose the cure of a proportionately serious pathological condition of a pregnant woman are permitted when they cannot be safely postponed until the unborn child is viable, even if they will result in the death of the unborn child.?

On its frequently asked question Web page St. Joseph's said, "Consistent with the ERDs [Ethical and Religious Directives], if we are presented with a situation in which a pregnancy threatens a woman's life, we will make every effort to save both patients. If that is not possible, we will always save the life we can save. This is what we did in this case and we stand by the decision."

Although by episcopal decree St. Joseph's can no longer call itself Catholic, the hospital said, "St. Joseph's will retain its name and our Catholic heritage will always be at the core of who we are. Our mission and values will not change."

In response to a request from *NCR*, the San Francisco archdiocese -- where Catholic Healthcare West is headquartered -- issued a brief statement Dec. 21 saying that Archbishop George H. Niederauer of San Francisco "intends to initiate a dialogue with the leadership of Catholic Healthcare West" regarding questions Olmsted has raised "about the implementation of the ERDs" within the CHW system.

While it offered no judgment on the merits of the conflict between Olmsted and St. Joseph's, the two-paragraph archdiocesan statement affirmed Olmsted's "authority and responsibility to interpret the moral law and to teach the Catholic faith" within the Phoenix Diocese and to judge whether Catholic institutions in his diocese are in accord with the bishops' ERDs.

[Jerry Filteau is *NCR* Washington correspondent.]

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Dec. 22: **Catholic Health Association backs Phoenix hospital**

Dec. 21: **Phoenix bishop removes hospital's Catholic status**

Dec. 16 and 17: **Phoenix bishop gives ultimatum to hospital.**


For Olmsted's full statement, **click here** for a PDF file.

For a copy of Olmsted's official decree removing the hospital's Catholic status, **click here**.

For a copy of the bishop's letter of demands to the hospital, **click here** for a PDF file.

For the hospital's full statement, **click here** for a PDF file.

For the hospital's answers to frequently asked questions about Bishop Olmsted's announcement, **click here** for a PDF file.



For more information on the Phoenix hospital and Bishop Olmsted, see our previous stories:

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- Canon lawyers assess 'automatic' penalty for nun who approved an abortion, June 22
- Ethicists fault bishop's action in Phoenix abortion case, June 8
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