

Investigative Report regarding Complaints from Ohio Right to Life and Right to Life of Northeast Ohio

Executive Summary

On August 20, 2021, the Ohio Department of Health (ODH), met with the Ohio Bureau of Workers' Compensation's Special Investigations Department (SID) and requested assistance in conducting a supplemental investigation on two complaint survey allegations received from Ohio Right to Life¹ (ORTL) and Right to Life of Northeast Ohio (RTL of NE Ohio).

On July 19 & 20, 2021, ORTL Director of Legislative, Mary M. Parker, submitted two complaint allegations (Attachment A) to ODH, as well as several other state and federal agencies² requesting the Northeast Ohio Women's Center (NEOWC) located at 2127 State Rd, Cuyahoga Falls, OH 44223 be investigated for the following:

- Unsanitary conditions – ORTL alleged bystanders observed stray cats walking around the clinic's dumpsters and NEOWC staff let the cats into the facility, creating unsanitary conditions.
- Improper disposal of biohazard waste - Biohazard waste was improperly being thrown into the dumpster to include bloodied linens, forceps, urine samples, dismembered parts of an aborted child (also referred to as product of conception, herein referred to as POC), such as a hand, foot, torso, and legs.
- Capacity issues – On July 10, 2021, during a four-hour period, it was noted that there were 10 clients at the clinic at the same time.
- Potential HIPAA violations - Caused by the improper disposal of at least 30 patient records.

On July 30, 2021 and August 18, 2021, RTL of NE Ohio 's Executive Director, Denise Leipold, in conjunction with ORTL and Citizens for a Pro-Life Society submitted two complaint allegations (Attachment B) to ODH, as well as several other state and federal agencies requesting the

¹ ORL is a Pro-life activist group headquarter in Columbus, Ohio, with regional chapters across the state of Ohio.

² The allegations state complaints were additionally filed with the following departments: Ohio Medical Board, U.S. Department of Health and Human Services, and the Ohio Environmental Protection Agency.

Planned Parenthood - Bedford Heights Surgery Center located at 25350 Rockside Rd, Bedford Heights, OH 44146 be investigated for the following:

- Improper disposing of biohazard/infectious waste into regular trash including bloody surgical sheets, suction catheters, vaginal swabs, and bodily tissue.
- Violation of HIPAA rules and regulations due to improper disposal of Personal Health Information (PHI) found on specimen cups with patient names and patient IDs/numbers.

In addition to the allegations, ORTL and RTL of NE Ohio provided photographs of items allegedly collected from several trash pulls conducted from NEOWC and Planned Parenthood - Bedford Heights Surgery Center to support their allegations.

SID management reviewed and held discussions regarding the allegations and request. Once the review was completed, SID investigators, herein referred to as “investigators”, were temporarily assigned to ODH to conduct a supplemental investigation.

On August 23 and 26, 2021, investigators held meetings with ODH to discuss the scope and purpose of the supplemental investigation and to discuss what actions had already been taken by ODH surveyors. According to ODH management, an onsite complaint survey at NEOWC had already been conducted. Investigators requested all information regarding the survey be shared with them for their review. ODH provided investigators with the requested data and information on August 27, 2021.

Investigators and ODH discussed the most recent allegation regarding Planned Parenthood - Bedford Heights Surgery Center located at 25350 Rockside Rd, Bedford Heights, OH 44146. ODH informed investigators an onsite survey complaint had not yet been completed, but ODH was in the process of scheduling the survey. ODH recommended investigators shadow surveyors and assist with the onsite complaint survey at Planned Parenthood – Bedford Heights. The survey was conducted on September 2, 2021, and no violations were found.

In addition, the following actions steps were taken by surveyors and investigators:

- Interview with Ohio Environmental Protection Agency.
- Interview with ORTL’s source, Matthew Connolly.
- Trash pulls and analysis.

- Analysis of complainants' photos.
- Interview with NEOWC former employee, Abby Brick.
- Collection and review of complainant's evidence.
- Analysis of NEOWC's capacity.
- Social media analysis to identify Dr. Monica Miller.
- Interview with Dr. Monica Miller.

Summary of Findings

Northeast Ohio Women's Center (NEOWC)
2127 State Road
Cuyahoga Falls, OH 44223

After completion of action steps, analysis of photos, a review of all documentation provided by ORTL, and a review of documentation collected by surveyors and investigators, the investigation determined the following findings for the NEOWC allegations:

Allegation 1 – Unsanitary conditions: ORTL alleged bystanders observed stray cats walking around the clinic's dumpsters and NEOWC staff let the cats into the facility, creating unsanitary conditions.

Allegation 1 is Unfounded: NEOWC was assessed for indicators of cats within the facility on two separate occasions, once during the original complaint survey and the second during the trash pull collection. On both occasions, there were no indications of cats being present in the clinic (i.e., No signs of cat food lying around, no litter box(es), no signs of cat hair, no pet toys, or any other signs of care or shelter being provided to cats were identified in the clinic). In addition, no cats, or indications of cats, were present outside of the clinic or in the parking lot. In addition, the allegation was found to be secondhand information reported as being observed only by "bystanders." No photos or any other substantial proof of evidence to support the allegation was provided. For these reasons, the allegation has been determined to be unfounded.

Allegation 2 – Improper and inhumane disposal of biohazard waste: Biohazard waste was improperly thrown into the dumpster, which included bloodied linens, forceps, urine samples, dismembered parts of an aborted child, such as a hand, foot, torso, and legs.

Allegation 2 is Unfounded: NEOWC has been identified as a small generator of infectious waste, meaning they produce less than 50 pounds of biohazard waste a month. Small generator of infectious waste clinics by Ohio Administrative Code, 3734.021, are not required to dispose of biohazards (other than cultures) using a specialized biohazard waste management company. By having a contract with Specific Waste Industries (SWI), NEOWC is exceeding the requirements. NEOWC is required, by law, to properly document their actual poundage of biohazard waste each month³.

ORTL also alleged in their complaint that NEOWC inhumanely disposed of human remains, violating Ohio Administrative Code, 3734.021 or Senate Bill 27 (133 General Assembly), which requires fetal remains from surgical abortions be cremated or buried. The bill updates a current law that requires aborted fetuses to be disposed of “in a humane manner,” but “humane” is currently not defined. The bill also mandates that a woman having an abortion must fill out a form designating how to dispose of the remains. The bill was to become law April 6, 2021; however, on April 5, 2021, Hamilton County Court of Common Pleas Judge Alison Hatheway, issued a preliminary injunction to block the law from taking effect on April 6, 2021. The injunction was in place during the time ORTL submitted the allegations to ODH. As a result of the injunction, no violations of Ohio Law occurred. For these reasons, the allegation has been determined to be unfounded.

Allegation 3 – Capacity issues: On July 10, 2021, during a four-hour period it was noted there were 10 clients in the clinic at the same time.

