TAKE ACTION!

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Name MICHAEL FABER

E-mail address FABERDESIGN@GMAIL

ZIP Code 27705

Additional Comments:

SUPPORT ACCESS!

☐ Yes, I would like to receive updates from organizations supporting this comment:

NARAL Pro-Choice North Carolina Foundation

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Name Nikhil Fadale

E-mail address nickfadale@gmail.com

ZIP Code 27613

Additional Comments:

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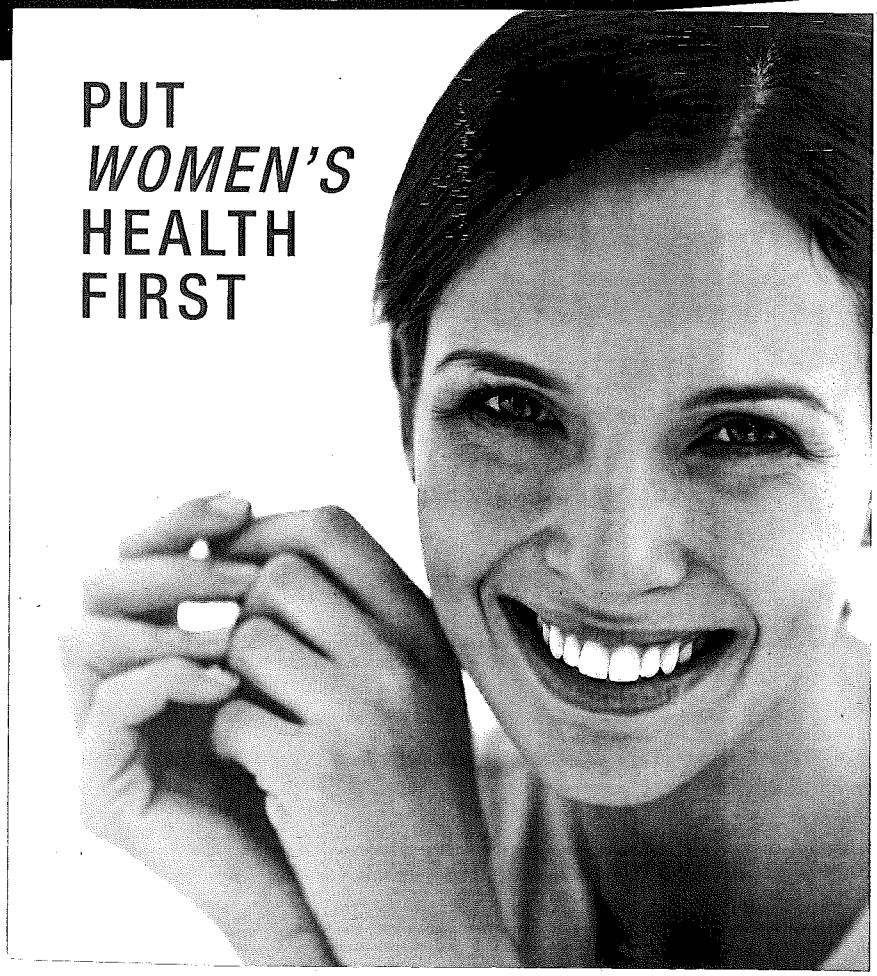

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Nadine Pfeiffer
Division of Health Service Regulation
2701 Mail Service Center
Raleigh, NC 27699-2701

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FIRST NAME: Sangita Aroora

LAST NAME: Azeem

EMAIL: azeem@aol.com

ZIP: 27587

Optional Comment field:

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Carla J Fagan

E-mail address cfagan@methodist.edu

ZIP Code 28305

Additional Comments:
Women's health must be the priority in determining the regulations. Women must come first!

☑ Yes, I would like to receive updates from organizations supporting this comment:

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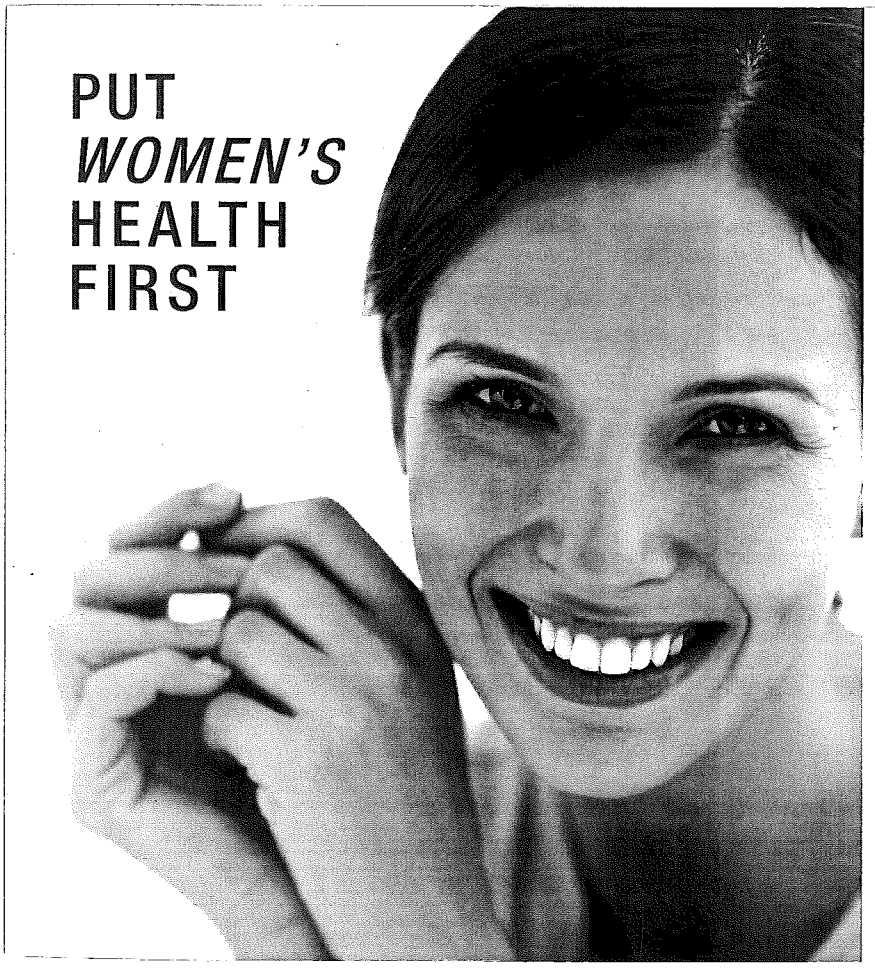

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FIRST NAME: Abigail

LAST NAME: Falk

EMAIL: Abi_Falk@yahoo.com

ZIP: 27712

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Shelby **LAST NAME:** Fallin

EMAIL: **ZIP:** 27043

Optional Comment field:

I am oppose to everything that Governor McCrory does like taking away everything from the elderly & Children. As well as letting coal drain into the streams.

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Vanessa

LAST NAME: Fanzo

EMAIL: vfanzo@unca.com

ZIP: 27284

Optional Comment field:

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Sarah Jessica **LAST NAME:** Farber

EMAIL: sarah.farber@gmail.com **ZIP:** 27604

Optional Comment field:

Women need access to these services more than politicians need these regulations as a bargaining chip + political stunt. Please allow these healthcare providers to continue this vital work!

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Yanica F. Faustin

E-mail address Yfaustin@live.unc.edu

ZIP Code 27705

Additional Comments:

☐ Yes, I would like to receive updates from organizations supporting this comment:

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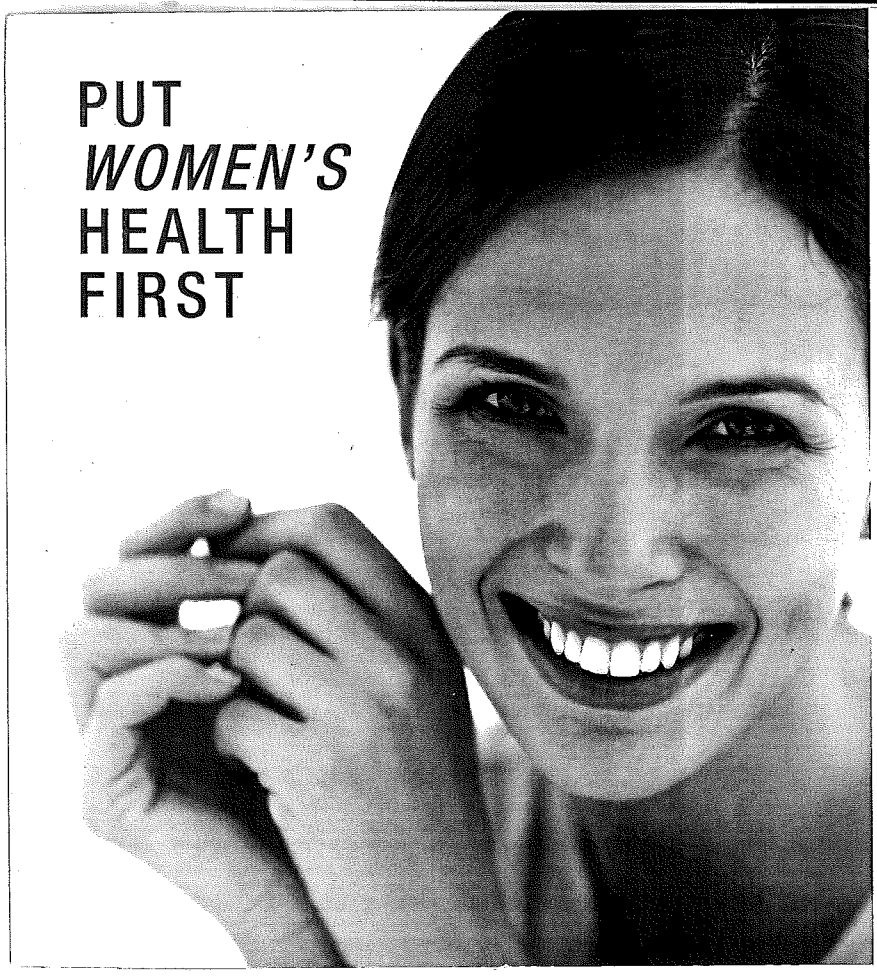

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Nadine Pfeiffer
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2701 Mail Service Center
Raleigh, NC 27699-2701

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Name Sarina Fee

E-mail address Sarinafee13@gmail.com

ZIP Code 27607

Additional Comments:

I want to protect Women's health, not just because I am a girl, but it is an important subject.

☐ Yes, I would like to receive updates from organizations supporting this comment:

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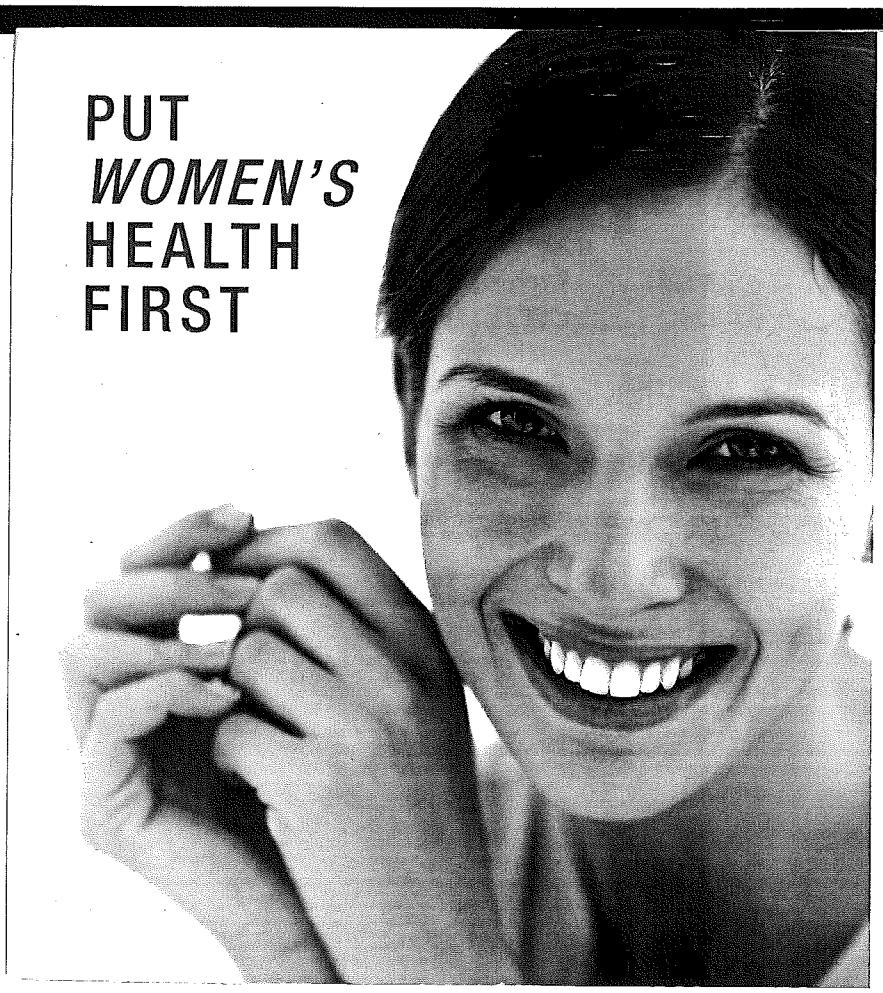

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Name Jessica Fehring

E-mail address jessicafehr@yahoo.com

ZIP Code 27516

Additional Comments:

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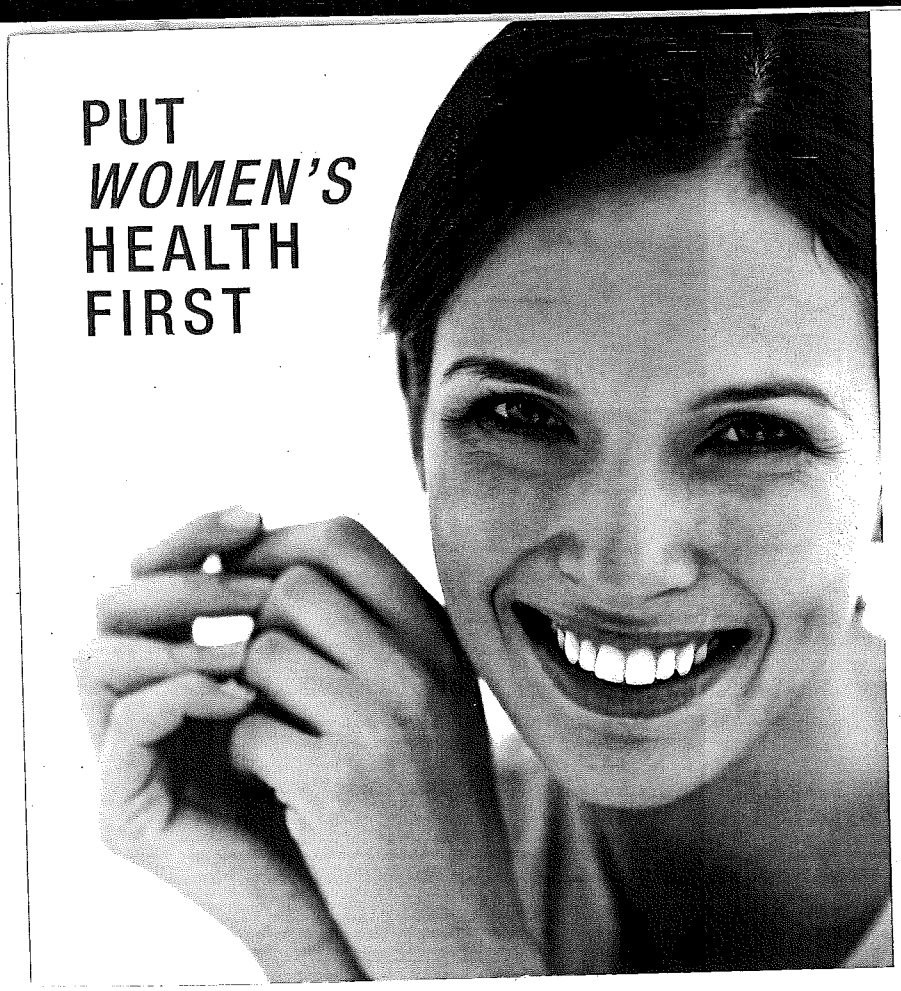

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FIRST NAME: Carolyn **LAST NAME:** Felton

EMAIL: cmfelton.nc.rr.com **ZIP:** 27612

Optional Comment field:

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FIRST NAME: Arlin **LAST NAME:** Fernandez

EMAIL: Fernanda2550@student.faytechcc.edu **ZIP:**

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Lisa Ferrando

E-mail address lferrando@mindspring.com

ZIP Code 27604

Additional Comments:

