

**Summary of Foundation for SMFM Board Activities Regarding
Quilligan Scholars Program Name Change Request
July 6, 2021**

1 Background

In 2013, the Foundation for the Society for Maternal-Fetal Medicine (then called the Pregnancy Foundation) established a program to identify emerging leaders in maternal-fetal medicine among current obstetrics and gynecology residents, and to provide them with mentoring and educational opportunities during their final two years of residency. The program was named in honor of Dr. Edward J. Quilligan in light of his many contributions to our field.

2 Request to Change the Program Name

In September 2020, a number of Society members asked the Foundation to rename the program. These members voiced concerns regarding allegations by a number of women, a majority of whom were Latinx, who complained that they had been sterilized without proper informed consent at Los Angeles County Hospital-University of Southern California, where Dr. Quilligan was serving as the Chair of Obstetrics & Gynecology during the 1970s.

The request to rename the Scholars program received both support and opposition by sizeable groups of Society members and others.

3 Reproductive and Social Justice

At the core of this issue is reproductive and social justice, an area that the Society for Maternal-Fetal Medicine and its members care deeply about.

- a. A 2017 SMFM member survey found that health equity was among the top three issues.
- b. SMFM cosigned the Obstetrics & Gynecology: Collective Action Addressing Racism in August 2020.
- c. SMFM committed to eliminating disparities and advancing equity through all of the Society's activities in its October 2020 Advocacy Agenda, published in October 2020

4 Guiding Purposes and Values of the Foundation for SMFM

The purpose of the Foundation for SMFM is:

- a. To advance pregnancy care by promoting research excellence in maternal-fetal medicine and by training the next generation of physician scientists
- b. To provide education and mentoring opportunities in maternal-fetal medicine
- c. To encourage the national and global exchange of ideas and research about treatment for obstetric problems.

By definition, our programmatic emphasis is focused on the *present* and *future* of maternal-fetal medicine, and the Society's members, including:

- a. supporting future efforts of Society members
- b. aiding in preparing the next generation of maternal-fetal medicine subspecialists

As we advance the future of our profession...

- a. We cannot and should not forget those who founded and helped to shape our sub-specialty – their leadership and accomplishments have set the course, and we should continue to learn from their examples.
- b. Nor can we forget or deny the documented history of racism, medical violence against women, and reproductive injustice in the United States and other countries.
- c. We must be willing to learn from the past to be better in the future.

5 Report of the Ad Hoc Committee

In late 2020, the Board of Directors¹ impaneled an independent ad hoc committee² to perform a thoughtful and objective review of available information, with the aim of achieving a deeper understanding of the issues surrounding consent and sterilization of Latinx women at Los Angeles County Hospital.

- d. The committee met on eight occasions during which it reviewed and discussed:
 - i. All letters and emails sent to the Foundation for SMFM
 - ii. Available materials relevant to the issue
 - iii. Interviews of Dr Quilligan and former residents, individuals with knowledge of the specific aspects of the court case in Los Angeles, of 1970s-era Federal and California laws regarding informed consent in the context of sterilization, and of reproductive ethics.
- e. The committee:
 - i. Believed that it is likely that consent for sterilization was obtained while in active labor or before emergency cesarean delivery, and that some women were pressured or unaware of the implications of the procedure. While this practice was not unique to Los Angeles County Hospital, it is clearly not in keeping with the values of our organization.
 - ii. Did not find information suggesting that Dr. Quilligan had engaged in or directed the involuntary sterilization of women or that he took a stand for or against population control.
 - iii. Concluded that, though Dr. Quilligan took action in 1974 by issuing a memo prohibiting the practice of obtaining consent for sterilization procedures during active labor and expressed regret that he was not aware of these events sooner, he bears a measure of accountability for the actions of those he supervised as department chair.
- f. The committee noted that:
 - i. The purpose of the Quilligan Scholars Program is to inspire, mentor and educate individuals to help lead the sub-specialty of maternal-fetal medicine and to support efforts to improve the health and life of those for whom we care.
 - ii. Recent events of racism and social injustice in this country are a reminder that it is necessary to learn from the past, not erase it, and to work together to put an end to inequity and to ensure reproductive justice moving forward.
 - iii. While Dr. Quilligan's contributions to the specialty of obstetrics and maternal-fetal medicine are laudable and indisputable, and while the issues regarding sterilization at Los Angeles County Hospital should not negate his long career and dedication to caring for women and training residents and fellows, the attitude and practice of informed consent and sterilization including perceived coerced sterilizations that occurred during his tenure as chair cannot be disregarded.