Allegation 3 is Unfounded: Investigators reviewed patient sign in sheets/logs from May 15, 2021, through July 17, 2021, which confirmed NEOWC properly staggered patient procedures to where minimal overlap occurred, and no capacity issues were identified. On the specific day questioned in the allegation, July 10, 2021, only three patients signed into the clinic. At no time did any of the three appointments overlap. In addition, the allegation was secondhand knowledge as being “observed” and reported by “bystanders” and not the complainant. No photos or any other substantial proof of evidence to support the allegation was provided. For these reasons, the allegation has been determined to be unfounded.

³ This issue was outside the scope of this investigation. Investigators confirmed this issue is being investigated by Ohio EPA.

Allegation 4 – HIPAA violations: Caused by the improper disposal of at least 30 patient records.

Allegation 4 is Founded: The review of the recovered items from NEOWC, provided by ORTL, identified a total of 53 unique patient names with most containing additional PHI content (such as patient IDs, dates of birth, phone numbers, and/or addresses). The PHI was identified on patient prescriptions, pharmacy prescription documentation, pharmacy receipts, appointment logs, specimen cups, prescription boxes and bottles, lab results/requests, and office documentation. Although some documentation may have been disposed of by patients, there were enough items identified (such as specimen cups, prescriptions, and internal appointment/procedure calendar) which would have only been handled and discarded by NEOWC staff. Therefore, evidence supports these were items improperly discarded by NEOWC staff. For these reasons, the allegation has been determined to be founded.

Planned Parenthood - Bedford Heights Surgery Center
25350 Rockside Rd
Bedford Heights, OH 44146

Allegation 1 - Improper disposal of biohazard waste: Improper disposal of biohazard / infectious waste into regular trash.

Allegation 1 is Unfounded: Unlike NEOWC, Planned Parenthood – Bedford Heights is identified as a large generator of infectious waste and is required to dispose of biohazard waste using a specialized biohazard waste management company. Planned Parenthood – Bedford Heights has the responsibility to create internal policies and procedure for handling materials soiled with biohazardous waste. Such guidelines may direct an individual to dispose of slightly saturated gowns, cotton balls, swabs, chuck pads, or other materials into in normal trash bins, while heavily soiled or saturated materials must be placed in regulated waste containers. The determination of whether material is slightly soiled vs. heavily soiled is left to individual interpretation. In some cases, even if soiled, disposal in regular trash still may not meet the requirement for a citable violation. Investigators had no way to confirm or determine the level of “soiled” or saturation of fluids on material because of it being dried.

With regards to the alleged fetal tissue (herein referred to as tissue) found, investigators could not confirm the location of where the items were discovered or the validity of the tissue. Through the interview with the ORTL’s source, Matthew Connolly (Connolly), investigators identified several discrepancies in his responses to specific questions. Connolly could not confirm the exact dates when the tissue was obtained. Connolly also stated the tissue was moved to several

locations in attempts to preserve the tissue and POC found at NEOWC. Such locations include Akron, Toledo, and Michigan. Connolly could not correctly identify dates when this travel occurred. Connolly also stated the POC, and tissue were placed in the same container until they were separated by “Dr. Monica” in Michigan⁴. The handling of the POC and tissue by Connolly causes concerns for cross contamination and chain of custody; therefore, are not a reliable source of evidence.

The photo evidence presented contained no GPS location information to provide where the items were obtained. No additional information was provided by ORTL or by the source to confirm the tissue was from a Planned Parenthood – Bedford Heights patient. The POC and tissue were not provided to investigators when the other items were obtained from ORTL. Investigators are unable to determine if the dried fluid or tissue was a biohazard violation. For these reasons, the allegation has been determined to be unfounded.

Allegation 2 - HIPAA violations: Violations of HIPAA rules and regulations due to improper disposal of PHI found on specimen cups with patient names and patient IDs/numbers.

Allegation 2 is Founded: The review of the items from Planned Parenthood - Bedford Heights provided by ORTL, identified a total of 33 unique patient names with several containing additional PHI component such as patient ID, date of birth, phone number, and/or address. PHI was identified on specimen cups, sign in sheets, lab results/requests, and office documentation. Such items are items that would have only been handled by Planned Parenthood – Bedford Heights’ staff. Therefore, evidence supports these were items improperly discarded by Planned Parenthood - Bedford Heights staff. For these reasons, the allegation has been determined to be founded.

NOTABLE ENHANCEMENTS TO PROCEDURES

It should be noted both NEOWC and Planned Parenthood - Bedford Heights had self-initiated improvements in their processes and procedures related to concerns identified in the ORTL complaints. Both facilities added a locked dumpster and have implemented stricter policies dealing with protecting PHI. This includes using only initials on specimen bottles and redacting PHI information on prescription bottles and documents using a sharpie or redaction pen. NEOWC also added surveillance cameras after the complaint was filed.

⁴ During the interview with Dr. Miller, she stated the container only held the aborted baby and nothing else.

DISPOSITION OF ITEMS RECOVERED FROM COMPLAINANT'S TRASH PULL

The POC and alleged fetal tissues collected by Connolly and provided to ORTL were not released to investigators. It was learned, on September 25, 2021, ORTL, RTL of NE Ohio, and Citizens for a Pro-Life Society held a burial ceremony at Holy Cross Cemetery in Akron, Ohio.

On October 4, 2021, investigators received two boxes of information, one containing information collected from NEOWC and a second box containing information collected from Planned Parenthood - Bedford Heights. At the completion of this investigation, all PHI will be properly disposed of in accordance with policies and procedures of ODH and/or Ohio law. All potential biohazard, and medical waste will be disposed of in accordance with EPA guidelines.

Recommendations

Due to the findings of PHI violations by NEOWC and Planned Parenthood – Bedford Heights, it is recommended the investigations be referred to ODH's Bureau of Regulatory Operations for further review and consideration of any potential citations.

Action Step Details

ON-SITE SURVEY AT PLANNED PARENTHOOD - BEDFORD HEIGHTS SURGERY CENTER

On September 2, 2021, Investigators shadowed and assisted with the onsite survey at Planned Parenthood - Bedford Heights Surgery Center, located at 25350 Rockside Rd, Bedford Heights, OH 44146. Investigators and surveyors arrived onsite at approximately 9:25 AM. Surveyors inspected the physical perimeter and looked in the onsite trash dumpsters before entering the clinic. No violations were observed. Surveyors and investigators entered the clinic and met with the receptionist, identified themselves, and identified the purpose of the visit was to conduct a complaint survey. The receptionist contacted the office manager, Clarisa Powell (Powell). Powell met surveyors and investigators and escorted them to a conference/training room. Powell was informed a complaint had been received and the purpose of today's survey was to address the complaint.

During the initial discussion, surveyors and investigators were introduced and/or informed about the following Planned Parenthood staff: Medical Director, Dr. Adarsh Krishen (Krishen), Director of Nursing, Heather Stephenson (Stephenson), and Director of Health Services, Neneesha Pitts (Pitts). All were informed a complaint had been received and the purpose of the survey being conducted was to address the complaint. All information regarding the complaint was kept confidential.