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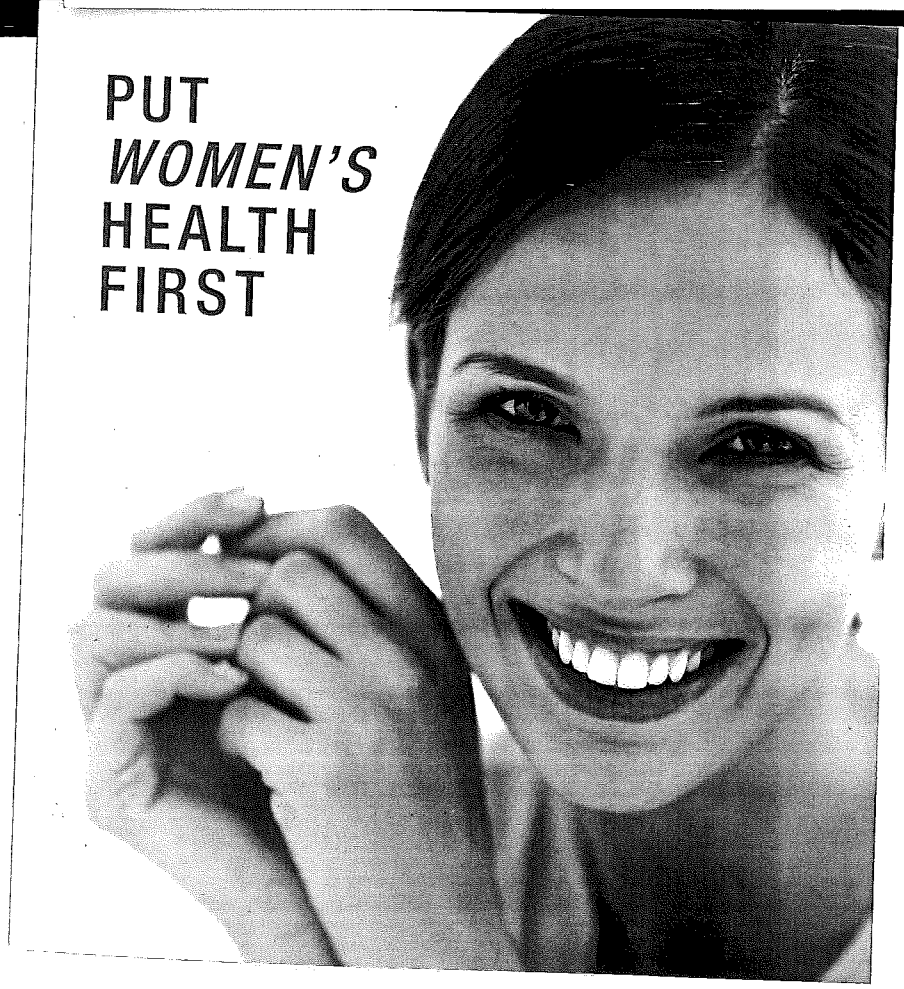

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FIRST NAME: Darlinda **LAST NAME:** Kay Finch

EMAIL: darlindafinch@gmail.com **ZIP:** 27407

Optional Comment field:

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Name HELEN BITHER

E-mail address newhope6r durham@yahoo.com

ZIP Code 27707

Additional Comments:

We need abortion and reproductive rights protection for those women who need them.

☐ Yes, I would like to receive updates from organizations supporting this comment:

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FIRST NAME: Cody **LAST NAME:** Fisher

EMAIL: cjfisher53@gmail.com **ZIP:** 28753

Optional Comment field:

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

NC Values Coalition

Faith.Family.Foundatons of Freedom

January 30, 2015

SUBMITTED ELECTRONICALLY

Ms. Nadine Pfeiffer
Division of Health Service Regulation
2701 Mail Service Center
Raleigh, NC 27699-2701

Dear Ms. Pfeiffer:

Pursuant to enactment of Session Law 2013-366 s.4(c), Part IV (Senate Bill 353), which became effective July 29, 2013, the Department of Health and Human Services was required to amend rules pertaining to clinics certified by the Department to be suitable facilities for the performance of abortions under G.S. 14-45.1. Chapter 10A NCAC 14E *Certifications of Clinics for Abortion.* This letter constitutes our formal comments and recommendations for improvement of the proposed amendments to Chapter 10A NCAC 14E.

If ever an industry needed regulation to guarantee that women are not exposed to unsanitary, unsafe procedures that threaten their health and safety all for the sake of profit, it is the abortion industry. The Department has presented a draft of proposed rules to the public that, while making some improvements, politically pacifies the abortion industry, as is evidenced by their support for these proposed rules. But what about the health and safety of the women whose lives are forever impacted by the tragedy of abortion? The rules proposed by the Department fall short of providing the medical protections necessary to protect the health and safety of women.

The support for these proposed rules by groups like Planned Parenthood and NARAL Pro-Choice is based on the ideology that abortion clinics should be allowed to deliver abortion-on-demand right up to the date of delivery without any restrictions or guidelines by which to operate. These groups were consulted in writing these rules, and the result is that the Department has not gone far enough in protecting the health and safety of women.

We have seen what this ideology of abortion-on-demand produces—grotesque abortion clinics of the likes of the one operated by doctor Kermit Gosnell. For that reason, I am attaching the Grand Jury Report in the Kermit Gosnell case to remind the Department what the failure to properly regulate and inspect abortion clinics produces.

I. Why are abortion clinics allowed to operate under a lower standard of care than other ambulatory surgical centers (ASC's), thus

9650 Strickland Road • Suite 103-226 • Raleigh • North Carolina • 27615
(919) 349-3655 • tfitzgerald@ncvalues.com • ncvalues.org

jeopardizing the health and safety of the women who receive abortions there?

Abortion clinics have for years been allowed by the State of North Carolina to operate at a lower standard of care than other out-patient surgical centers, such as orthodontic clinics, orthopedic clinics, colonoscopy centers, etc. Abortion clinics have been given a "pass," simply because they are in the business of providing abortions.

The Department was authorized to apply any requirement for the licensure of ambulatory surgical centers (ASC's) to the standards applicable to abortion clinics. While these proposed amendments to the abortion clinic rules contain some entire sections from the regulations governing licensing of ASC's, they are entirely lacking in the vast majority of health and safety provision from the ASC's. We recommend that the department adopt the ASC's in their entirety for the certification of abortion clinics.

Alternatively, we recommend that the Department adopt the medically appropriate standards for ambulatory surgical care that have been published by the Joint Commission, an independent not-for-profit organization that accredits and certifies more than 20,500 health organizations in the United States. Joint Commission standards signify a very high medical standard guaranteeing healthcare quality and safety. Women who visit abortion clinics deserve this safeguard.

Because women deserve the same standards of care that other ASC's provide, 10A NCAC 14E .0101 lacks the proper definitions to guarantee the health and safety of women. "Abortion" should be clear that it includes both surgical and chemical abortions. "Complication" should be greatly expanded to include all known complications of abortion. "Physician" should be defined to include a licensed obstetrician or gynecologist.

These proposed rules do not contain any requirement that anesthesia be administered by an anesthesiologist or CRNA supervised by the physician. Under these proposed rules, the abortion physician can administer the anesthesia, while performing the abortion. That compromises the health and safety of the women receiving abortions.

The building code requirements in 10A NCAC 14E .0201 only apply to "new clinics and to any alterations, repairs, rehabilitation work, or additions which are made to a previously certified facility." This allows existing clinics to be "grandfathered" so that they don't have to comply with current building codes that would guaranty patient safety. In fact it is common for abortion clinics to operate for years without making improvements or updating their facilities, because that cuts into their profits. We believe that all abortion clinics, old and new, should comply with current building codes in order to insure the safety of the women who visit them.

II. Don't women deserve to know that the abortion clinics they enter have had an annual inspection guaranteeing compliance with all federal and state laws?

It is well-documented that most of the abortion clinics in the state have received infrequent inspections, some going for years without one. One clinic in Charlotte has only had three inspections since 2003, and those inspections showed numerous violations of the existing rules. If clinics repeatedly violate the rules, that makes the case for more frequent inspections.

10A NCAC 14E .0111 states that: "Any clinic certified by the Division to perform abortions shall be subject to inspections by authorized representatives of the Division annually and as it may deem necessary as a condition of holding such license." The words "subject to" make the annual inspection optional with the Department, indicating that the clinic may have an annual inspection, but is not required.

If the State of North Carolina can inspect eight million cars annually in order to re-license them, then it should certainly be able to inspect 17 or fewer abortion clinics annually. The purpose of inspections—whether it's cars or abortion clinics—is to guarantee the health and safety of people who live in the State. Mandatory annual inspections of abortion clinics are the only way to guarantee compliance with these rules, and thus the health and safety of the women who visit abortion clinics. Accordingly, we recommend removing the words "subject to."

In addition, we recommend that inspections be required to be "surprise inspections." Such a provision would prevent the situation that has occurred in other states where clinics were "tipped off" a day in advance and modified their practice in anticipation of the inspection.

III. Why are abortion providers protected to the detriment of women when it comes to keeping records?

10A NCAC 14E .0303 requires that minutes of the governing authority be on file in the administrative office of the clinic, "if applicable." We recommend removing the words "if applicable," because those words make the retention of minutes of the governing authority's meetings optional. Femcare in Asheville did not review its policy and procedure manual for 23 years, and the only way that came to light is because it was an ASC that was required to maintain a record of its meetings.

10A NCAC 14E .0305 (f) changes the existing rules by decreasing the period that medical records for adult patients must be retained from 20 years to 10 years. It also changes the period for retaining medical records for minors from 20 years to 3 years after the minor's 18th birthday. This provision protects abortion clinics who understandably want to avoid liability, but it does not protect women.

Women or minors who may postpone child-bearing until their 30's will not have access to their medical records at the time when they may be experiencing infertility resulting from an abortion doctor's negligence. It is understandable that the abortion providers who helped craft these rules would want to limit their liability for negligence, but this change should not be made in the proposed rules. This change hurts women. We recommend changing the record retention requirement back to 20 years for adults and making it 20 years from the 18th birthday for minors.

Likewise, paragraph (g) changes the record retention policy for clinics that cease operation from 20 to 10 years. This change only works to benefit abortion clinics by limiting their liability and does nothing to advance the care and protection of women. We recommend that records be retained for 20 years as is currently the practice.

IV. Why are minors allowed to work in abortion clinics?

Perhaps one of the most inappropriate additions to these proposed rules is that 10A NCAC 14E .0306 allows 16-year olds to work in abortion clinics as long as they have no direct responsibility for patient care. We recommend requiring that all personnel must be at least 18 years of age.

V. Why are abortion providers left to determine for themselves whether a microscopic examination is required of tissue?

Under 10A NCAC 14E .0309 (b), the governing authority can now determine that certain types of tissue specimens do not require microscopic examination. Accordingly, 10A NCAC 14E .0311 has been changed to delete the former requirement that "written procedures, supplies, and equipment" be "available for gross and microscopic evaluation of abortion specimens." Without microscopic examination, ectopic pregnancies, incomplete abortions, and other complications may go undetected, compromising the safety and health of women. We recommend restoring the previous provisions in 10A NCAC 14E .0311 (2) and (3). These changes benefit abortion providers by making their jobs easier and more cost efficient, but they compromise the health and safety of women.

VI. Why do these proposed rules compromise the health and safety of women by failing to mandate good post-operative care and emergency care?

We applaud the addition of the requirement in 10A NCAC 14E .0310 (c) that clinics "have a written agreement between the clinic and a nearby hospital to facilitate the transfer of patients who are in need of emergency care." However, this improvement is essentially nullified by the qualification that "efforts to establish such a transfer agreement" constitute sufficient compliance even if the clinic has been unable to secure the transfer agreement. This completely undermines the goal of SB 353 of protecting women's health. Clinics should be required (no exceptions) to obtain a written transfer agreement with a nearby hospital, period.

Women's safety is further compromised by 10A NCAC 14E .0313 which removes the existing requirement in section (a) that patients stay for a minimum of a one-hour waiting period after the procedure to guaranty there are no complications.

Section (c), which required that non-ambulatory patients be accompanied by an attending medical or nursing staff member during any transfer has been removed in these proposed rules. Allowing a patient who needs emergency care to be transferred to a hospital without an attending nurse or doctor is dangerous. Again, it is understandable that abortion providers would want to delete these requirements, because they cost them time and money at the expense of the women who are their patients.

We recommend that clinics be required to have written transfer agreements with a local hospital, that women be required to stay in the clinic for a minimum of one hour after the procedure to insure there are no complications, and that patients who need an emergency transfer to a hospital be accompanied by a nurse or doctor. These are reasonable, minimal requirements necessary to safeguard the health and safety of women.

VII. Why are there no adequate enforcement mechanisms for violations of the standards set forth in the proposed rules?

While the existing rules for *Certifications for Clinics for Abortion* have been violated hundreds of times by abortion clinics in the state, the only remedy is closure of the clinic until the violation is remedied. Normally, that is only a three or four day interruption in service.

If we learned anything from the criminal prosecution of Dr. Kermit Gosnell for the atrocities committed in his "house or horrors," it was the necessity of consistently enforcing all state and federal abortion laws. Kermit Gosnell was allowed to operate in Philadelphia for years without the proper enforcement of rules that were on the books but were not being followed in his clinic. As the grand jury concluded, "Rules must be more than words on paper."

We recommend adding civil and/or criminal penalties for the violation of the rules governing the *Certification of Clinics for Abortion*. Without penalties, atrocities like the ones committed by Kermit Gosnell will be committed in North Carolina.

VIII. Why are abortion clinics not required to report information that will be open to public inspection?

While 10A NCAC 14E .0305 requires that patient medical records be maintained in the clinics themselves, these proposed rules do not require reporting to the Department of Health and Human Services certain information that the public should be able to obtain. These proposed rules should contain a requirement that the clinics

themselves report annually to DHHS all relevant information (not just a representative sampling), including but not limited to, the following information:

- the date of the abortion
- the county in which the abortion was performed
- the county and state in which the patient resides
- the age, race, marital status, etc. of the patient
- the approximate gestational age and sex of the unborn child
- the number of prior abortions, live births, miscarriages, etc. of the patient
- the method of abortion
- drugs administered
- etc.

These proposed rules should require the Department to compile this information and offer it on a public website for public inspection.

In addition, a public website should be maintained by the Department that lists all the results of inspections of abortion clinics located in the State. Women have a right to know before they seek abortions which clinics have been cited for violations and what violations they have committed.

First and foremost, the NC Values Coalition cares about the 52 million unborn babies who have been murdered by the ugly practice of abortion. We speak for these tiny, innocent, precious humans who have no other voice. But, we also speak for women—whose health and safety is often neglected and abused by the abortion industry's focus on profit first.

We urge the Department to follow our first suggestion and adopt rules for abortion clinics that mirror rules for ASC's. That is fair; it is medical; it is right. It would afford the highest protection for the health and safety of women. If the Department refuses to do that, we urge the incorporation of the other changes we have suggested.

Thank you for the opportunity to comment and make suggestions on these proposed rules.

Sincerely,

Tami Fitzgerald

Tami L. Fitzgerald
Executive Director

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North Carolina Department of Health and Human Services
Division of Health Service Regulation
Office of the Director

Pat McCrory
Governor

Aldona Z. Wos, M.D.
Ambassador (Ret.)
Secretary DHHS

Drexdal Pratt
Division Director

MINUTES OF PUBLIC HEARING
DECEMBER 19, 2014
10:00 A.M.

Staff Present:

1. Drexdal Pratt, Director, Division of Health Service Regulation
2. Nadine Pfeiffer, Rule-making Coordinator, Division of Health Service Regulation
3. Azzie Conley, Chief, Acute and Home Care Licensure and Certification Section, Division of Health Service Regulation
4. Cheryl Ouimet, Chief Operating Officer, Division of Health Service Regulation
5. Patricia Christian, Assistant Director for Healthcare Quality and Safety, Division of Health Service Regulation
6. Diana Barbry, Executive Assistant, Division of Health Service Regulations
7. Kevin Howell, Legal Communications Coordinator, Office of Communications
8. Dan Guy, Communications Project Manager, Office of Communications
9. Olivia James, Press Assistant, Office of Communications

Others Present:

See the attached sign-in sheet for attendance.

1. Purpose of Hearing

The purpose of this public hearing was to solicit verbal and /or written comments from the public on the proposed amendment and adoption of rules in Chapter 10A NCAC 14E, Certifications of Clinics for Abortion, as published in the NC Register, Volume 29 Issue 11, issued on December 1, 2014 for these rules as listed: 10A NCAC 14E .0101, .0104, .0109, .0111, .0201, .0202, .0206, .0207, .0302 - .0311, .0313, and .0315.

2. Hearing Summary

The public hearing was opened by Drexdal Pratt at 9:00 a.m. A total of fourteen speakers spoke at the hearing. A summary of these comments is as follows:

1) Deborah Walsh, Executive Director, Family Reproductive Health, Charlotte NC, stated that she was a part of the work group that reviewed and developed the rule changes. She spoke on the diversity of the work group and how they worked together to provide the regulations based on medical reasons to ensure the well-being of patients seeking these services.

2) Dr. David Grimes, a board certified OB-GYN physician, previous CDC Abortion Chief and WHO Abortion Chairman, urged the adoption of the proposed rules because they were evidence-based and stated that the scientific process by which the rules were developed must not be degraded by special interest groups with no relevant medical expertise.

