

EXHIBIT N

DECLARATION OF CANDICE RICH

I, Candice Rich, do hereby declare that to the best of my knowledge, the following is true and correct:

1. I am 27 years old and I am a resident of Newport, in Campbell County Kentucky.
2. From July 2008 until early February 2009, I received pregnancy care at St. Luke Physicians for Women and St. Luke Hospital East. From early in my pregnancy up until my due date, I planned on receiving all the prenatal, obstetrical, and reproductive health services I needed at St. Luke Hospitals. Instead, I gave birth at Christ Hospital in Cincinnati, Ohio, because St. Luke was unable to provide the complete range of obstetrical and reproductive health services I needed. As a result, my family and I suffered financially and emotionally.
3. In July 2008, when I was approximately one month pregnant, I chose to go to St. Luke because it is located just minutes from my home.
4. At my first prenatal appointment at St. Luke Physicians for Women, I explained that I wanted to have a tubal ligation after delivery. The doctor who saw me at this first appointment assured me that I could receive a tubal ligation procedure at St. Luke Hospital.
5. I knew that if I delivered by cesarean surgery, I wanted to have the tubal at the same time as the cesarean surgery in order to avoid going through a second surgery and potentially having to pay more.

6. I was covered by both employer health insurance and Medicaid and was relying on these plans to cover nearly all the costs of my pregnancy care, delivery, and potential tubal ligation.

7. I had a difficult pregnancy and saw various doctors at St. Luke Physicians for Women dozens of times during my pregnancy. I expressed my desire to have a tubal ligation at several of these appointments.

8. On February 12, 2009, which was two days past my due date, I had an appointment and ultrasound at St. Luke Physicians for Women. At this appointment, it was recommended that I should undergo a cesarean section for the birth of my child. I confirmed my desire to have a tubal ligation at the same time as the cesarean section. The doctor told me that "because of the Vatican," St. Luke could no longer do that procedure. I was also informed, for the first time, that Medicaid requires informed consent for a tubal ligation 30 days prior to the procedure. This had not been explained to me previously.

9. The Doctor provided me with the name of one Ohio doctor at Christ Hospital who provides tubal ligations, and then referred me to the St. Luke Hospital Women's Health Nurse Advocate for further assistance. I was advised that the Nurse Advocate would collaborate with me, local physicians, hospitals, and other health-related agencies, and make all the calls and arrangements necessary to ensure I was able to receive the tubal ligation.

10. When I contacted the advocate the next day, February 13, 2009, the advocate did not provide me any assistance in making arrangements to receive a tubal ligation elsewhere. Instead, the advocate told me that no doctor would take me this late in the pregnancy and that I should seek birth control counseling a few months after delivery.

11. On my own, I called a number of doctors to request a cesarean section and tubal ligation. Ultimately, the doctor affiliated with Christ Hospital in Cincinnati agreed to provide the procedure. The next day, February 14, 2009, I met with the doctor for the first time and gave a written consent for the tubal ligation. I went to Christ Hospital on February 17th for my scheduled procedure and delivery.

12. My insurance would not cover any of the costs of the tubal ligation because I had not filled out the informed consent 30 days in advance. The total cost without insurance was \$1700, and this had to be paid in full on the day of the procedure. Because I could not afford this cost, my mother, who was with me at the hospital, charged the \$1700 to her credit card so that I could still get the tubal ligation as planned.

13. St. Luke Hospitals' refusal to provide the tubal ligation and its failure to give me sufficient advance notice or assistance so that I could make timely arrangements for continuous medical care and insurance coverage elsewhere was emotionally, physically, and financially stressful for me and my family. I was only able to receive the care I needed after finding a new obstetrician at the last minute, going to an out-of-state hospital, and because I had a family member able and willing to pay the out-of-pocket costs on a moment's notice.

14. I am submitting this affidavit, and requesting a hearing about the loss of reproductive health services at St. Luke Hospitals, because I believe tubal ligations and other basic reproductive health services should be available in my community and because I do not want other women to face the same, or worse, difficulties as I faced in accessing those services.

I, Candice Rich, make the following declaration under penalties of perjury:

I verify that I have read the above Declaration and that the facts alleged in it are true, to the best of my knowledge, information and belief.

Candice Rich

Candice Rich

9/1/09

Date