Surveyors informed Powell we would be conducting a tour of the facility. Powell was asked for a list of documents to provide and if procedures were taking place today. Powell said she would obtain copies of the requested documents and stated there were procedures scheduled throughout the day. Surveyors asked to observe the cleanup practice after the last procedure of the day was completed. Powell informed surveyors the last procedure was at 1:00 PM.

TOUR WITH POWELL

At approximately 9:58 AM, Powell gave surveyors and investigators a tour of the clinic. The tour consisted of inspecting all areas of the clinic. The clinic contained three surgical beds (rooms). One room, OR 1, is currently used for procedures. The second room, OR 2, is used specifically for special care/COVID patients. The third room is not used for procedures but is used for a storage/break room. Each surgical room contained a red bin for medical waste, a sharps bin, a tall and small trash bin (next to surgical bed). The clinic also had six patient recovery bays, each containing a curtain for patient privacy. All trash bins in each area were searched for any improper disposal of biohazard waste, sharp objects, POC, and PHI. No violations were identified within the patient recovery bays or surgical rooms.

The "Soiled Utility" room contained two sinks, a locked freezer for biohazard waste, sterilization equipment, a regular trash bin and a large biohazard box lined with a red biohazard trash bag. All biohazard containers and bag were properly labeled and secured. The regular trash bin and area were searched for any improper disposal of biohazard waste, sharp objects, POC, and PHI. The room was equipped with a rolling door to secure and lock the area. Surveyors asked Powell and staff how often biohazard waste was picked up for disposal and what happens to POC. Powell stated the biohazard waste is picked up once a week and with regards to POC, it is placed in a biohazard bag then stored in the freezer post-surgery. It will remain stored there until pickup. No violations were identified within the Soiled Utility room.

The Lab area contained a station to draw blood specimens, a tall trash bin, a cabinet with a counter and sink for processing specimens, and a metal window/pass-through cabinet to collect urine samples. The window is built into a wall between a restroom and the lab for transfer of specimens from restroom to the lab. Surveyors asked staff about the specimen collecting process. The process was described as; less than 25 specimens are collected a day, initials are written on top of the specimen cup, or a sticker label (with patient name, D.O.B.) is placed on the bottom of the specimen cup. A specimen is collected by the patient into the specimen cup from the restroom adjacent to the wall with the window/pass-through cabinet. The patient places the specimen cup into the window/pass-through cabinet from the restroom side. The specimen is then collected from the window/pass-through cabinet on the lab side by a Health Care Assistant (HCA). The specimen is then processed for onsite testing or offsite (to be picked up by Quest Diagnostics) testing. After the specimen samples are collected and processed for testing, the sticker label is removed and placed on the specimen sample tube being sent for testing. Specimen tubes are then placed into a bag and placed into a locked, metal, Quest Diagnostics box. Boxes are picked up daily at 7:00 PM, Monday through Saturday. The Quest Diagnostics box is locked with a key that only Planned Parenthood Managers and Quest Diagnostics have. The specimen cups are emptied in the sink, rinsed, and discarded into the regular trash. An inspection of the Lab and adjacent restroom was conducted. All trash bins in each area were searched for improper disposal of biohazard waste, sharp objects, POC and PHI. No violations were identified within the lab or adjacent restroom.

INTERVIEW WITH CLARISA POWELL

Powell was interviewed regarding standard operational practices. With regards to sterilizing equipment or tools of biohazards, Powell stated they are handled through autoclave and/or incinerated. The autoclave process uses high temperature water/steam or chemical treatments to kill any bacteria. Powell was asked about staff working within the lab area. Powell said it depends on the day, any HCA can work in the lab. Powell was asked about the shredding service who picked up the large shred bins. Powell said a contracted vendor, Shred It, picked up the shred bin contents every two weeks; however, due to COVID-19, it had been less often than that. If the shred bin becomes full before pickup, staff will bring the overflow of documents to a shred bin on the third floor at the end of the day. Powell stated PHI is never thrown into regular trash, if observed, she will get it out, figure out who put it in the regular trash, then reprimand them. No one has been disciplined or reprimanding since December (2020). Powell stated staff gets training on PHI a lot. Also, patients received PHI/HIPAA information in the admission packet.

Throughout the tour and interview, Surveyors requested the following documents from Powell:

- Complaint log (for the last 6 months).
- Procedure log (for the last 6 months).
- Patient rights policy & procedure.
- Current staffing list with titles and organizational chart.
- Waste disposal, biohazard, & normal trash contracts.
- Biohazard waste pickup logs (for the last 3 months).
- In-service documentation for staff HIPAA and biohazard training or copies of personnel files.
- Patient list.
- Access to medical records (provided remote access for electronic review).
- Infectious control plan.
- Quest Diagnostics contract.
- Surgery schedule.
- Policy & procedure for urine sample collections.

Powell noted the items requested and left to secure the documents. She returned multiple times with copies of requested documents.

INTERVIEW WITH DR. KRISHEN

Dr. Krishen (Krishen) was interviewed at 11:07 AM. Krishen was asked if he was aware of any incidents where PHI was disposed of improperly. Krishen stated he was unaware of any situation. When asked about the process of disposing PHI, Krishen informed investigators PHI goes into red trays while staff is there, then will go into a bin until picked up. Krishen was asked if PHI could accidentally be thrown in regular trash, to which he stated, "No". He informed investigators after doing lab work, staff waits until they are done with patient then takes the PHI to a shred bin. There are two shred bins located in the office. If one is filled, there is an overflow bin on the third floor, parent planning area. Krishen also noted if bins become full, they may call the company to schedule a pickup.

Krishen was asked about training the staff on PHI. Krishen stated staff are trained using mandatory annual online course as well as regular reminders. Krishen stated he has never witnessed any labels containing PHI in the trash.

Investigators then asked Krishen about disposal of POC. Krishen stated all POC would be placed in a tray/ jar while in the surgical room, then transferred to POC (Soiled Utility) room for analysis. Once analysis is completed, it is disposed of in biohazard bags then placed in a freezer. Chuck pads, cotton swabs, etc. from the surgical rooms are placed into red bags and placed inside red bins (inside the surgical rooms). Krishen responded “No” to ever witnessing or seeing red bags placed in regular trash bins.

With regards to the lab area or “Day one area”, Krishen stated one lab tech or Health Care Assistant (HCA) is assigned to the lab area per day, with one backup assigned. All “Day one” side staff are trained to assist with labs, ultrasounds and provide education to beneficiaries.

Krishen informed investigators Quest Diagnostics is the third-party provider for medical labs, and they pick up the samples daily. When asked about the surgical rooms, Krishen stated they are currently running one regular bed, one special care or COVID bed, and the third bed is not being used. Krishen was then asked about any infection control issues or patient’s right issues. Krishen responded “No” to both issues and was unaware of any issues regarding infection control or patient’s rights; however, he did state in the past they had received a call from ODH where a patient complained they could hear the conversation (between staff and patient) from another room, but that issue has been resolved.