3) Dr. Gretchen Stuart, Medical Director, Planned Parenthood of NC, stated that abortion is extremely safe and that abortion has a complication rate of less than 1 percent. She also stated that abortion is very common and that one in three women will have an abortion by the time she is 45. She also stated that safety and excellent care is top priority, and that access to safe and legal abortion is vital for her patient's safety and well-being. She requested that the final regulations remain free of legislative interference in medical practice.

4) Dr. Amy Bryant, a board certified OB-GYN physician, NARAL Pro Choice, stated that one in three women will have an abortion. She stated that when the government regulates abortion it is critical that the regulation preserve access and policy makers should never impose regulations on women to stop abortion. She stated that the regulations should be grounded on medical reasons.

5) Dr. Dalia Brahmi, OB-GYN physician, Chapel Hill, stated that abortion is safe and very common, and also stated that one in three women will have an abortion in their lifetime. She stated that every woman is unique and every situation is different, and that we all have to make health decisions we never expected to make. She shared a story about a patient and her decision to have an abortion, and she also stated that what is most important to her is that her patients have the ability to make their own personal medical decisions that are best for their health and well-being. She said medical doctors will always support regulation for patient's safety.

6) Dr. Marcela Smid, OB-GYN Physician, Chapel Hill, who specifically takes care of patients with high risk pregnancies. She stated that as a physician her first priority is the safety of her patients and stated studies show abortion extremely safe with a complication rate of less than 1 percent. She shared a story about a patient who had to terminate her pregnancy due to complications with her pregnancy. She stated that her patients deserved safe and compassionate care. She urged DHHS to reject any medically unnecessary regulations that are designed to restrict safe abortion care because adding unnecessary regulations that are not medically necessary could have dangerous effects to the safety of patients by delaying services or closing clinics.

7) Heather Shumaker, State Policy Director, National Abortion Federation (NAF), stated while additional regulations are unnecessary she commended DHHS on the process based on medicine and science. She said abortion care was one of the safest types of procedures. She stated that she hopes the process does not become politicized and would continue to use evidence-based input from the medical community throughout the process.

8) Suzanne Buckley, Executive Director, NARAL Pro Choice stated that reproductive health care decisions should be made by the patients and their doctors and not the politicians of North Carolina. She further stated that at NARAL Pro Choice, patients' health comes first. Senate Bill 353, which created the law requiring these rule changes, was enacted with a single goal and that was to prevent women from having safe and legal abortions in North Carolina. These laws have been enacted in

many states across the country, and the enactment of these laws has caused many safe abortion facilities to close their doors and affected patient care and safety in those states. She stated that abortion care is one of the safest types of medical care sought in this country. She stated that there is no medical basis or need for the changing of these rules required by this law. She recognized the department engaged in a thoughtful, reasonable process by consulting with experts to ensure safe abortion care. She stated, in general, the regulations were based on sound medicine and science. She, and the thousands she represents, request that DHHS only make rule changes that ensure medical standards recommended by medical experts.

9) Sarah Preston, Policy Director, ACLU, noted that her organization was dedicated to protecting the safety and health care of patients, including abortion. She said that during the legislative debate both Secretary Wos and Governor McCrory stated any new rules should be based on patient safety. She said the rule changes focused on the well-being of patients and hoped that the Department's focus would remain on safety and not politics.

10) Nancy Curtis, retired Lutheran Pastor and attorney, Asheville NC, stated women's health was regulated on evidence-based information. She urged DHHS to make every effort to make least restrictive regulations and only consider medical based information for the safety of North Carolina women.

11) Kelsea McLain gave a testimony about her personal experience with abortion, stating that she was glad that she was able to make her own decision on medical care and the decision was not based on political considerations. She stated the rules were medical-based. She urged DHHS not to make rule changes that did not make sense.

12) Wendy Banister, Executive Director, Gateway Women, stated that 60 percent of their clients with abortions have reported emotional difficulty and regret, while only 34 percent of their patients reported that abortion was a good decision for them. She gave an overview of situations with patients at Gateway. She felt that the standards fall short and we should be requiring the very best for women's health in North Carolina.

13) Tammy Fitzgerald, NC Values Coalition spoke in opposition of the rules stating rules are important for health and safety for women seeking abortions. She said that the timing of the rules coming out the week before Christmas was a ploy to deceive the public and to sweep the changes under the rug. She stated the process was biased because the group that came up with the proposals only included one person with an anti-abortion viewpoint. She said the resulting proposals are inadequate to protect women. She stated the rules did not include requirements from the model rules by NAF. She gave an overview of specific problems with the rules, which included:

- No requirement for an anesthesiologist or CRNA to administer anesthesia;
- No requirement for the abortion doctor to be an OB-GYN board-certified physician;
- Certification lacking on licensing procedures;
- No agreement or relationship for second OB-GYN physician in case of emergency;
- No requirement for annual inspections, they are only allowed;
- Post-op discharge are lacking, there is no follow-up exam required;
- One-hour observation post procedure has been removed;
- Eliminated requirement for examination of products of conception to ensure complete abortion;
- No requirement for hospital admitting privileges for physicians;

- Transfer agreement is neutered, as long as they attempt to get one they have satisfied the requirement;
- No minimum number of nurses at clinics;
- Allow minors to work at clinic;
- No requirements for materials to be clean, sterile and in good working order;
- No requirement for prior physical exam;
- Reporting requirements are lacking and there are no penalties for violations.

She stated there is a need for penalties to have teeth in the rules. She also stated that minimum standards for safety are ethical and logical, and these rules fall short.

14) Jere Royall, Counsel, NC Family Policy Council, stated that the Council is appreciative of the proposed rule changes, which are the first in almost 20 years. However, the proposed rule changes fail to address some critical issues that NCFPC thinks are vital to women's health and safety. He stated that a primary need is for the rules to require annual inspections of abortion clinics for the safety and well-being of the patients.

These comments will be taken into consideration by the Agency. The hearing was adjourned at 9:52 a.m.

Respectfully submitted,

Nadine Pfeiffer,
Rule-making Coordinator
January 22, 2015

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I want to protect women's health and safety, and abortion care already is incredibly safe. The draft regulations proposed by the Department of Health and Human Services were written with extensive input from doctors, health care professionals and reproductive health experts, and they rely on evidence-based medicine. I urge the Department of Health and Human Services to continue to listen to medical experts and to support sensible regulations that put women's health first. The reproductive health centers affected by these draft regulations serve thousands of NC women and families and offer a wide range of essential reproductive health services, including family planning, cancer screenings and annual check-ups for reproductive health. The Department of Health and Human Services must put women's health and sound medical practices first when considering any changes to the draft regulations.

FIRST NAME: Diane **LAST NAME:** Fleischman

EMAIL: dianeFleischman@live.com **ZIP:** 27713

Optional Comment field:

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Aileen

LAST NAME: Fleming

EMAIL:

ZIP: 28787

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FIRST NAME: Morganne **LAST NAME:** Flynn

EMAIL: **ZIP:** 28304

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Name GABRIEL FOIBERT

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Additional Comments:

☐ Yes, I would like to receive updates from organizations supporting this comment:

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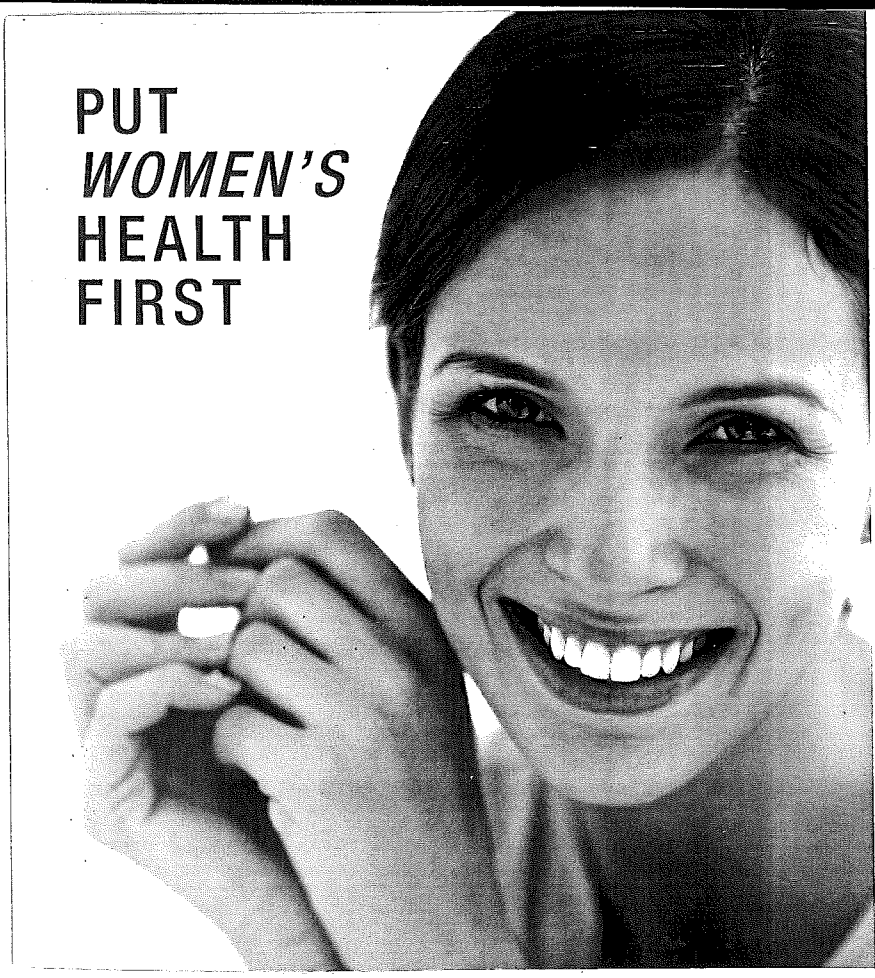

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Raleigh, NC 27699-2701

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Name Kathan Fadale

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Additional Comments:

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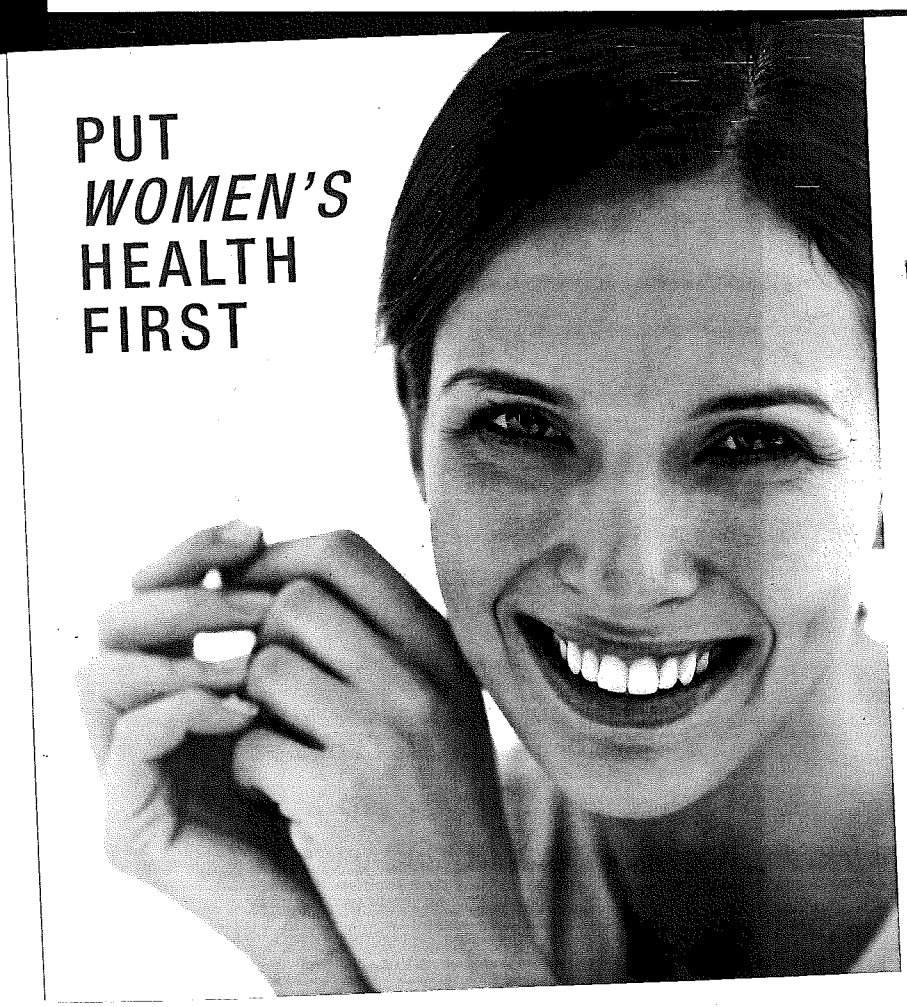

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FIRST NAME: Ariel **LAST NAME:** Ford

EMAIL: arielskyford@gmail.com **ZIP:** 28754

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name William Fisher

E-mail address

ZIP Code 28787

Additional Comments:

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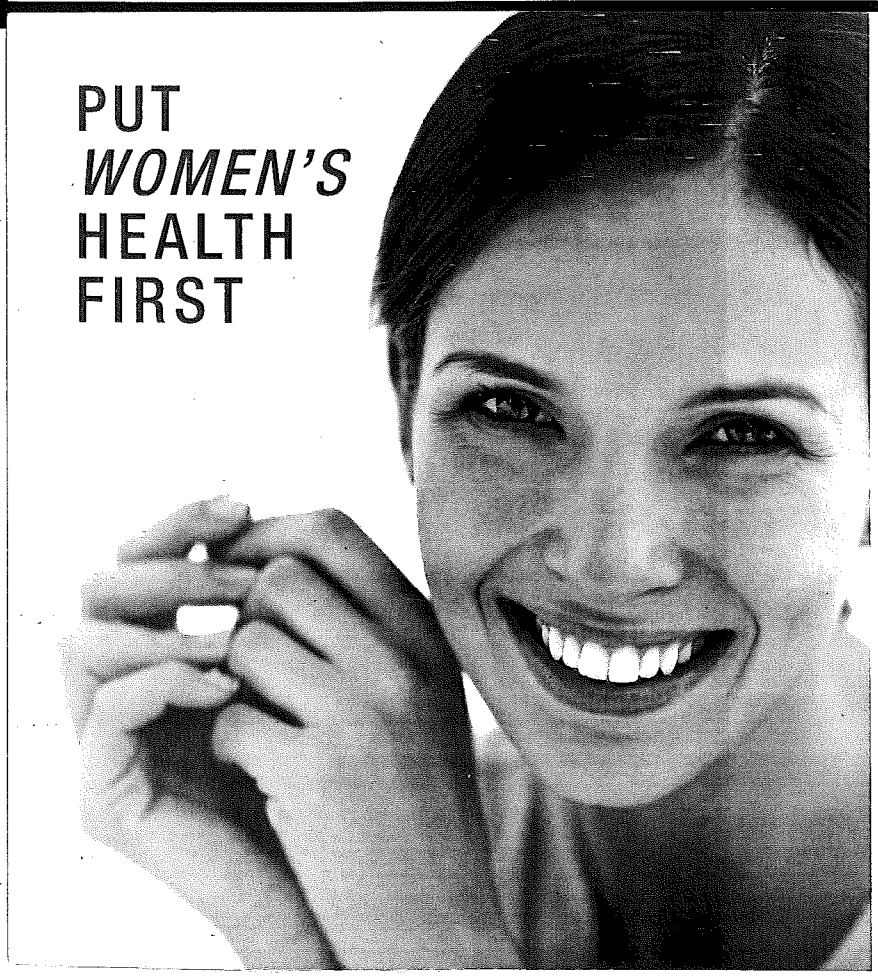

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Raleigh, NC 27699-2701

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ZIP Code 27516

Additional Comments:

☐ Yes, I would like to receive updates from organizations supporting this comment:

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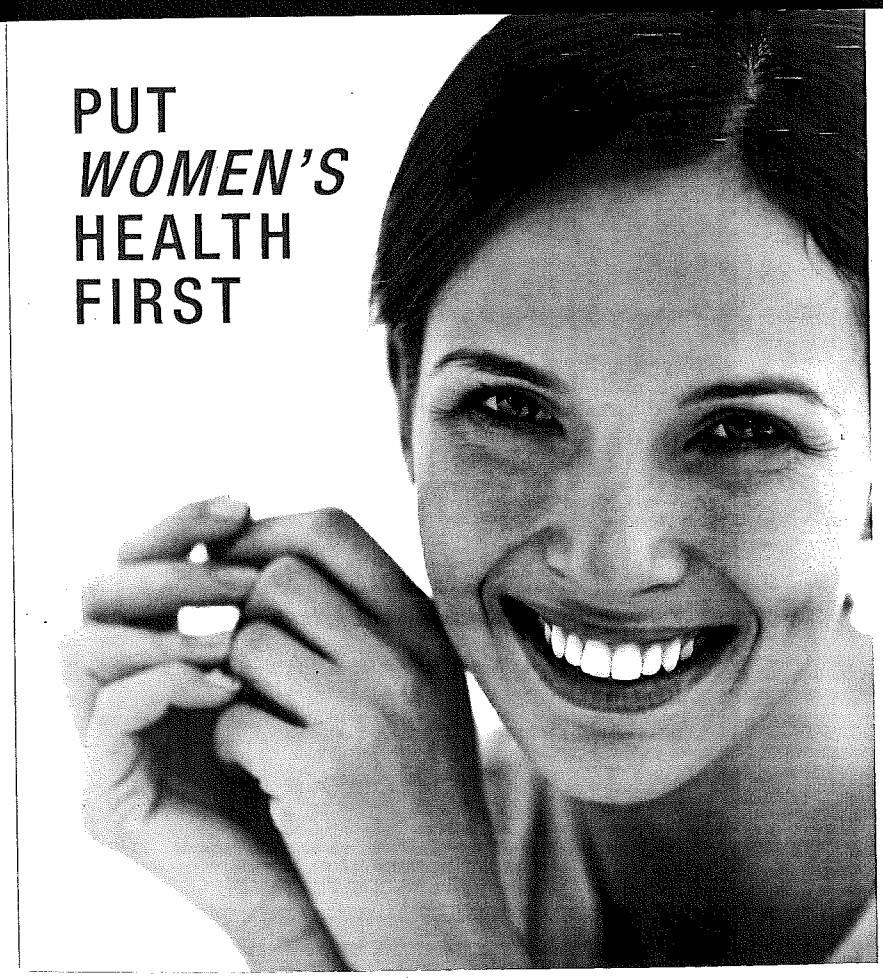

RECEIVED JAN 30 2015 By

Nadine Pfeiffer
Division of Health Service Regulation
2701 Mail Service Center
Raleigh, NC 27699-2701

TAKE ACTION!

