



New Jersey: Unlicensed Doctor Cited for “Sham Transfer” of Abortion Clinics

The New Jersey attorney general’s office filed a complaint on June 15 against Vikram Kaji, M.D., charging that he participated in a “sham transfer” of ownership of American Healthcare Services (doing business as American Women’s Services [AWS]) in which he fraudulently pretended to own AWS’s abortion facilities, when in fact the true owner of the facilities is Steven Brigham — whose medical license was revoked by the New Jersey State Board of Medical Examiners on October 8, 2014.



In addition to revoking his license, the board ordered Brigham to pay \$560,000 in court fees and fines. After his license was revoked for violations of New Jersey state law governing abortions, Brigham was required to divest himself of ownership in the abortion clinics. NJ.com reported in April that Brigham’s attorney, Joseph Gorrell, said that his client sold his interest in the clinics to Kaji late last year. Gorrell also stated that Brigham would be appealing his license revocation, asserting: “Dr. Brigham believes a great injustice has been done and he is attempting to remedy that injustice.”

As for the actions that led to the “injustice” that Gorrell insisted had been dealt to his client, the state medical board found that Brigham had begun late-term abortions for five women in his New Jersey office by administering drugs that would begin “fetal demise” and contractions. Since the procedure was illegal in New Jersey, which allows abortions to be performed only up until 14 weeks of gestation, each patient was ordered to drive to his clinic in Maryland the next day, where the dead unborn baby was removed. Though Brigham did not have a license to practice medicine in Maryland, he claimed he thought he was not violating the law because he was serving only as a consultant to a clinic licensed in Maryland.

New Jersey Deputy Attorney General Jeri Warhaftig called the practice of starting abortions in New Jersey and completing them in Maryland “a flim-flam” that took advantage of his patients and endangered their health.

Unable to continue operating the facilities under his own name, Brigham decided to transfer them to Kaji. However, Cheryl Sullenger, senior policy advisor for the national pro-life organization Operation Rescue, stated in an April 17 letter to Warhaftig that she had multiple concerns about the planned transfer.

Sullenger said she had extensively researched and studied what she described as “Brigham’s history of shoddy medical and business practices as well as his penchant for deceptive behavior.” Furthermore, she had “collected documentation of Kaji’s misadventures that supported [her] concerns that he is unfit to assume ownership of Brigham’s abortion facilities.”

Sullenger then asked that the ownership transfer to Kaji (if it in fact occurred) “not be accepted and



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that a closure order be issued for all Brigham's New Jersey abortion businesses."

The reason Sullenger expressed doubts as to whether the transfer had actually taken place was because she could find no evidence of such a transaction between Brigham and Kaji.

As Sullenger noted:

A search of the New Jersey Division of Revenue Business Entity Search yielded multiple companies in which Brigham is listed as the principal party, many of which are recognizable as some of his abortion clinic aliases.

However, a Business Entity Search under Vikram Kaji's name yielded only one entry: The Kaji Family Charitable Trust, established in 1977. If Kaji truly now owns Brigham's eight New Jersey abortion businesses, why is there no business record?

Sullenger also noted Brigham's "documented history of attempting to conceal his ownership of abortion clinics," and that after the state of Pennsylvania ordered him in July 2010 not to have any ownership or affiliation with any abortion business in that state (after authorities had determined that his abortion operations were too dangerous), he proceeded to open an abortion business named Integrity Family Health in Philadelphia in 2013. When the Pennsylvania Department of Health learned of Brigham's hidden connection to that facility, they ordered it closed in November 2013.

Even if the transfer to Kaji had been accomplished, noted Sullenger, Kaji's record is sufficiently tainted that he should not be permitted to operate any medical facility. He had been convicted by the New Jersey Board of Medical Examiners in 1993 for having improper sexual contact with three patients. As a result of several cases of malpractice, New Jersey placed Kaji on a one-year suspension, fined him \$5,000, and ordered him to undergo psychological counseling. In 1994, after learning of the New Jersey action, Pennsylvania officials suspended Kaji for 36 months and that same year the federal Drug Enforcement Agency ordered that Kaji's license to prescribe controlled substances be revoked.

Marie Tasy, executive director of another pro-life organization, New Jersey Right to Life, sent a letter to New Jersey's Acting Attorney General John Hoffman on May 8, noting that the New Jersey Department of Health had sent letters to Kaji at four of the AWS clinics ordering the clinics to cease and desist performing surgical procedures until the "transfer of ownership application is approved"—implying that the transfer from Brigham to Kaji was pending.

Tasy reviewed some of the same incidents in Kaji's records cited by Operation Rescue in its letter to Warhaftig, who reports to Hoffman. Stating that her group finds it "reprehensible that the N.J. Board of Medical Examiners and N.J. Department of Health had done nothing to stop 'two disgraced doctors'" (Brigham and Kaji) from completing their transfer, Tasy asked Hoffman to use his authority to "take swift action to ensure the permanent revocation of Vikram Kaji's medical license and disallow the transfer of ownership to him of these facilities or any facilities of this type which serve female patients, now or in the future."

Hoffman apparently gave the matter serious consideration, because, as noted above, Deputy Attorney General Bindi Merchant issued a complaint against Kaji, which stated, in part, that Kaji had:

signed the paperwork giving him 100 percent ownership in American Healthcare Services, P.C. just as a legal pretense to fulfill the Board's divestiture requirement. By lending his name as the owner of American Healthcare Services, P.C., Respondent did not in fact obtain any real responsibility or obligations for the day-to-day operation of the corporation. Rather, as Respondent stated, "it was



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just a technical paper transaction so the business could go on.”

The complaint further stated:

Respondent’s ownership of American Healthcare Services, P.S. is a sham transfer and thus constitutes the use or employment of dishonesty, deception, misrepresentation, false promise or false pretense, in violation of N.J.S.A. 45:1-21 (b)....

Respondent’s participation in the fraudulent transfer and ownership of American Healthcare Services, P.C. demonstrates his lack of good moral character, as required by N.J.S.A. 45: 9-6.

The order’s reference to Kaji’s “lack of good moral character,” based upon his mere dishonesty, might be laughable if not for the tragedy inherent in the operation of these abortion facilities. These clinics operated by Brigham have performed late-term abortions up until 30 weeks of pregnancy, longer than the 21 weeks at which some premature infants have survived. Even dismissing the evidence that life begins at conception, there is no other name for an abortion performed at 30 weeks’ gestation than murder. To describe a partner in such murders as lacking “good moral character” because he engaged in deception is akin to calling a serial killer a bad citizen because he engaged in jaywalking after killing one of his victims.

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