Krishen was asked some follow up questions about the disposal of the biohazard bags or emptying of the red bins into the biohazard waste box. Both red bags from biohazard bins in surgical rooms and POC biohazard bags are placed in a 30-gallon waste box to be picked up by the third-party waste company. The third-party waste company comes once a week to pick up the 30-gallon box or boxes. Specifically, Krishen was asked if a week’s worth of medical waste could fit in a single 30-gallon box to which he stated, “We don’t have that much.” The interview ended at approximately 11:18 AM.

OR 1 CLEANUP PROCEDURES

At approximately 12:30 PM, surveyors and investigators were notified the final procedure for the day was being conducted and would be available for cleanup observation once the procedure was finished. Surveyors and investigators waited outside OR 1 while the procedure finished. The doctor performing the procedure and an assistant exited the room after completing the procedure, with the assistant transferring the POC to the room labeled, "Soiled Utility" for examination. The patient remained in OR 1 during recovery. At approximately 12:56 PM, the patient exited OR 1. When surveyors and investigators entered the room for inspection, it appeared the room had already been cleaned and sanitized. Although the purpose was to watch the clean-up process, surveyors and investigators still inspected the room for violations. No violations were identified, and everything was properly discarded within biohazard and non-biohazard trash bins.

At approximately 12:58 PM, surveyors and investigators entered the Soiled Utility room to verify proper disposal of POC. POC was properly placed in red biohazard bags after examination and stored in a bin until the end of the day, at that time it would be placed in the freezer.

At approximately 1:02 PM, the nurses' station, administrative desk area, and several patient consultations rooms were inspected. All areas and rooms contained tall or small trash bins. Both administrative desk areas contained red trays labeled with "shred". The rear administrative area also contained a large, locked, grey shred bin. All trash bins in each area were searched for improper disposal of biohazard waste, sharp objects, POC, and PHI. No violations were identified within any of the consultation rooms, nurses' station, or administrative areas.

SPECIMEN COLLECTION WALKTHROUGH

Surveyors requested a simulated walk through of collecting and processing urine specimens. Tatyana Mason (Mason) conducted the walkthrough. Mason correctly secured and processed the specimen, while providing an explanation of her procedure through the process. She correctly simulated the collection, processing of lab tube specimens (from collecting to preparing for Quest Diagnostic's pickup), properly discarded PHI via shred bin, and properly disposed the rinsed specimen cups into regular trash.

ACCESS TO MEDICAL RECORDS

Surveyors' requests to access medical records were provided. Each surveyor was given remote access to review medical records onsite. A review was conducted, comparing patient names from

the photos provided in ORTL's allegation to Planned Parenthood's patient records. During the onsite review, surveyors were able to match PHI to 11 patients of Planned Parenthood - Bedford Heights Surgery Center.

INTERVIEW WITH THERESA TAPAJNA (RN)

Theresa Tapajna (Tapajna) stated she was fairly new at the practice, being hired March of 2021. She works in the surgical and Post Op area of the facility. When asked about PHI/HIPAA training, Tapajna said she received it upon hire. Tapajna was asked about witnessing any PHI violations and stated she has never witnessed any PHI in regular trash bins and if she observed any PHI in regular trash, she said she would move it to its proper place (shred bin, etc.) and tell her supervisor about it. Tapajna was asked if RNs or HCAs did lab/urine draws, and she said HCAs did them and explained rarely would an RN do them. Tapajna was asked who prepares labs and she said HCAs did. When asked what the process was for disposing biohazard material, Tapajna responded she did not know, explaining she never did that but said she had never seen biohazard waste in regular trash cans. With regards to the disposal of bloody chucks pads, Tapajna said that happens in the surgical area, but not typically in her area. Tapajna said she knew anything bloody would be disposed of in a biohazard bag, which were the red bags. Tapajna was asked to describe the biohazard bags and bins, which she described as red with "biohazard" on it.

INTERVIEW WITH BAMBI DUBOSE (HCA, FOR 2 YEARS)

After explaining her position as and HCA, Bambi Dubose (Dubose) stated she was crossed trained, or would sometimes assist on the surgery side and in education on the day one side. Dubose said when she works in the day one lab, she does not do urine samples, (these are done by ultrasound on the day one side). Dubose said she is a certified phlebotomist and does draw blood. Dubose explained the process for the test tubes is to take off the sticker (patient info) and shred it before throwing the tube into the biohazard can. She explained labels are not found just laying around because that would be a HIPAA violation. Dubose said urine specimens are placed in a lock box for Quest to pick up. Dubose was asked if she had ever seen any biohazard, PHI, or medical waste in the regular trash to which she said she had not. Dubose said biohazard waste goes in a biohazard bag (red) in the procedure room. Dubose explained she was the person who changes the biohazard bags out at the end of each day by placing all red biohazard bags into the large biohazard box in the biohazard room. She said the biohazard room is locked at the end of each day and the cleaning crew would not have access to this room or the biohazard bags. When

asked, Dubose said she has never seen PHI or biohazard waste in the regular trash and if she did, she would notify her supervisor.

ONSITE SURVEY COMPLETION

Prior to ending the survey, surveyors and investigators inspected all trash bins in restrooms, nurses' stations, and patient bay areas. No violations of PHI or biohazard were identified. Surveyors and investigators exited the clinic at approximately 4:00 PM.

Interview with Ohio Environmental Protection Agency

On September 3, 2021, Investigators held a meeting with an Ohio Environmental Protection Agency (EPA) Supervisor. It was learned EPA received a similar allegation from ORTL and stated they were investigating complaints specific to *Ohio Administrative Code, 3734.021, Standards for generators and transporters of infectious wastes and owners and operators of treatment facilities*. EPA stated their investigations would not address PHI.

Investigators discussed NEOWC and Planned Parenthood – Bedford Heights and potential violations of each clinic. With regards to NEOWC, EPA identified them as a small generator of infectious waste, meaning they produce less than 50 pounds of biohazard waste a month. A small generator of infectious waste, by law, is not required to dispose of biohazard (other than cultures) using a specialized biohazard waste management company. By having a contract with Specific Waste Industries (SWI), NEOWC is exceeding the requirements. NEOWC is required by law to properly document the weight in of biohazard waste each month.

Investigators also discussed Planned Parenthood – Bedford Heights. EPA identified the clinic as a large generator of infectious waste that is required to dispose of biohazard waste using a specialized biohazard waste management company.

It was learned biohazardous waste handling guidelines are created by individual clinics. Clinics create internal policies and procedure for handling biohazardous waste, which may make it difficult to determine if a violation occurs. Such guidelines may direct an individual to dispose of slightly saturated gowns, cotton balls, swabs, chuck pads or other materials to be disposed in regular trash, while saturated materials be placed in regulated waste containers. Such guidelines are left to the interpretation of the individual to determine if material is slightly soiled vs. soiled. In

some cases, even if soiled, disposal in regular trash still does not meet the requirement for a citable violation.