Tell the Department of Health & Human Services: Put Women's Health First

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Name Hurst Fowler

E-mail address hhurstfow@aol.com

ZIP Code 28804

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Name LAURIE FOX

E-mail address Lajufox@aol.com

ZIP Code 27705

Additional Comments:

As a medical provider at a community health Center, I urge you to keep women's health + well being at the forefront of public health policy and to maintain the health services they are essential for women's health.

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Name Cindy Fox

E-mail address

ZIP Code 27617

Additional Comments:

Please do not propose or legislate any more restrictions

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FIRST NAME: Helen

LAST NAME: Frady

EMAIL: helendy@yahoo.com

ZIP: 28694

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Rebecca

LAST NAME: Fraser

EMAIL:

ZIP: 28804

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Allison Frank

E-mail address allifrank@charter.net

ZIP Code 28804

Additional Comments:

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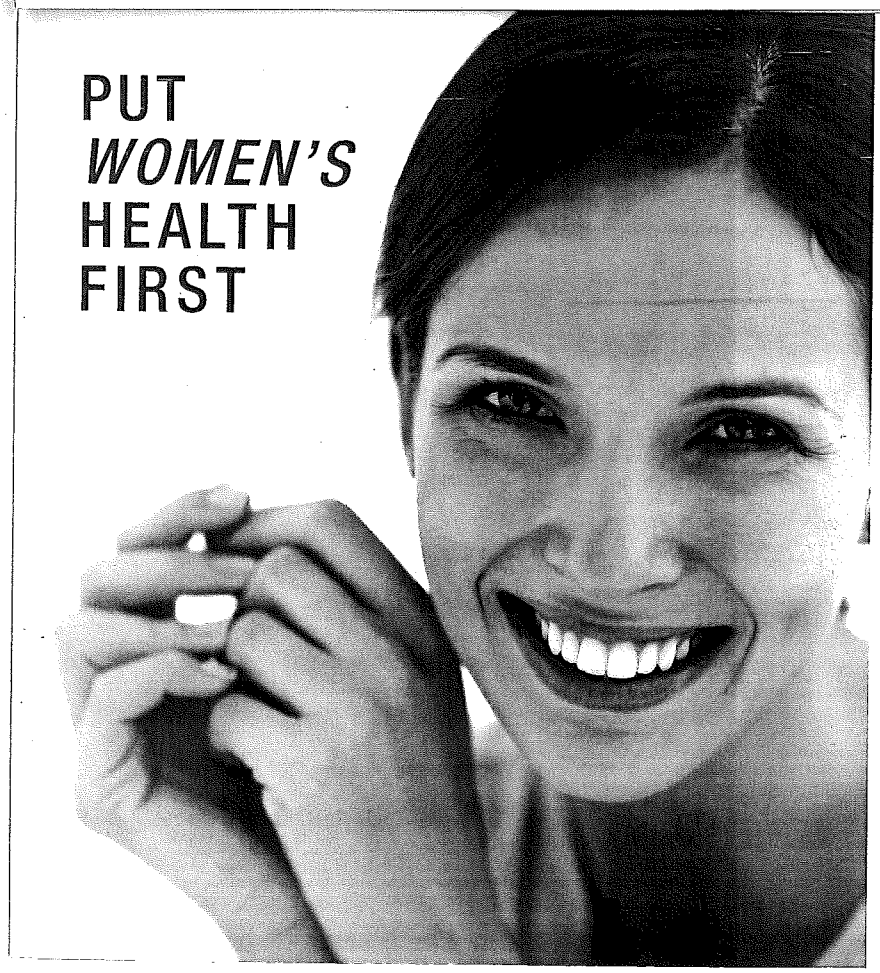

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Name [redacted] Sabrey Frazier

E-mail address _____

ZIP Code 25306

Additional Comments:

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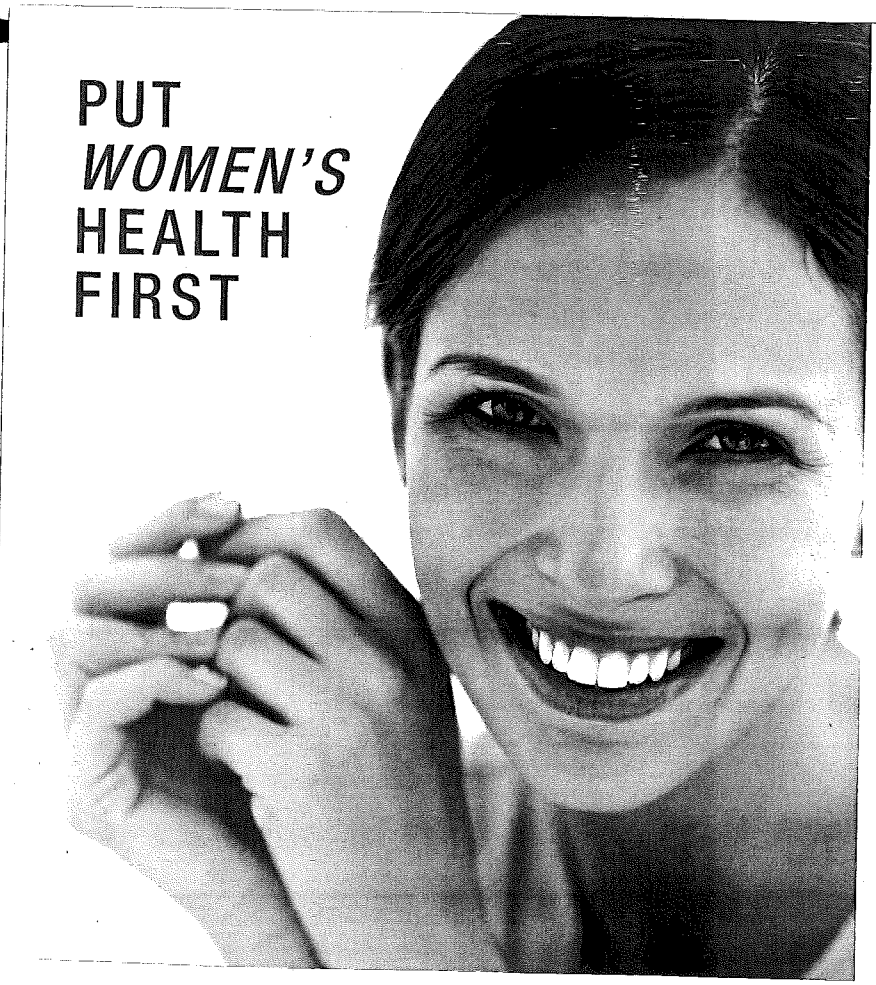

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Name Katherine Frantz

E-mail address KFrantz@uncc.edu

ZIP Code 28804

Additional Comments:

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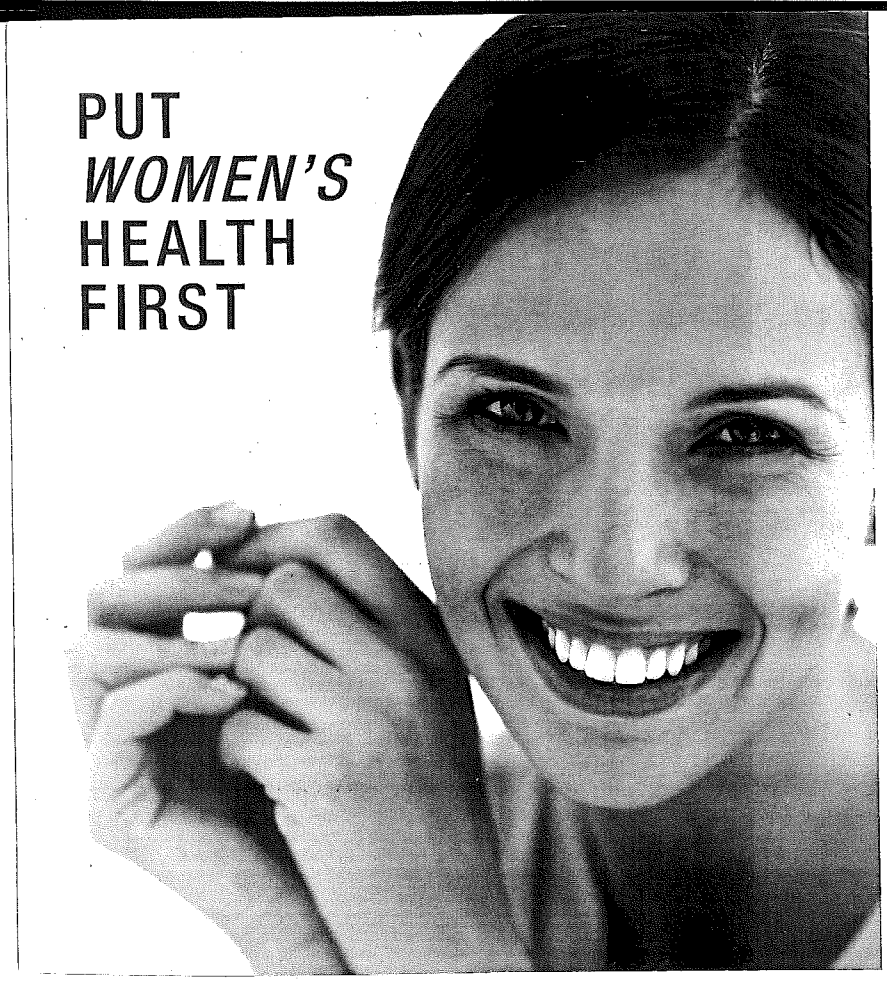

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Name Gordon Fraser

E-mail address gfraser@unca.edu

ZIP Code 28732

Additional Comments:

Keep up the good work!

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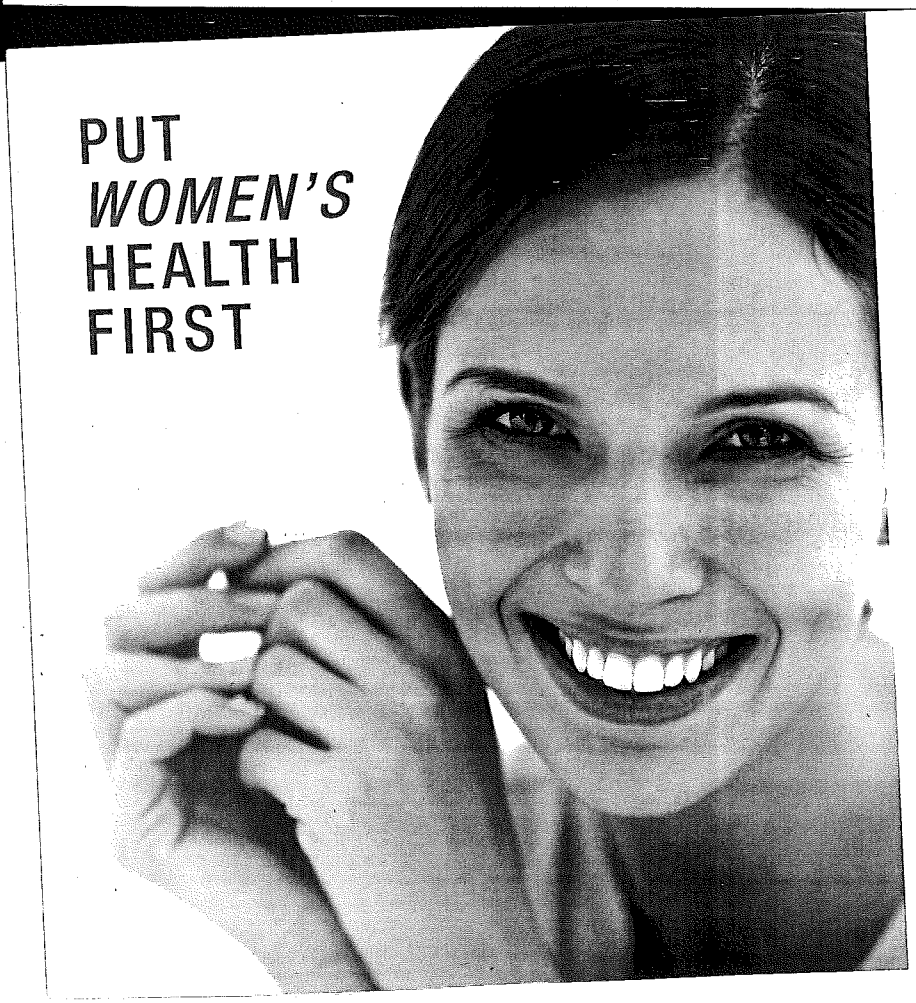

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Name BARBARA FREEDMAN

E-mail address BCFREEDMAN@AOL.COM

ZIP Code 27612

Additional Comments:

Please support women and NC excellent medical community in keeping in place scientific standards for care.

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FIRST NAME: Michael

LAST NAME: Freeman

EMAIL: FreemanMichaelR@gmail.com

ZIP: 27406

Optional Comment field:

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

[If yes] Great! I will just need your email address and zipcode.
[if no] Sorry to hear that, thank you for your time.
Will you submit a public comment urging the Department of Health and Human Services to put women's health first?