- g. The committee recommended that:
 - i. The Foundation for SMFM rename the Scholars Program, ideally with Dr. Quilligan's endorsement and involvement in the renaming process, to reflect and preserve the purpose and goals of the program, not any particular individual.
 - ii. The Foundation for SMFM find a way to provide recognition of Dr. Quilligan in an aspect of the program or through another avenue.
 - iii. The Foundation for SMFM modify the Scholars Program to include an aspect that teaches the scholars about the history of eugenics and informed consent, ethical issues including patient autonomy, reproductive justice, racial disparities in obstetrics, ethical leadership and professionalism.
 - iv. For future naming opportunities, the Foundation for SMFM avoid using a person's name but focus on the purpose of the fund (i.e., leadership, mentoring, career development), or program, or a characteristic that the individual embodies (i.e., humanism, professionalism).

6 Discussion by the Foundation for SMFM Board of Directors

The Board of Directors of the Foundation for SMFM reviewed and discussed all the above during a series of conference calls. Given our organizational purpose and values, the Board agreed that:

- a. Ultimately, our path must be to stand up for reproductive and social justice because this is at the center of our shared values. It is incumbent on our organization to systematically protect our patients' rights so that the unacceptable differential treatment of pregnant individuals and people of color can be ended.
- b. As an organization, we do want to recognize those who founded our subspecialty and have guided us over many years, including Dr. Quilligan who has done so much for our discipline and for so many of our patients and fellow practitioners.
- c. The way we name our programs should not distract from their important intent.

Our Board today believes that the greater good requires us to make clear our commitment to reproductive and social justice. Failure to do so would threaten the intent and future of the Scholars program itself.

In pursuing this path, we need not re-litigate the actions of physicians and trainees from 50 years ago. But we do need to act upon our understanding of our duty today – a duty that must include a strenuous commitment to informed consent, shared decision making, and the empowerment of our patients.

7 Summary of Decisions and Actions of the Foundation for SMFM Board of Directors

The above values and judgments underpin the Board's decision to take the following actions:

- a. To express our organization's commitment to reproductive and social justice, we will rename the Scholar's program to assure it does not remind people of practices we agree are unacceptable in modern society and practice. Dr. Quilligan has been offered the opportunity to participate in this process.

- b. To continue to value our founders and past leaders, the Scholars program description will henceforward include a tribute to Dr. Quilligan, lauding his commitment to education and mentorship – a commitment that animates the structure of the program and which motivated those who honor his leadership and character through their philanthropy.
- c. Because reproductive and social justice are important to our Foundation, Society members, and the future of our subspecialty, we will build into the Scholars program learning, teaching and/or research opportunities regarding, eugenics and reproductive and social justice, the history of racism and racial disparities in reproductive health, and ethical leadership and professionalism. Dr. Quilligan has been offered the opportunity to participate in this process.
- d. Because the program’s goal is to identify and provide mentoring and educational opportunities to future leaders in maternal-fetal medicine, we reaffirm our commitment to select a diverse group of Scholars based on their potential as future leaders and upon their likelihood of benefiting from the program – including those who have demonstrated success despite less-resourced training programs and personal backgrounds.
- e. The Foundation for SMFM will temporarily suspend the naming of programs after individuals pending development of a vetting process to ensure that program names are respectful, non-judgmental and reflect our organization’s forward-looking mission, while creating opportunities to celebrate individuals who have inspired each program.

We recognize that not all will agree with these decisions. At the same time, we hope that all members will accept that it is possible for well-intentioned people with the same set of shared values to come to different conclusions about how those values should be applied.

Our hope is that those with differing views will accept the thoughtful process that has brought us to these decisions, and that they will agree that the highest priority is to support the good work intended by the Scholars program -- to identify and support our field’s potential future leaders.

¹**Board of Directors, The Foundation for SMFM** (Foundation@smfm.org): Brian Mercer, MD (Chair, Foundation for SMFM); Kjersti Aagaard, MD, PhD; Bryann Bromley, MD; Mary D’Alton, MD; William Grobman, MD, MBA; Donna Johnson, MD; Judette Louis, MD, MPH; Divya Mallampati, MD; Eva Pressman, MD; Yoel Sadovsky, MD; and Joanne Stone, MD.

²**Ad Hoc committee:** Deborah Driscoll, MD (Committee Chair); Terri-Ann Bennett, MD; Joseph Hurt, MD, PhD; Lauren Lynch, MD; Sarah Kilpatrick, MD, PhD; Ali Kliment, JD (counsel to the committee); Michelle McGowan, PhD; and Alan Tita, MD, PhD.