INTERVIEW WITH MATTHEW CONNOLLY

On September 13, 2021, at approximately 1:30 PM ODH administrative staff, ODH surveyors and investigators conducted an interview with the source, Matthew Connolly (Connolly), who reported and provided his findings from the dumpster search to ORTL. As part of Connolly's routine, he stated he typically checks dumpsters in the morning, after their "first rush". He had first checked Domino's dumpsters, then went over to NEOWC. Connolly said it was early Sunday morning and there were 4-5 bags (of trash). He took them down the street and searched through them in a parking lot. He stated he found irregularities in the trash; Dunkin' Donuts, bloody chuck pads, instruments, and autoclave papers. The next day, Monday, he had the same routine, stopped at Dominos' and Little Caesars, then NEOWC. At NEOWC, he found brown trash cans, with about 6 trash bags. He stated the bags were lightly fluffed containing paper towels and medical gloves. He loaded these bags into his vehicle. He went down the trail, parked at a Cuyahoga (Falls) rest area near the Erie Canal and found baby remains. He said he gasped to finding another human being (in the trash). Connolly stated it was Sunday or Monday, he thought it was June 15th or 17th.

When asked, what did you do and who did you contact, Connolly responded, "I knew there was a doctor (Dr. Monica Miller) who dealt with aborted (babies) in Michigan/Ohio (border). I looked all around (Cleveland) for some formaldehyde, went to the Ohio border in Toledo, and found a funeral home that had a supply." Connolly stated it (POC) was placed in fluid Tuesday night or Wednesday. Connolly stated Raymond Nonnatus was with him and could verify seeing the remains. Raymond could be contacted at 337-400-7087.

When asked about the pictures, Connolly stated he took some of them and Dr. Monica took some at her house (in Michigan) under good lighting, better than photos from his "field analysis".

Connolly was asked about the prescription bottle containing PHI. He stated he left them with ORTL. He found out they were doing an investigation, which he claimed he did not know about at that time. He provided the address of the regional headquarters, 175 W. Main St. Akron, OH. (The address provided was incorrect, and later verified the address to be 572 W. Market St. #2, Akron, Ohio, 44303). He said he did not communicate with ORTL but left everything with them.

Connolly was asked if he identified the age of the POC. He stated, "it was Dr. Monica. It was also Dr. Monica's group who brought it (POC) to Akron".

The conversation then switched over the Bedford Heights Clinic: "So basically, I had a shopping cart, (it was) sort of a strip mall, the Subway (trash) was empty, so I went to a multi-floor complex..." he continued to describe the complex. Then stated he found 1,000s of vials, if not more, of urine samples (referred to them as cultures).

Connolly was asked if the vials contained anything other than the opaque substance in them, to which he stated, "they only had the opaque stuff in them." He also stated "there were larger vials that contained urine. 30-50 cups of urine, some full, some with a drop or two." He also explained some had names or dates of birth on them.

Connolly stated he found a "chunk of flesh" but couldn't identify it, but knew it was from a human. He said he also found a lot of chuck pads, which were smelly. Connolly stated the clinic was not a small operation. He put them (trash bags) on top of his car in a box and could tell it contained bloody medical waste.

When asked about the date and time, Connolly stated Saturday night into Sunday. There were some people being arrested, so he thinks it was June 15th or 16th, and believes it was the same weekend he went to NEOWC. Connolly stated he went back to the Bedford Heights clinic a week later. He was asked if he took pictures, he said he did, but left them with an ORTL associate.

When asked if he took what he found to Michigan, he said the same (funeral home) offered to put the tissue into a weak formaldehyde. Connolly said the tissue was placed in the same container with the findings from NEOWC. Connolly stated it was separated after it was taken to Dr. Monica⁵. Connolly stated he was accompanied by Raymond Nonnatus. When asked if they took pictures there, Connolly said he took "backup pictures" and Nonnatus took the set "you probably got". When asked about PHI, he stated only some forms were found. Connolly stated he did not talk to staff or patients.

⁵ In a subsequential interview with Dr. Monica Miller, she stated only the POC remains were present in the container storing the POC.

When asked if he had communication with ORTL, he said he attended the ORTL rally. Connolly said he told them he went to Planned Parenthood - Bedford Heights and had pictures but said Dr. Monica dealt with ORTL.

Connolly confirmed he went to NEOWC and Planned Parenthood - Bedford Heights a total of three times each, twice each on that weekend, then back once more to each location a week later.

When asked about the name of the funeral home in Toledo, Connolly stated he could not recall. He stated Dr. Monica has the information. He also confirmed he did not see anyone else searching dumpsters while he was searching.

When asked what searching dumpsters entails, Connolly stated he does normally get into Domino's (dumpsters) to get pizza from the night before, but sometimes medical (facilities trash) has better (he made references to finding donuts). When asked if the purpose for searching dumpsters was for food, Connolly stated, basically, he does not discriminate, if he sees something against the law or a crime, that he would (is not afraid) to report it.

Connolly was asked about the specific day he found the remains to which he answered, "Monday Evening". He was then asked what the purpose was for searching dumpsters that day, to which he stated, "he was making is rounds". When asked if it was close to the location he way staying, and if he would search dumpsters all the way up there (location was about 10 miles from homeless shelter he claims to have been staying at), Connolly replied, "No, I tend to go to pizza places" then mentioned several pizza places he tended to go to.

When asked if he had a camera on him or just his phone to take photos, he stated it was just his phone. Connolly stated it was a Samsung Galaxy, A20. The phone used by Nonnatus was used for "backup photos" was the same model, but (the photos) were not as clear. He did not know what Dr. Monica used to take photos and said he basically stopped by her place one night, then left.

When asked how he knew about ORTL, Connolly stated he heard about them from people he sees in the streets, near Acme.

When asked about his homeless shelter he mentioned previously, he identified it as Havens of Rest in Akron, OH (later researched and found address of 175 E Market St, Akron, OH 44308). Connolly was asked if they provide food, Connolly stated, they provided breakfast, but he didn't usually stay for lunch, as he was not one to stay there all day.

When asked if he had any affiliation with ORTL, he stated he heard of pro-life, and had seen about them through trips throughout the country, stated he "was sort of a drifter"⁶.

When asked about how close the homeless shelter was from Planned Parenthood - Bedford Heights, he said, basically along the same railroad and that he biked between Akron and Cuyahoga.

When asked again, specifically if he had any affiliation to ORTL, he claims he had no affiliation with them. Shortly after, Connolly claimed he was chopping wood to make some money and he had to go. Before disconnecting, Connolly was asked if Raymond Nonnatus's real last name was Nonnatus⁷. Connolly stated it was not, but he did not know the last name. He stated we could call and ask Raymond. He stated the name was "French" and he could not spell it. The call ended.

TRASH PULLS AND ANALYSIS

On October 4, 2021, surveyors and investigators initiated a trash pull from NEOWC and Planned Parenthood - Bedford Heights to obtain samples of 2-3 bags of trash from each dumpster and to search through them for any PHI, biohazardous material, or anything similar to what was identified in the original complaints filed by ORTL could be found.