DHHS needs to go for abortion providers
make sure they put women's health first

freemanmichaelp@gmail.com

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Name Wyatt Freeman-Plagg

E-mail address wyattplagg@gmail.com

ZIP Code 27607

Additional Comments:

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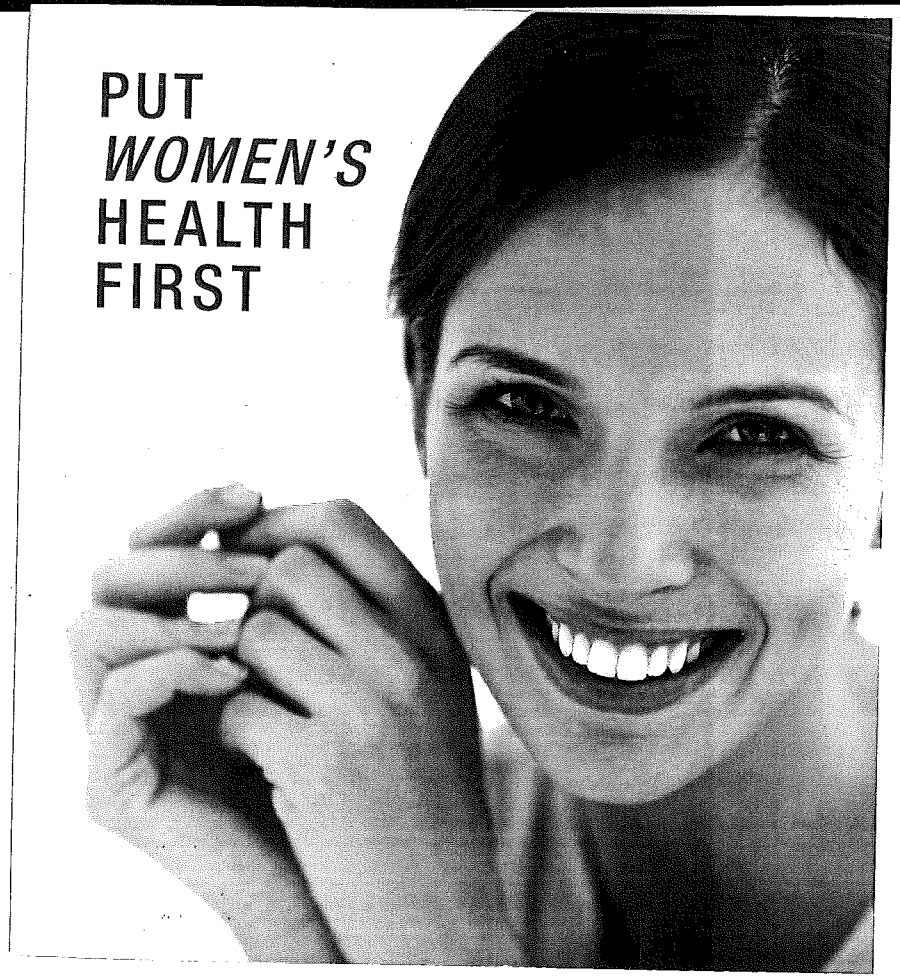

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Name Betty Fried

E-mail address bafried@bellsouth.net

ZIP Code 27605

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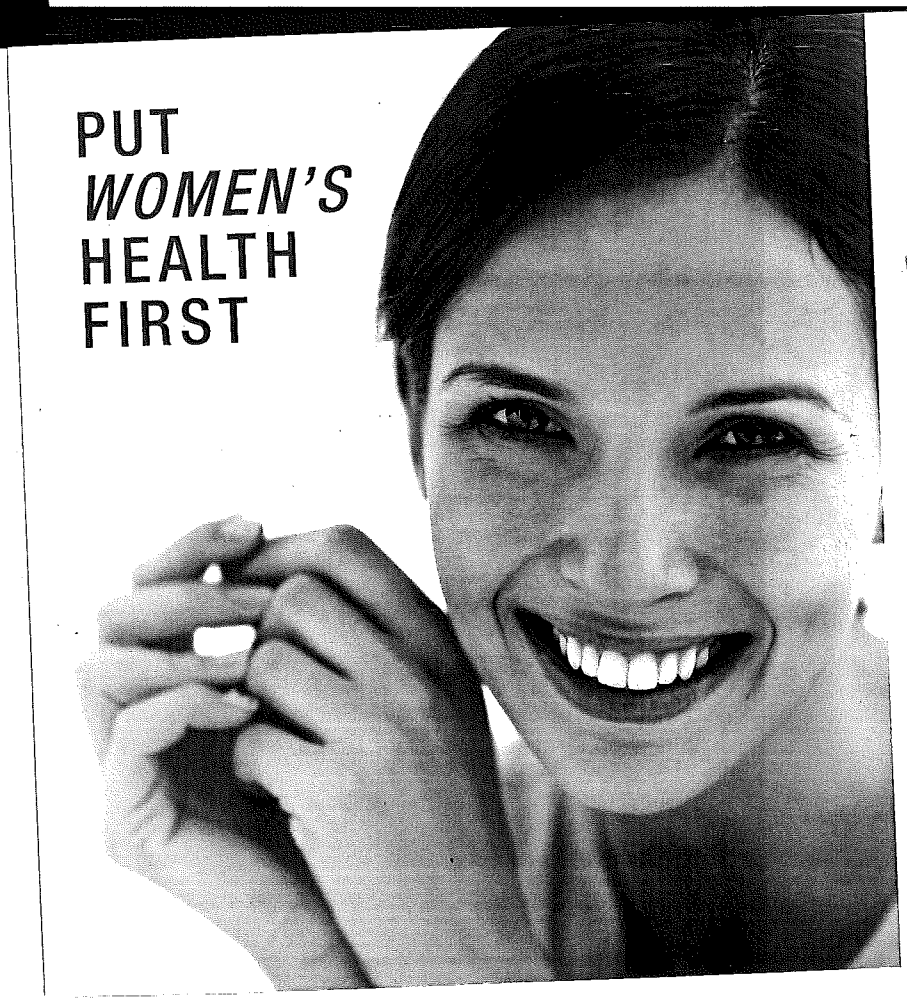

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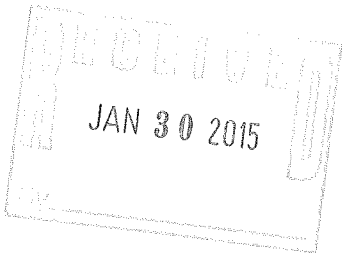

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FIRST NAME: Naomi

LAST NAME: Friedman

EMAIL: nfried430@gmail.com

ZIP: 28804

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name William M. Frink

E-mail address frinkwill596@yahoo.com

ZIP Code 28301

Additional Comments:

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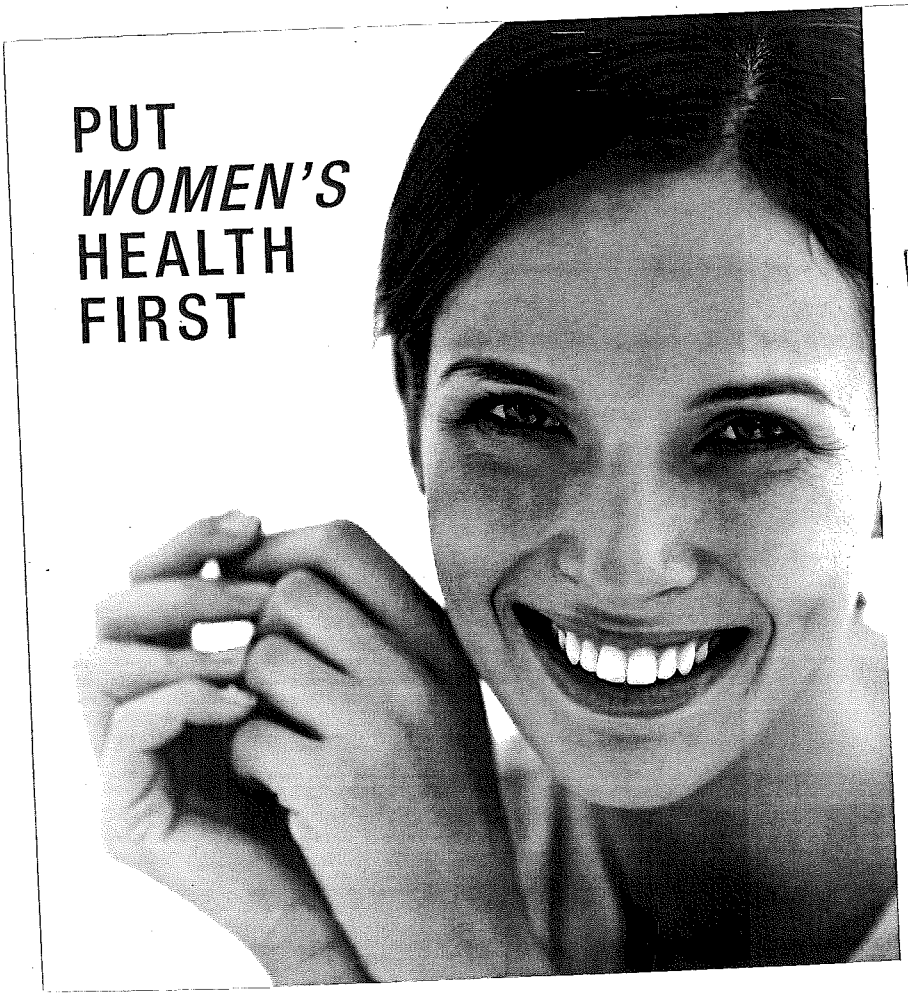

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Name Corey Frost

E-mail address cfrost86@gmail.com

ZIP Code 27516

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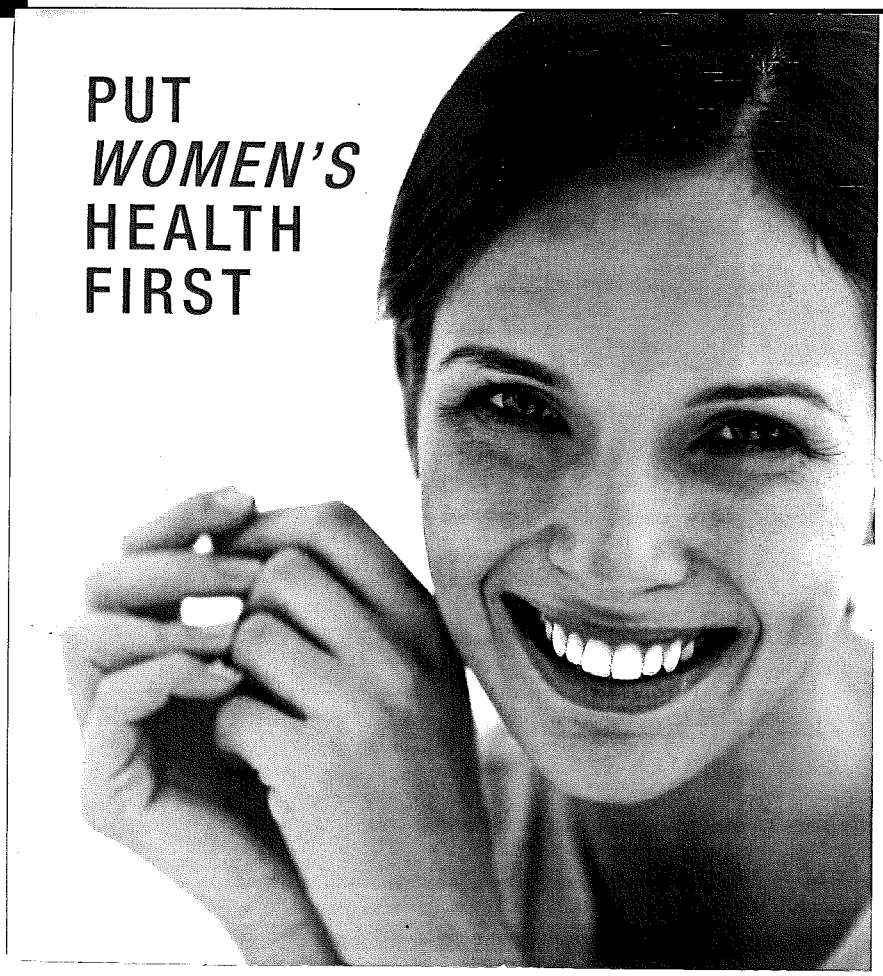

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Name Karen Fullam

E-mail address KarenF1214@gmail.com

ZIP Code 2763

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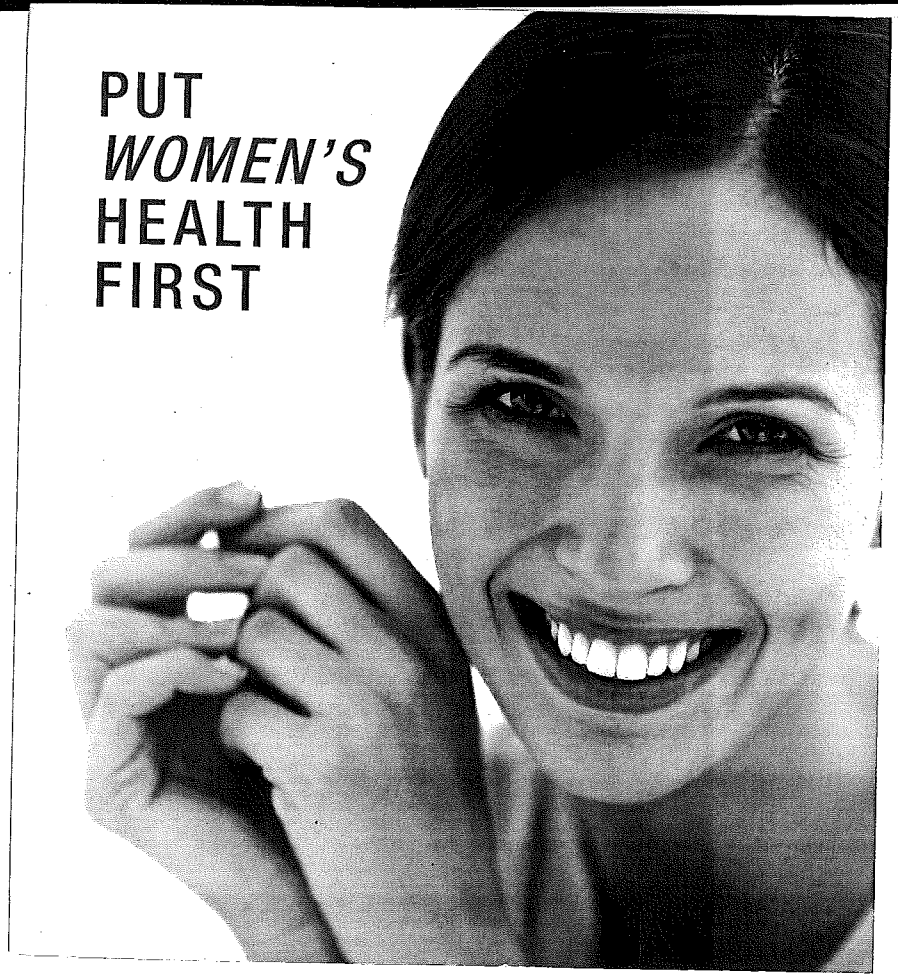

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Name Stephanie Fuller

E-mail address hwadefuller@gmail.com

ZIP Code 27587

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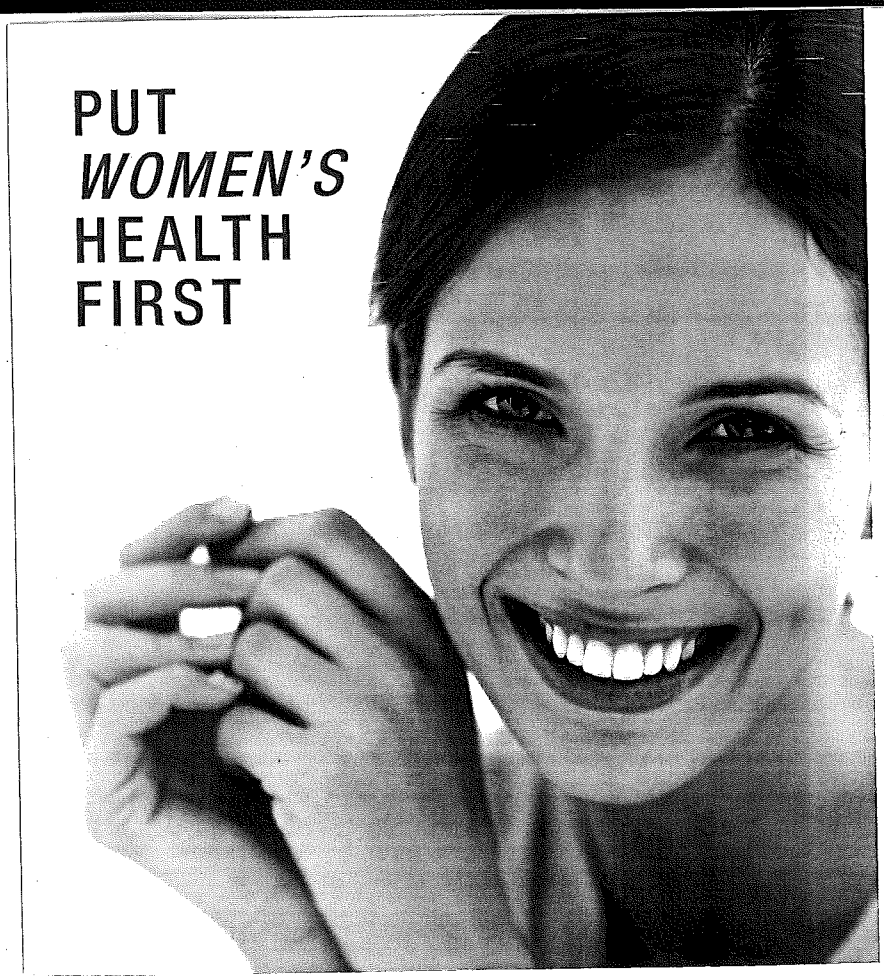

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Name Jennifer Fuller

E-mail address jmfuller@hotmail.com

ZIP Code 27614

Additional Comments:

Thanks for all Parenthood does!