At 10:23 AM, surveyors and investigators arrived at NEOWC. Upon arrival, investigators noticed the trash dumpster located in the rear of the building was locked. Investigators met Dr. David Burkons and Administrator, Sherri Grossman at the front door. Investigators were invited into the facility, which had no patients inside at the time, and explained they were there to collect a couple bags of trash out of their dumpster as a continuation of the investigation from the original complaint. Investigators explained they would take the trash bags offsite for review to avoid

⁶ Through internet research and the interview with Dr. Miller, it was learned Connolly resides in Minnesota, is a member of Citizens for Pro-Life Society, Red Rose Rescue, and decided on his own to conduct the dumpster searches.

⁷ It should be noted Raymond Nonnatus is the patron saint of expectant mothers and midwives.

drawing any unnecessary attention to them while they conducted the search. Dr. Burkons granted investigators permission and Administrator Grossman unlocked the dumpster. At 10:29 AM, investigators secured and removed three random trash bags from the dumpster and left the facility. Also, during the onsite visit, surveyors and investigators confirmed no cats were in or near the facility. Within the facility there were no indicators of cats being present (such as fur, food, feces, litter box, pet beds, or any pet related items).

At 11:02 AM, investigators arrived at Planned Parenthood - Bedford Heights. Upon arrival, investigators noticed the trash dumpster located in the rear of the building was locked. Investigators met with Powell and explained they were there to collect a couple bags of trash out of their dumpster as a continuation of the investigation from the original. Investigators explained they would randomly collect 2-3 bags of trash and take the trash bags offsite for review to avoid drawing any unnecessary attention to them while they conducted the search. Powell said she would have to check with their security to ensure our request was okay and to obtain a key for the lock on the dumpster. Approval was granted, but Powell asked if it would be okay for them to photograph the trash bags collected to include a quick snapshot of what was inside them before investigators removed them. Investigators agreed to these terms. At 11:21 AM, the dumpster was unlocked. Several trash bags were observed inside the dumpster and investigators randomly removed three bags of trash. The bags were opened by Planned Parenthood staff and briefly looked through photographed the contents in each bag. Investigators secured the three bags and left the site at 11:33 AM.

Investigators took the trash bags collected from both sites (NEOWC and Planned Parenthood) to a remote location in Mansfield where the trash was opened and searched extensively. Investigators labeled each trash bag, spread the contents out onto a tarp, photographed the contents, and searched the contents for PHI, biohazard waste, and POC.

The charts below detail the contents found during the detailed search (photos available):

Northeast Ohio Women’s Center	
Trash Bag Contents:	
Trash Bag # 1	Miscellaneous Papers, facsimile receipts, common trash items, food
Trash Bag # 2	Miscellaneous used chucks pads (no blood present), 3 ultrasound photos (no patient information exposed)
Trash Bag # 3	Prescription bottles (PHI crossed out with black marker), used urine bottles, used latex gloves, miscellaneous papers/trash, expired/unused blood vials

Planned Parenthood – Bedford Heights	
Trash Bag Contents:	
Trash Bag # 1	Miscellaneous used latex gloves, miscellaneous trash, used chucks pads (not soiled). It also contained 3 smaller trash bags labeled as 1A, 1B, 1C
Trash Bag # 1A	Miscellaneous papers, used paper towels, food items
Trash Bag # 1B	Used latex gloves, used urine bottles (labeled only with initials), miscellaneous trash
Trash Bag # 1C	Miscellaneous trash, used paper towels
Trash Bag # 2	Contained 3 separate clear trash bags containing food waste only (all 3 labeled as 2A), there were also 3 additional clear trash bags (labeled 2B, 2C, 2D)
Trash Bag # 2A	Food waste only
Trash Bag # 2B	Miscellaneous chucks pads (not soiled, but used)
Trash Bag # 2C	Miscellaneous chucks pads (not soiled, but used)
Trash Bag # 2D	chucks pads, (not soiled, but used), used latex gloves, miscellaneous trash, paper cups, used urine bottles (had patient initials only), used paper towels
Trash Bag # 3	Contained 5 separate trash bags and miscellaneous trash, chucks pads (used, but not soiled), used paper cups
Trash Bag # 3A	Chucks pads (used, but not soiled), used paper towels, used latex gloves
Trash Bag # 3B	Two separate clear trash bags with miscellaneous trash (very small amounts), and 2 pieces of white Styrofoam
Trash Bag # 3C	Miscellaneous medical-type trash, used latex gloves, empty latex glove box, used urine bottles (patient initials only), used urine tubes
Trash Bag # 3D	Empty syringe packages, used paper towels, used latex gloves
Trash Bag # 3E	Miscellaneous food, donut box, miscellaneous non-medical trash

The results of these searches did not reveal any evidence of policy or procedure violations similar to those identified in the ORTL complaints. It should be noted both NEOWC and Planned Parenthood - Bedford Heights had self-initiated improvements in their processes and protocols related to concerns identified in the ORTL complaints. Both facilities added a locked dumpster, NEOWC added surveillance cameras, and both have implemented stricter policies dealing with protecting PHI to include using only initials on urine specimen bottles instead of full names and DOBs, and redacting PHI information on prescription bottles and documents using a sharpie or redaction pen.

ANALYSIS OF COMPLAINANTS' PHOTOS

Investigators conducted digital forensics analysis on the photos provided to ODH and EPA from the original complaints on NEOWC and Planned Parenthood – Bedford Heights. The photos' EXIF

metadata⁸ was extracted and analyzed to determine the time and date and to extract any GPS information to determine the location(s) of where the photos were taken. In total, there were 13 digital photos from the NEOWC allegation and 14 digital photos from the Planned Parenthood – Bedford Heights allegation analyzed.

Analysis shows three different Samsung mobile phones were used to capture the 13 photos provided in the original complaints. None of the cameras had the GPS function enabled, therefore the locations where the photos were taken could not be confirmed. A review of the photos' dates and times did appear to match the dates and times alleged in the complaints. It should be Noted, two photos from the Planned Parenthood – Bedford Heights' allegation, PP18.jpeg & PP19.jpeg, appears to have been altered or cropped, as they are significantly smaller than all other photos and do not contain any EXIF metadata. Below is the summary of information obtained from all 27 photos.

File Name	Size (Bytes)	Created Date/Time	Make	Model	GPS Latitude	GPS Longitude
Northeast Ohio Women's Center						
NEOWCa10.jpg	1596749	7/1/2021 11:43	Samsung	SM-J327T		
NEOWCa12.jpg	1491947	7/1/2021 11:46	Samsung	SM-J327T		
NEOWCa14.jpg	1349299	7/1/2021 11:50	Samsung	SM-J327T		
NEOWCa15.jpg	1415156	7/1/2021 11:55	Samsung	SM-J327T		
NEOWCa5.jpg	1458474	7/1/2021 11:30	Samsung	SM-J327T		
NEOWCa6.jpg	1224296	7/1/2021 11:35	Samsung	SM-J327T		
NEOWCjune28c.jpg	2645797	6/28/2021 14:02	Samsung	SM-A205U		
NEOWCjune28f.jpg	2446331	6/28/2021 14:09	Samsung	SM-A205U		
NEOWCjune28i.jpg	2284287	6/28/2021 14:10	Samsung	SM-A205U		
NEOWCjune29a.jpg	2403887	6/29/2021 19:31	Samsung	SM-J337T		
NEOWCjune6a.jpg	2843466	6/7/2021 20:28	Samsung	SM-A205U		
NEOWCJune9-14d.jpg	2611356	6/16/2021 11:01	Samsung	SM-J337T		
NEOWCJune9-14e.jpg	2622369	6/16/2021 11:15	Samsung	SM-J337T		
Planned Parenthood - Bedford Heights						
20210709_185430.jpg	2537398	7/9/2021 18:54	Samsung	SM-J337T		
20210709_185440.jpg	3306709	7/9/2021 18:54	Samsung	SM-J337T		
20210709_185547.jpg	2556723	7/9/2021 18:55	Samsung	SM-J337T		
PP1.jpg	3431455	6/6/2021 13:06	Samsung	SM-A205U		
PP12.jpg	3719030	6/7/2021 7:44	Samsung	SM-A205U		
PP13.jpg	4093715	6/7/2021 7:44	Samsung	SM-A205U		
PP15.jpg	4228918	6/7/2021 7:45	Samsung	SM-A205U		

⁸ EXIF metadata or Exchangeable Image File Format is a standard that defines specific information related to an image or other media captured by a digital camera. It is capable of storing such data as camera make, model, date/time the image was captured, GPS location, and other information.

Planned Parenthood - Bedford Heights cont.						
PP18.jpeg	368122	No EXIF Data				
PP19.jpeg	447254	No EXIF Data				
PP2.jpg	2998550	6/6/2021 13:06	Samsung	SM-A205U		
PP3.jpg	3961688	6/6/2021 13:13	Samsung	SM-A205U		
PP4.jpg	3387694	6/6/2021 13:13	Samsung	SM-A205U		
PP7.jpg	4420706	6/7/2021 7:43	Samsung	SM-A205U		
PPBedfrdJuly9b.jpg	2306453	7/9/2021 19:03	Samsung	SM-J337T		

INTERVIEW WITH NEOWC FORMER EMPLOYEE, ABBY BRICK

Surveyors conducted an additional interview with NEOWC’s former staff, Abby Brick (Brick). The purpose of the interview was to obtain additional information on NEOWC’s practice for disposing of PHI and biohazard waste. When asked about PHI and biohazard disposal Brick stated the disposal of PHI was very good, but sometimes patient information was put in the trash can, things were discarded inappropriately. She explained numerous patient papers were put in the trash at times. She stated she never witnessed biohazardous waste being discarded in the regular trash, but she would not be surprised if fetal tissue would have ended up in the dumpster. When asked to describe what PHI was discarded in the trash, she stated “on patient charts we have patient labels those go on all papers, a lot of time I have seen them thrown away. There was a shred bin, and it was utilized, but I think some of those documents were thrown in the trash”. When asked again about what was specifically thrown away, she stated that she could not think of one individual thing, “I have seen a couple of the nurses throw a urine cup in the trash with a patient name. I have never seen any biohazard actually go into the garbage.” She also spoke about the process she used for prescription bottles. Brick said she would have the patient take the prescription then she would take the label off the bottle and place it in the shred bin. If the patient wanted to keep the pill bottle, it was given back to them. Brick also stated she had witnessed patients throwing their pill bottle and the paper that was attached to the prescription bag in the trash can. When this happened, she stated she would take it out of the trash and dispose of it properly. She did not mention seeing staff throwing prescription bottles or prescriptions in the trash.

COLLECTION, REVIEW, AND DISPOSITION OF COMPLAINANT’S EVIDENCE

On October 4, 2021, at approximately 9:25 AM, investigators met RTL of NE Ohio Executive Director, Denise Leipold at the RTL of NE Ohio facility, located at 572 W. Market St., Akron, OH. Investigators obtained ORTL’s items collected from trash pulls at both clinics. These items were provided as photos with the original complaint filed on NEOWC and Planned Parenthood -

Bedford Heights. Investigators collected all pieces of information to review, document, inventory, and properly dispose of any PHI and biohazard identified. Leipold surrendered two boxes of information, one containing information collected from NEOWC and a second box containing information collected from Planned Parenthood - Bedford Heights.

The POC and alleged fetal tissues collected by Connolly and provided to ORTL were not released to investigators. It was learned, on September 25, 2021, ORTL, RTL of NE Ohio, and Citizens for a Pro-Life Society held a burial ceremony at Holy Cross Cemetery in Akron, Ohio⁹.

Investigators photographed and reviewed all items provided from ORTL. All items from both clinics were documented and analyzed for PHI. Investigators matched and confirmed several patient names and appointment date ranges with PHI identified on the documentation in the items provided from ORTL.

With regards to biohazard items, investigators had no way to confirm the validity of where the items were discovered or determine the level of “soiled” or saturation of fluids on material because of it being dried. Also, investigators were unable to determine if the dried fluid was biohazard such as blood or bodily fluid.

NEOWC ITEMS REVIEW

The review of the items from NEOWC, provided by ORTL, identified a total of 53 unique patient names. Most of the items contained additional PHI content such as patient ID, date of birth, phone number, and/or address (Attachment C). The PHI was identified on patient prescriptions, pharmacy prescription documentation, pharmacy receipts, appointment logs, specimen cups, prescription boxes and bottles, lab results/requests, and office documentation.

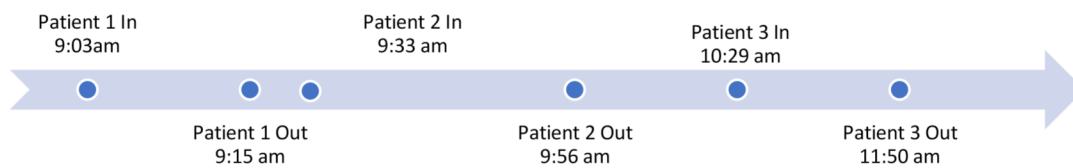
PLANNED PARENTHOOD - BEDFORD HEIGHTS ITEMS REVIEW

The review of the items from Planned Parenthood - Bedford Heights, provided by ORTL, identified a total of 33 unique patient names. Several items contained additional PHI content such as patient IDs, dates of birth, phone numbers, and/or addresses (Attachment D). PHI was identified on appointment logs, specimen cups, sign-in sheets, lab results/requests, and office documentation.

⁹ Information was found on ORL’s website: https://www.ohiolife.org/2021_funeral

ANALYSIS OF NEOWC'S CAPACITY

To address the allegation of capacity at NEOWC, surveyors and investigators conducted a manual review of the patient sign-in sheet¹⁰ from May 15, 2021, through July 17, 2021. A spreadsheet including a duration from sign-in to sign-out was created to confirm the count of patients in the office at specific times. The review shows NEOWC properly staggered patient procedures to where minimal overlap occurred. During the time period reviewed, no capacity issues were identified (Attachment E). On the specific day questioned in the allegation, July 10, 2021, only three patients signed into the clinic. At no time did any of the three appointments overlap.