☐ Yes, I would like to receive updates from organizations supporting this comment:

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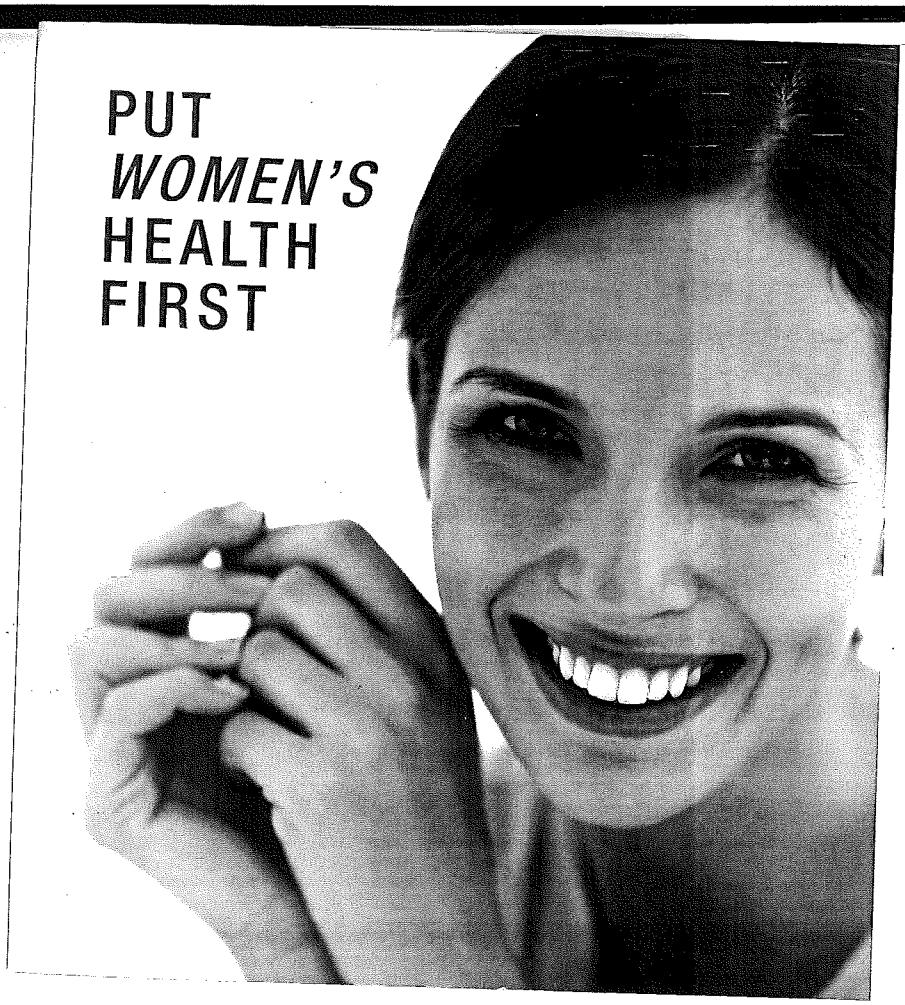

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Nadine Pfeiffer
Division of Health Service Regulation
2701 Mail Service Center
Raleigh, NC 27699-2701

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Name Joyce H. Grad

E-mail address gadabout2@yahoo.com

ZIP Code 27603

Additional Comments:

Please pay attention to doctors, not religious zealots.

☐ Yes, I would like to receive updates from organizations supporting this comment:

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FIRST NAME: ROBIN

LAST NAME: GAGER

EMAIL: robgag@mindspring.com

ZIP: 27612

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: John **LAST NAME:** Gaines

EMAIL:

ZIP: 28801

Optional Comment field:

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Name LENA GALLIANO

E-mail address lbg@ncsu.edu

ZIP Code 27609

Additional Comments:

The rules as developed are just fine..

☐ Yes, I would like to receive updates from organizations supporting this comment:

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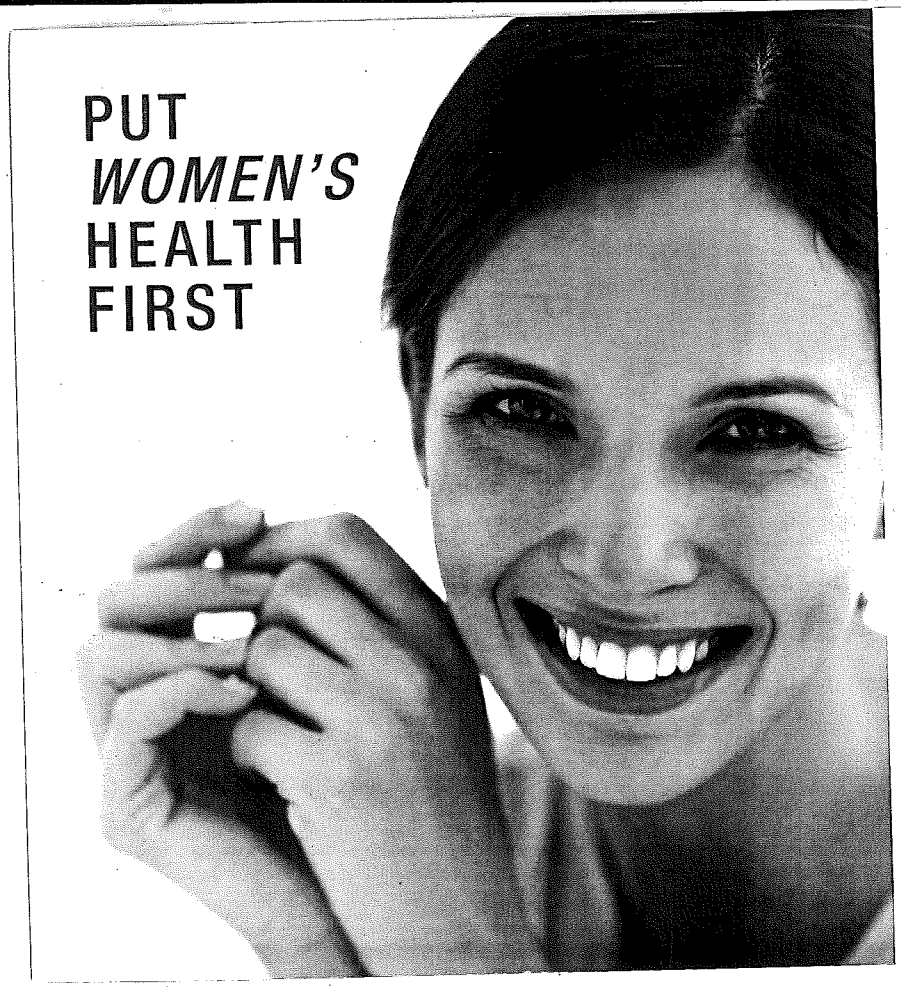

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Name Thomas Gallo

E-mail address gallolea502@gmail.com

ZIP Code 28804

Additional Comments:

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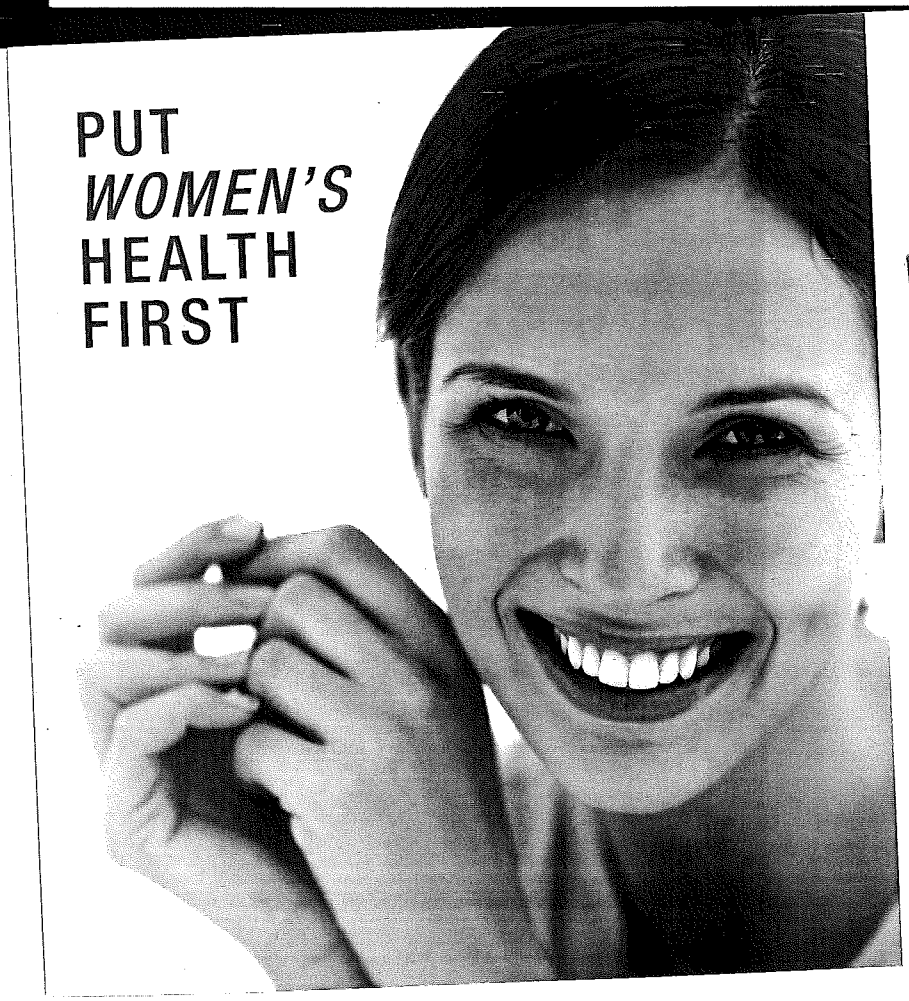

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Name Gabrielle Henry Galloway

E-mail address gabrielle.galloway@hotm

ZIP Code 28311

Additional Comments:

It is important to let women have the choice and option. It keeps women safe. If you care about women and not politics you would keep the options open & easily accessable

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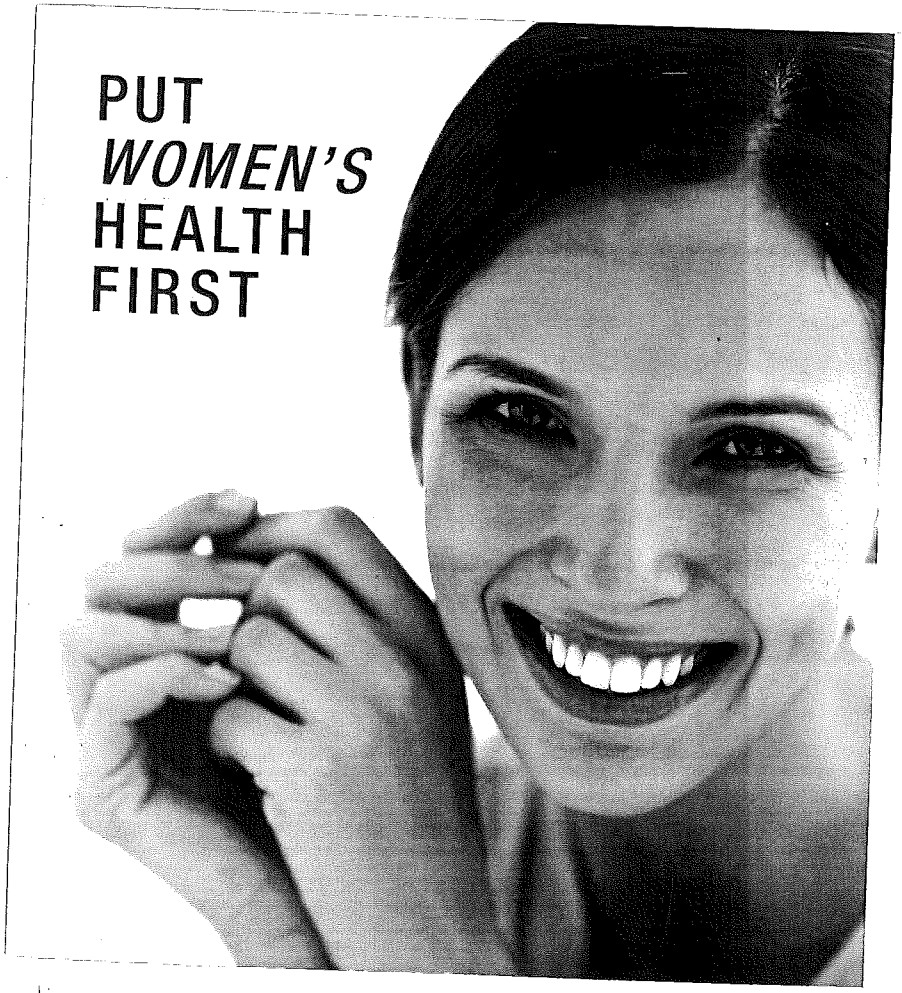

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Name Ray Cambrell

E-mail address raystravel@aol.com

ZIP Code 27616

Additional Comments:

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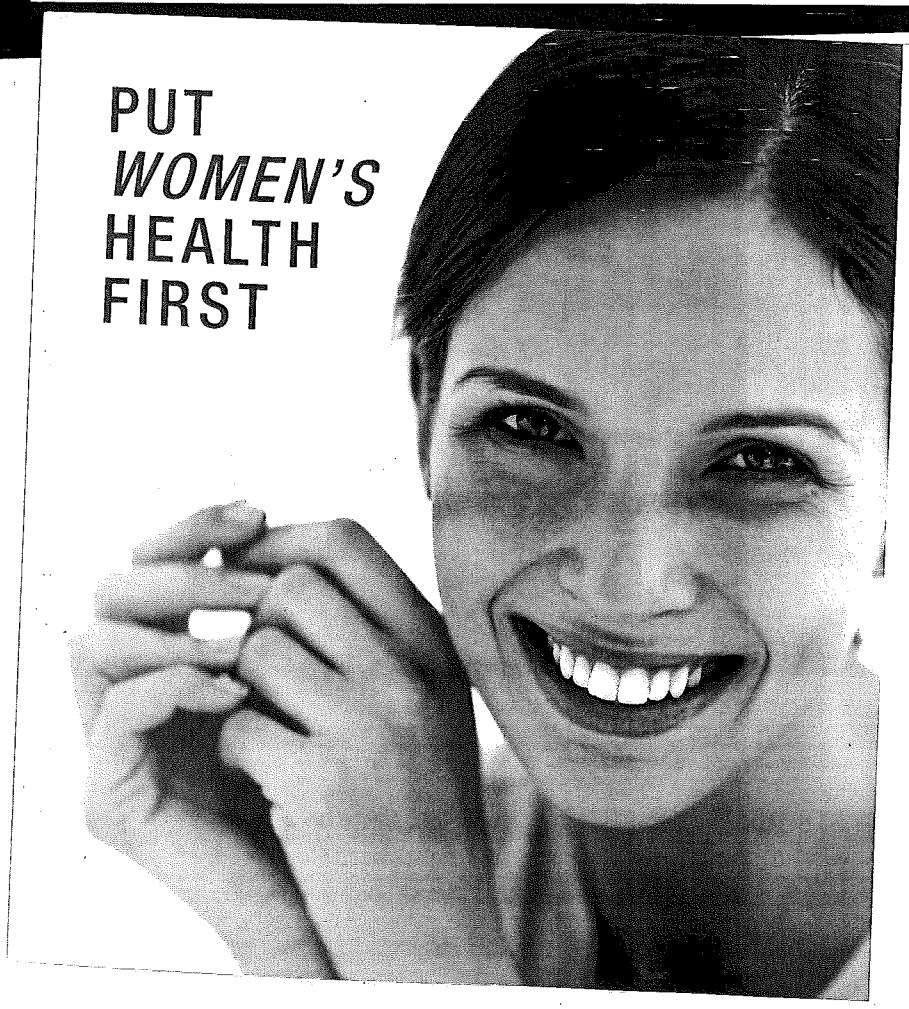

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FIRST NAME: Anisha

LAST NAME: Gandhi

EMAIL:

ZIP: 27510

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Roxanne Garcia

E-mail address fellypoint@gmail.com

ZIP Code 27606

Additional Comments:

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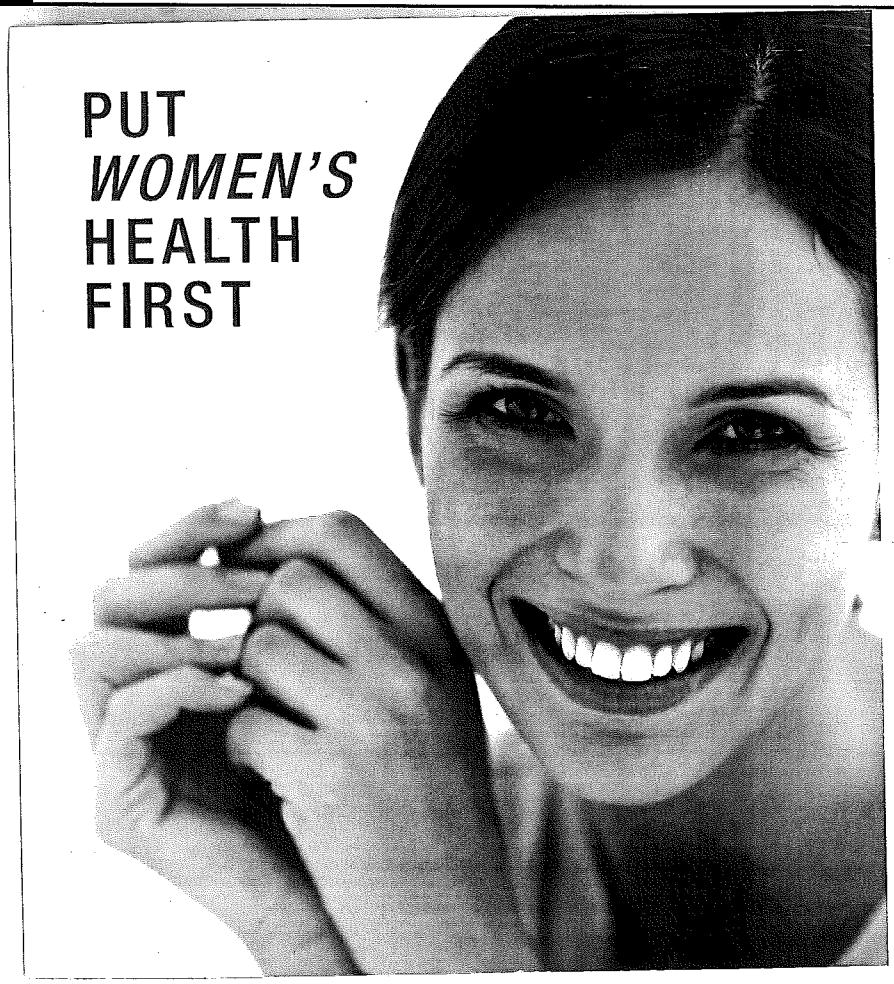