Dr. Monica Miller Research and Interview

SOCIAL MEDIA AND INTERNET RESEARCH

Social media and internet research conducted (Attachment F) on Dr. Monica Migliorino Miller, found that Dr. Miller holds a PhD in Theology, and has authored several books and articles. She is the founder and Director of Citizens for a Pro-Life Society (a non-profit organization based in South Lyon, Michigan, committed to the defense of human life in the womb) and is the founder of Red Rose Rescue (a volunteer Pro-Life group built on philosophical and spiritual principles). Dr. Miller lives in South Lyon, Michigan. In addition, it was learned Matthew Connolly was a member of the Citizens for a Pro-Life Society and Red Rose Rescue and was familiar with Dr. Miller.

DR. MONICA MILLER INTERVIEW

On January 6, 2021, at approximately 1:00 PM, investigators and surveyors conducted a telephone interview with Dr. Miller.

¹⁰ The patient sign-in and sign-out sheet is the only source of documentation available to determine an estimate on how many patients were in the office at a specific time. The times are manually entered and therefore could be an estimate based of patients' self-documented times.

Dr. Miller provided an overview of her credentials and background. Dr. Miller explained she was the Director of Citizens for a Pro-Life Society, and shared she held a PhD in Theology. In addition, Dr. Miller said she taught at Sacred Heart Major Seminary in Detroit, Michigan. Dr. Miller said she has published/authored five books and hundreds of articles. She ended saying she was married, with three children. Dr. Miller said she lived at 67919 8-Mile Rd., South Lyon, Michigan which is the same address used for Citizens for a Pro-Life Society headquarters. Investigators asked if she held any medical certifications or if her degree field was in medicine and she responded, “no.”

Investigators asked Dr. Miller if she was familiar with fetal remains found in June of 2021 at NEOWC and she said she was “intimately knowledgeable with the baby that was found.” Dr. Miller said “her friend” Matthew Connolly was in Cuyahoga Falls and on June 6th or 7th decided on his own to do a search of a trash receptacle at NEOWC. She said Connolly pulled out some bags from the receptacle and her understanding was he took them to a park with better lighting (this was done during the night) and searched through the bags. Dr. Miller said Connolly found what appeared to be the remains of a very well-developed aborted baby. She said she was “very positive the baby was aborted in the D & E abortion method (Dilation and Evacuation method), explaining “the body parts are all cut apart.” She said Connolly photographed the remains immediately saying in the photo you could clearly see a foot, hand, and other body parts all clumped together.

Dr. Miller said the aborted baby was not in any type of formalin solution to preserve the parts. Dr. Miller explained Connolly took the remains to a funeral home and asked the funeral director for a formalin solution to preserve the remains, which she said she understood that was granted. She said other biohazard wastes were found as well (i.e., urine cups, some containing urine, soiled, bloodied drapes, chucks, etc.). She continued saying there were numerous prescription vials with patient names on them which she felt was a HIPAA violation. She said she estimated approximately 10-20 of these and indicated the names were not crossed out in any way.

Dr. Miller continued saying, “unbeknownst to me, Matthew (Connolly) pulled into my driveway in the evening of either the 7th or 8th of June and he had the aborted baby with him in formalin solution.” She said she then “had custody of the fetal remains for about a month.” She said she took numerous photographs of the remains. She said RTL filed the complaint with the State and on September 25th, the baby was buried at Holy Cross Cemetery in Akron. Dr. Miller said she

estimated the aborted baby was in the second trimester with an estimated gestational age of 15-16 weeks. She said the foot of the unborn baby was about $\frac{3}{4}$ of an inch. She first said they did not have a pathologist look at the remains, but then said, "a pathologist might have looked at the photographs."

Dr. Miller said she kept the fetal remains until a press conference was conducted in Akron in July (no specific date given). She said she then gave the remains to RTL NE Ohio. She said RTL NE Ohio then contacted a local funeral home and the remains went there where they were kept until the third week in September when a burial took place (September 25th). Investigators asked Dr. Miller if the funeral home that provided the formalin solution was the same funeral home that the remains was delivered to for burial or if they were two different funeral homes. Dr. Miller said, "I think they were two different ones."

Investigators asked Dr. Miller who Matthew Connolly is, and she responded, "he is a pro-lifer who has worked very closely with our group. I know him very well." She said she had known him since 2016. Investigator asked if Connolly lived in Ohio and she responded, "he lives in Minnesota." Investigators then asked Dr. Miller who Andrew Bliss¹¹ was. Dr. Miller stumbled for words for a moment, chuckled and then said, "Well, Andrew Bliss, I think, was a pseudonym that Matthew wanted to use. He didn't want his name exposed and I don't know why. Matthew can be a little eccentric at times. I think he used this as a pseudonym for a press release." She then said, "they are the same person. I am pretty confident." She added, Matthew has since dropped that and said everybody knows Matthew found this baby.

Investigators asked Dr. Miller if she had anything to add to the interview which she felt was important and had not been asked. She responded she had a lot of photographs if we wanted them. Through discussion with investigators, it was determined we have the photos she was referencing. Dr Miller was asked if the container with the aborted baby remains in it, which Connolly delivered to her, had anything else in it and she said, "no, nothing else was in it."

Lastly, investigators asked Dr. Miller if she could explain how many, if any, other incidents of fetal remains discoveries had she been exposed to and she said literally thousands. She then provided the following breakdown:

¹¹ Andrew Bliss was identified as the person who found the remains at NEOWC in an article through internet research.

- In 1987 an aborted baby in a trash dumpster in Chicago.
- In 1988 (5,000 aborted babies left in a loading dock).
- In 2008, 23 fetal remains in a trash dumpster in Michigan.
- In 2010, 17 remains found in a trash dumpster in Lansing, Michigan.
- In 2015, Dr. Michael Roth had the remains of 15 aborted babies in the trunk of his car. The car was impounded by the Bloomfield, Michigan Police Dept. After two years of legal battles, etc., the medical examiner gave the babies to Dr. Miller's group allowing them to bury the babies in 2018.

Investigators explained they are near the conclusion of the investigation and, when finished, their findings would be provided to the appropriate authorities. Investigators also explained there are other state agencies conducting pieces of this investigation, as well. Dr. Miller thanked investigators for taking this complaint serious and for reaching out to her.

This concludes the action steps taken by surveyors and investigators.

Attachments

Attachment A – ORTL's NEOWC complaint to ODH & ODH intake document.

Attachment B – ORTL's Planned Parenthood - Bedford Heights complaint to ODH & ODH intake document.

Attachment C – NEOWC PHI identified.

Attachment D – Planned Parenthood – Bedford Heights PHI identified.

Attachment E – Capacity analysis.

Attachment F – Social media and internet analysis.