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Name Nareena Gardner

E-mail address nareenagrace@gmail.com

ZIP Code 28804

Additional Comments:

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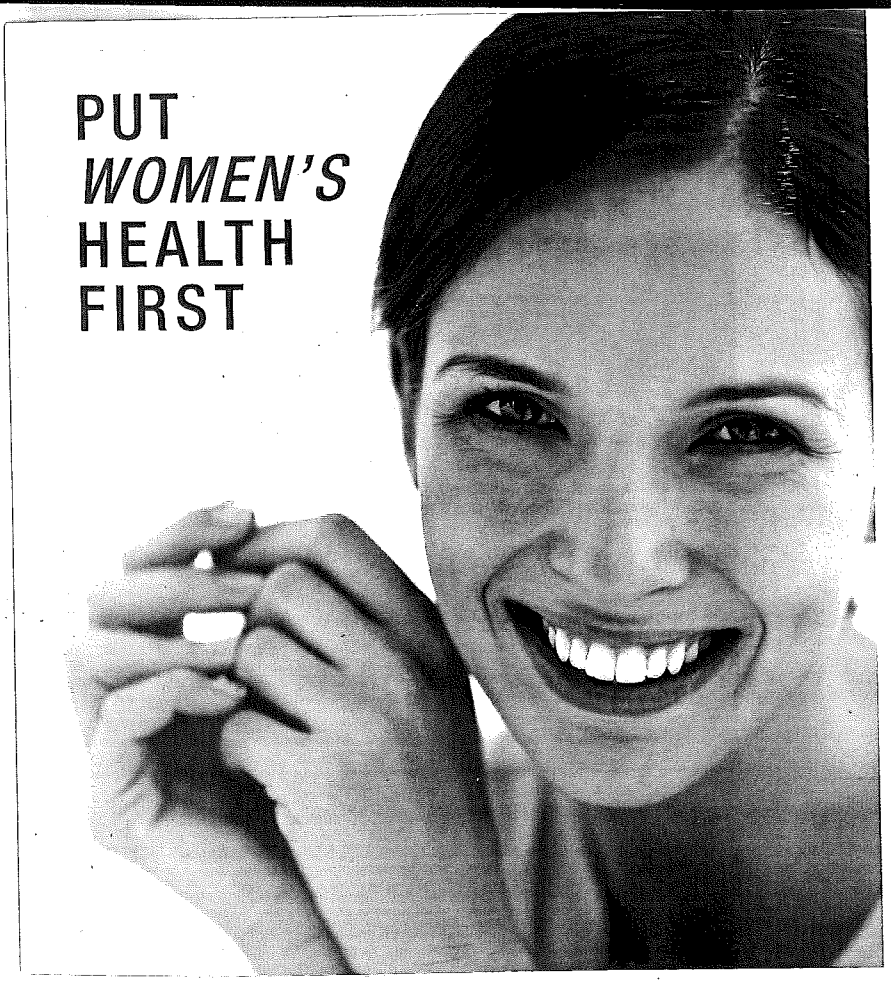

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FIRST NAME: Brianna **LAST NAME:** Gardner

EMAIL: bbgardn1@gmail.com **ZIP:** 28701

Optional Comment field:

Let's not throw the baby out with the bathwater. In any case, as a woman, I reserve the right to choose if I want to have a baby or not.

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Robert **LAST NAME:** Gardner

EMAIL: **ZIP:** 28906

Optional Comment field:

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FIRST NAME: Kyla **LAST NAME:** Gargiulo

EMAIL: gargiul@unca.edu **ZIP:** 28804

Optional Comment field:

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Name Isabel Garland

E-mail address jg4253@aol.com

ZIP Code ~~27278~~ 27278

Additional Comments:

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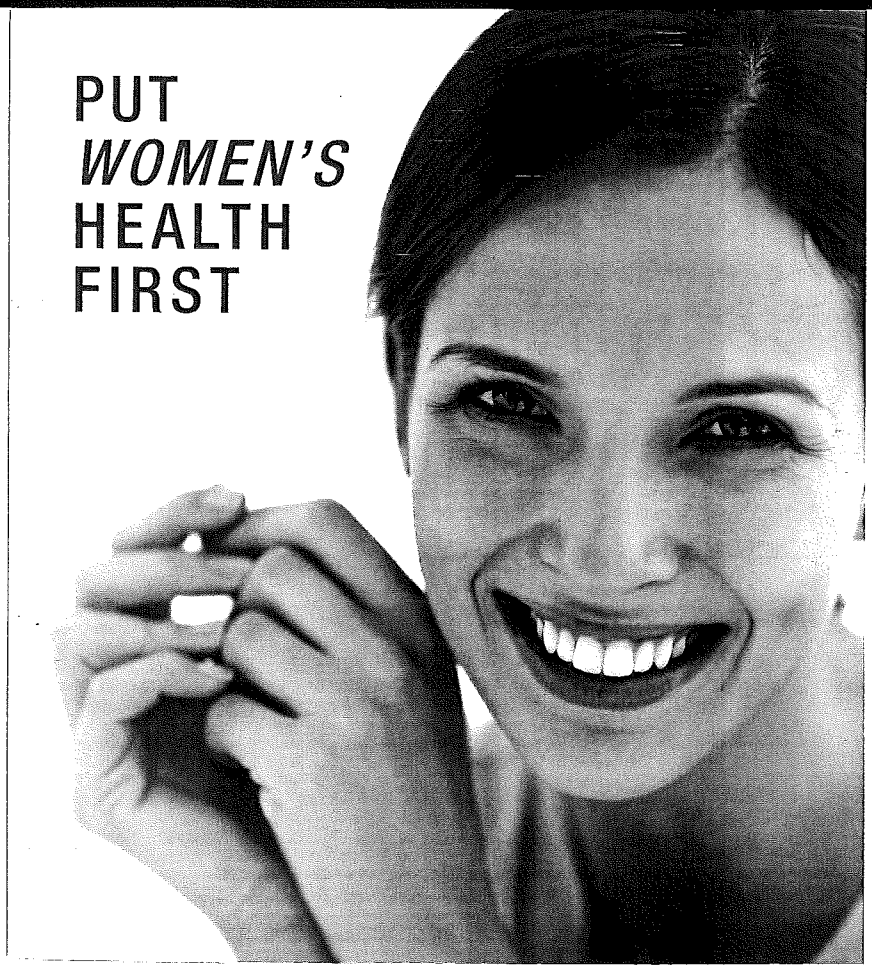

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FIRST NAME: Lisa

LAST NAME: Oakland

EMAIL: lmgoakland@gmail.com

ZIP: 27707

Optional Comment field:

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FIRST NAME: Haley

LAST NAME: Garritano

EMAIL: hgarritano@unca.edu

ZIP: 28801

Optional Comment field:

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FIRST NAME: Dorothea **LAST NAME:** Gaulden

EMAIL: dorotheag@aol.com **ZIP:** 27606

Optional Comment field:

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Name Christine Gebhardt

E-mail address ottochris1@gmail.com

ZIP Code 24701

Additional Comments:

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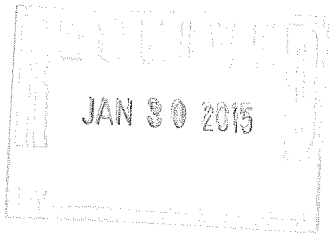

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FIRST NAME: Lori

LAST NAME: Geist

EMAIL: lageist@gmail.com

ZIP:

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

TAKE ACTION!

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Name Lydia George

E-mail address lydiag1029@gmail.com

ZIP Code 02840

Additional Comments:

good luck guys

☐ Yes, I would like to receive updates from organizations supporting this comment:

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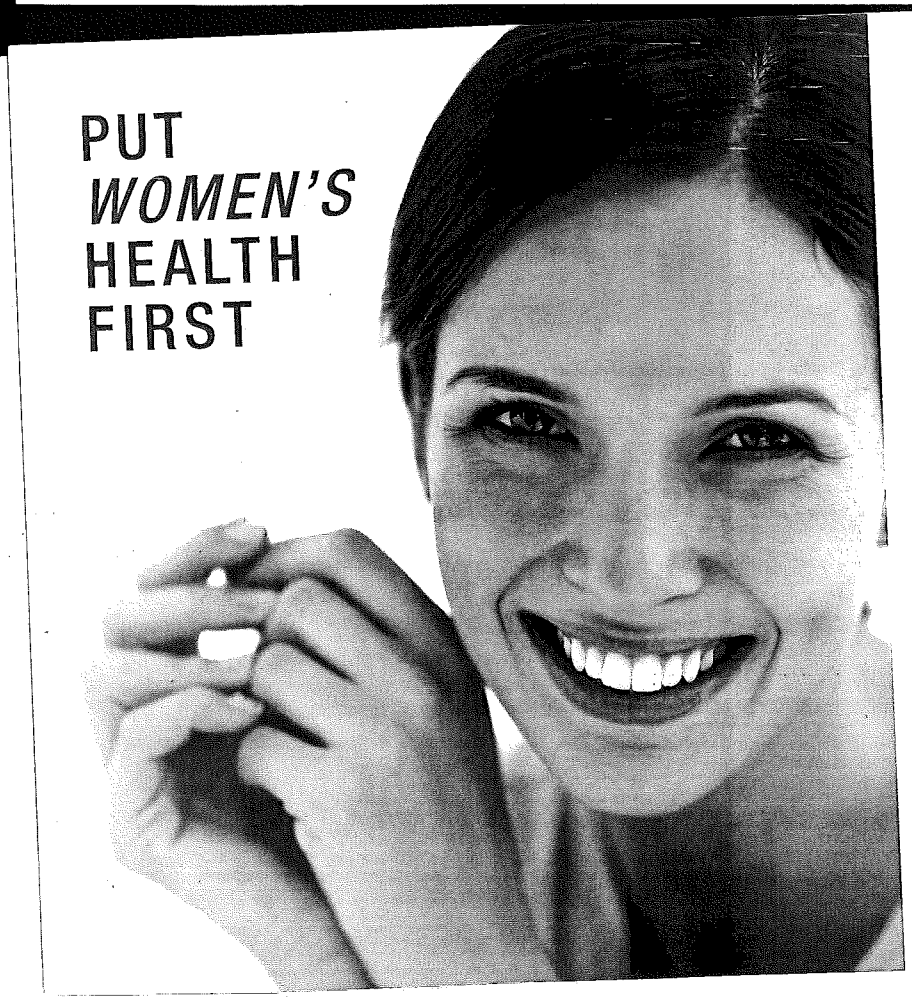

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FIRST NAME: Mary Lee

LAST NAME: George

EMAIL: none

ZIP: 28801

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Jodi Berberg

E-mail address songbird2012@gmail.com

ZIP Code 27804

Additional Comments:

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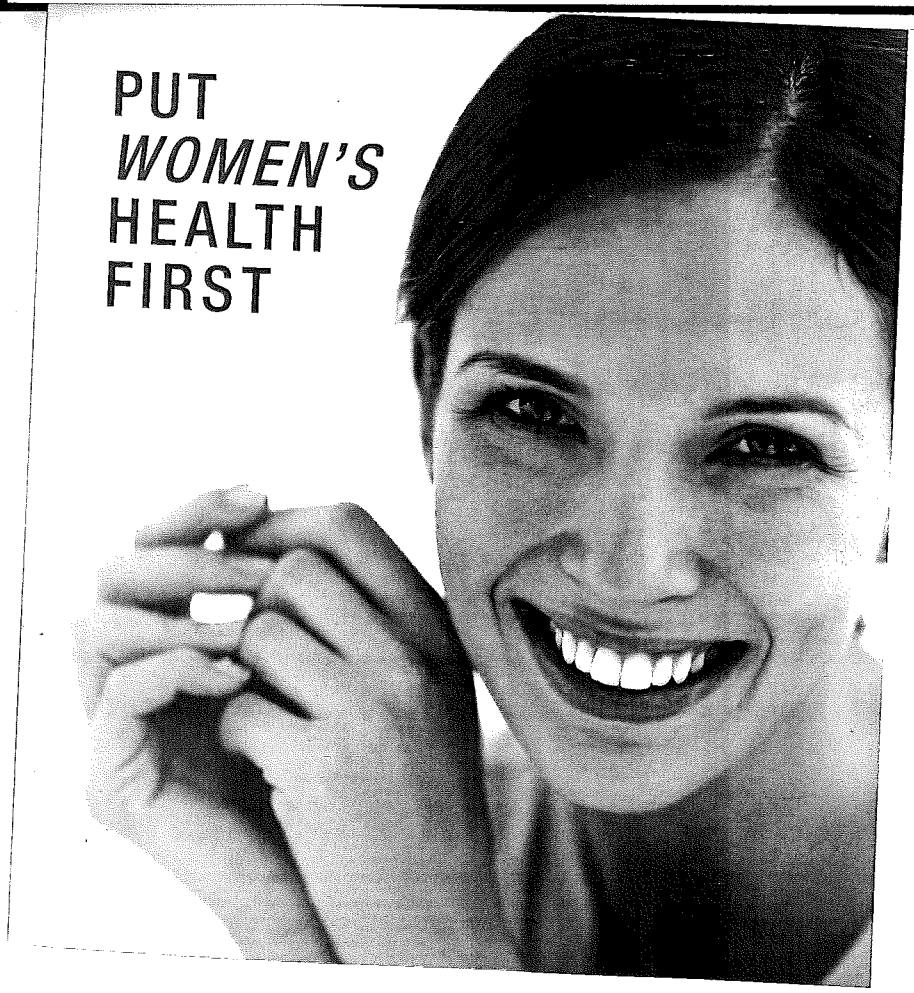

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FIRST NAME: Tia **LAST NAME:** Geter

EMAIL: savagehv23@gmail.com **ZIP:** 28213

Optional Comment field:

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FIRST NAME: Sally **LAST NAME:** Geiger

EMAIL: SGeiger@email.Meredith.edu **ZIP:** 27606

Optional Comment field:

NO

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FIRST NAME: Rebecca **LAST NAME:** Gibson

EMAIL: rmgibson22@gmail.com **ZIP:** 27503

Optional Comment field:

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Name Shannon Gill

E-mail address SGILL@UNCA.edu

ZIP Code 28787

Additional Comments:

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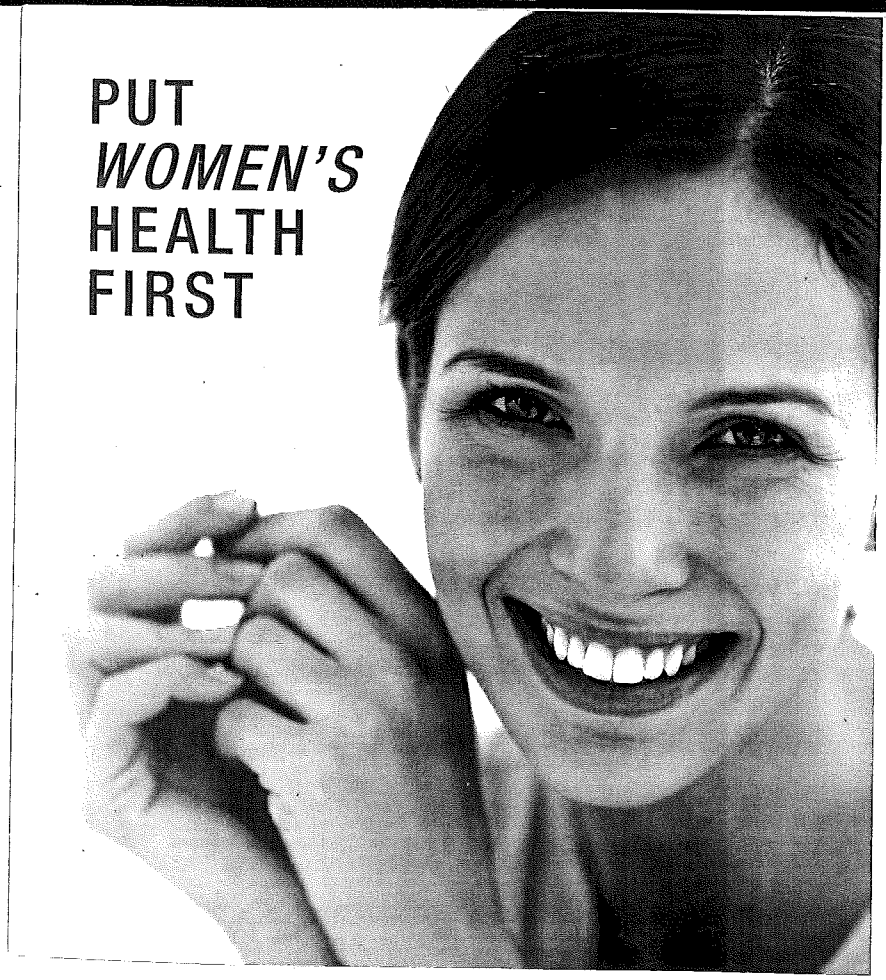

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FIRST NAME: Brittany **LAST NAME:** Gilliard

EMAIL: brittanygilliard@yahoo.com **ZIP:** 28314

Optional Comment field:

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Name Janeen Gingrich

E-mail address janeen.gingrich@gmail.com

ZIP Code 27705

Additional Comments:

The doctors I have heard speak on this are very clear: abortion is incredibly safe & must remain so, so that people don't die making this choice

☒ Yes, I would like to receive updates from organizations supporting this comment:

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Name: Tyler Glance

E-mail address: tglance@unca.edu

ZIP Code: 28715

Additional Comments:

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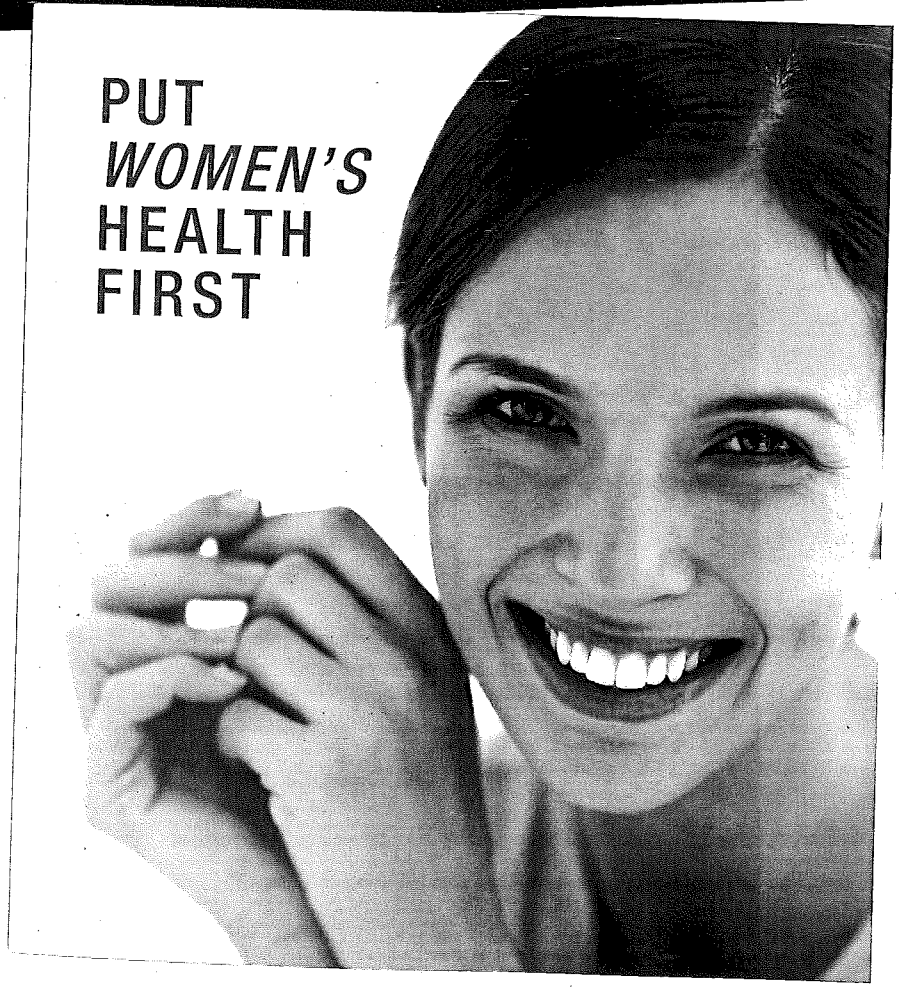

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FIRST NAME: Annalise **LAST NAME:** Glantz-Todrank

EMAIL: aglantztodrank@gmail.com **ZIP:** 27101

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Name Katie Glynn

E-mail address glynnk43@yahoo.com

ZIP Code 27615

Additional Comments:

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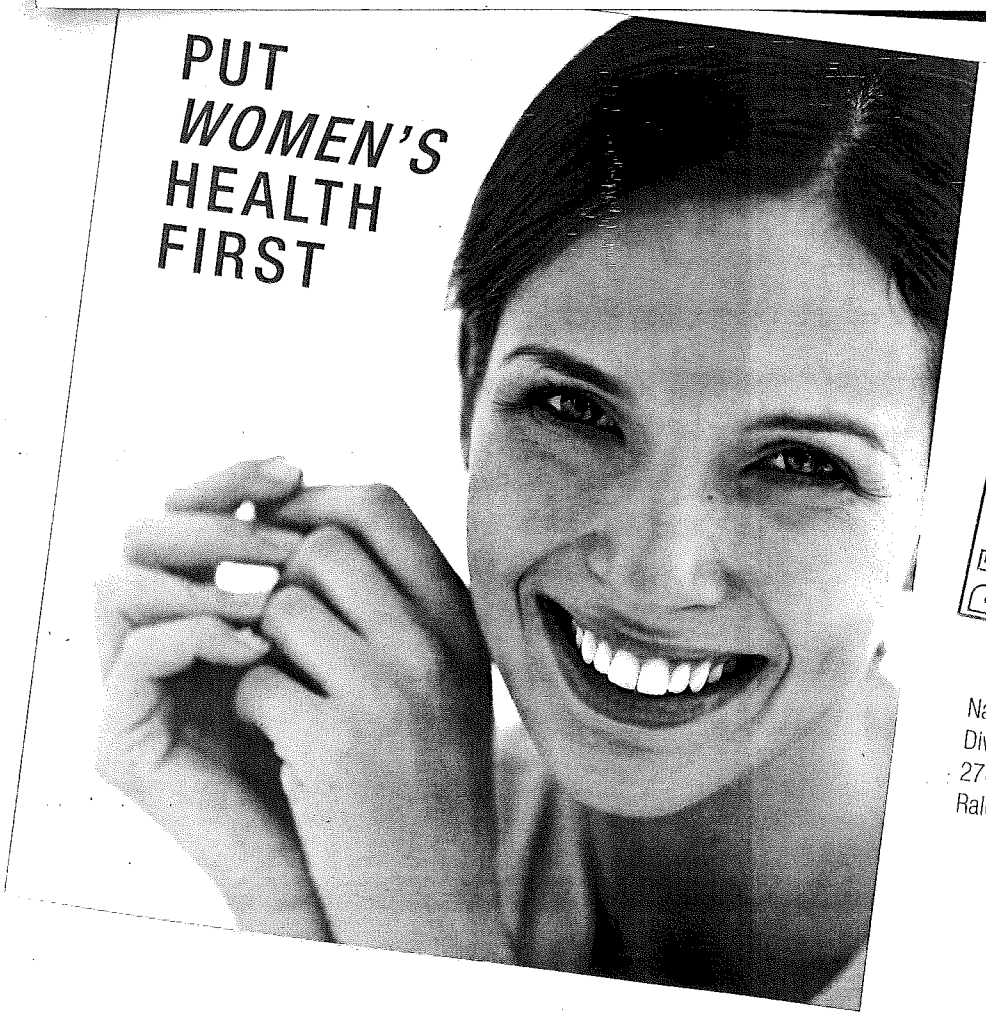

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Name Steve Godwin

E-mail address godwinsteve2@gmail.com

ZIP Code 28215

Additional Comments:

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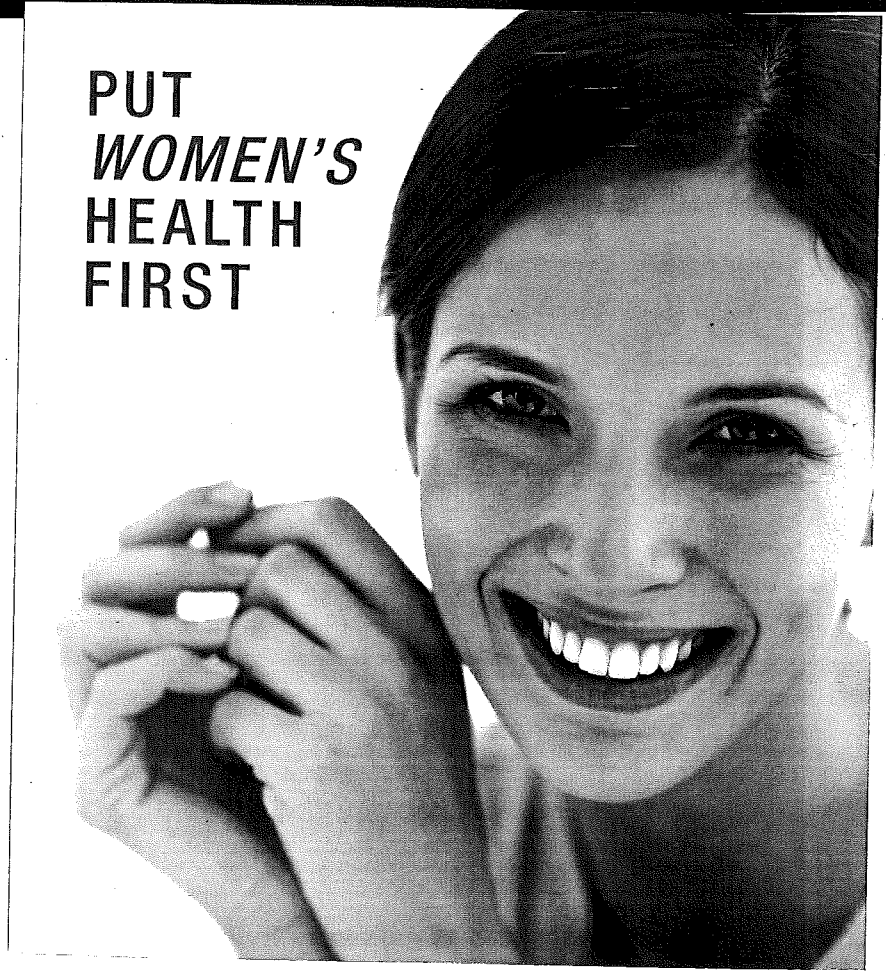

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Name Jesse Goldman

E-mail address jgl207@gmail.com

ZIP Code 28804

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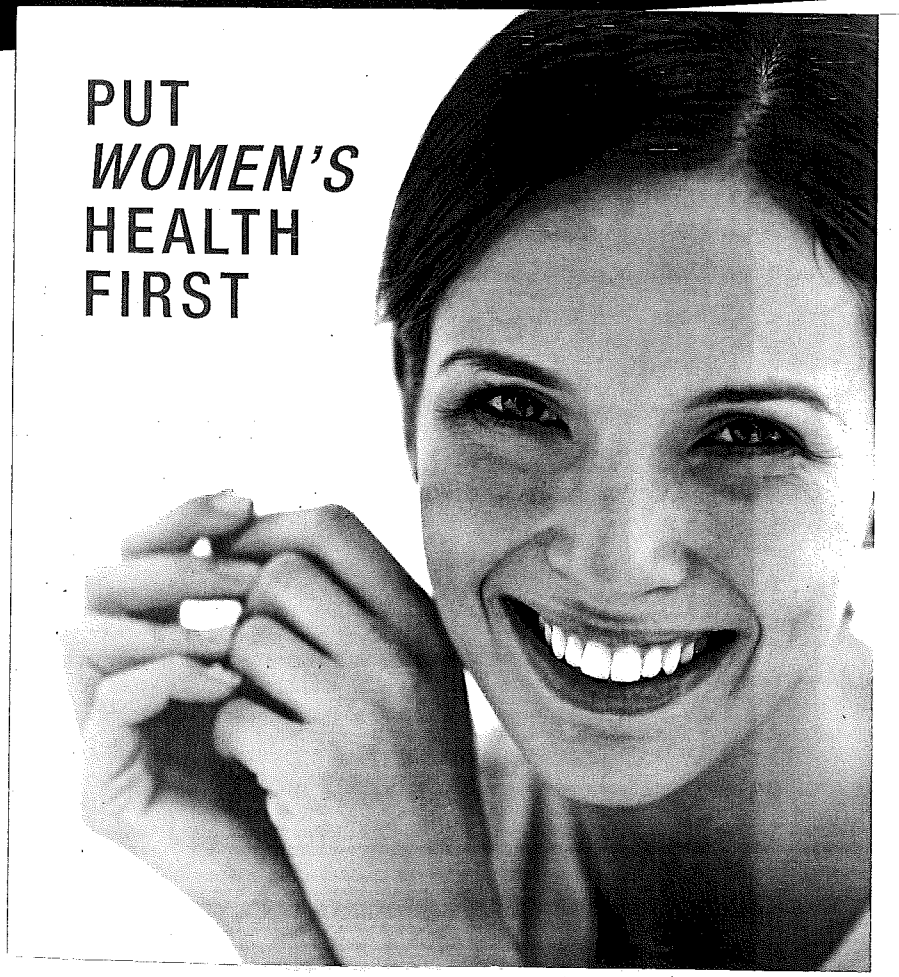

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FIRST NAME: Emily

LAST NAME: Goldstein

EMAIL: ea.goldstein27@gmail.com

ZIP: 27514

Optional Comment field:

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Name Michelle Guzdis-Greer

E-mail address ujimadevelopment@yahoo.com

ZIP Code 27701

Additional Comments:

I support the protection of women's health, especially those that have no other options but to choose DHHS as their provider. Do not take advantage of the limited options these women have; provide equitable health care for all families.

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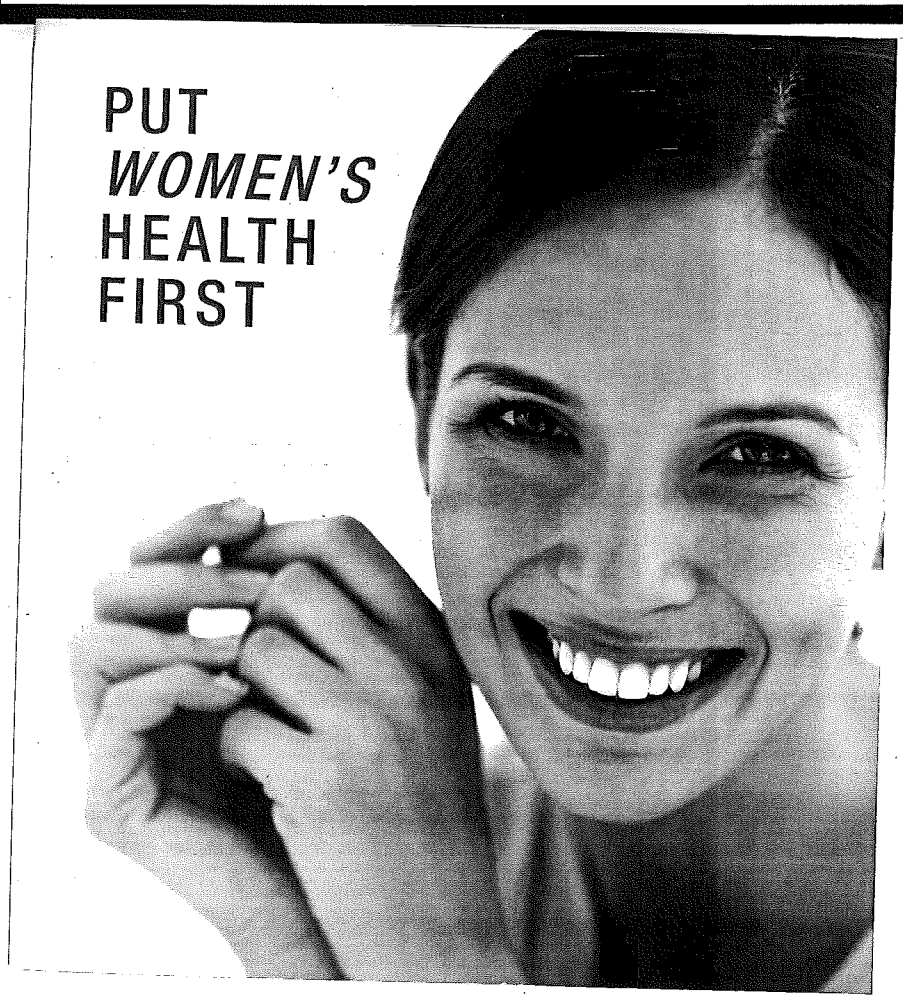

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Name Julian González

E-mail address jcovington@hotmail.com

ZIP Code 28804

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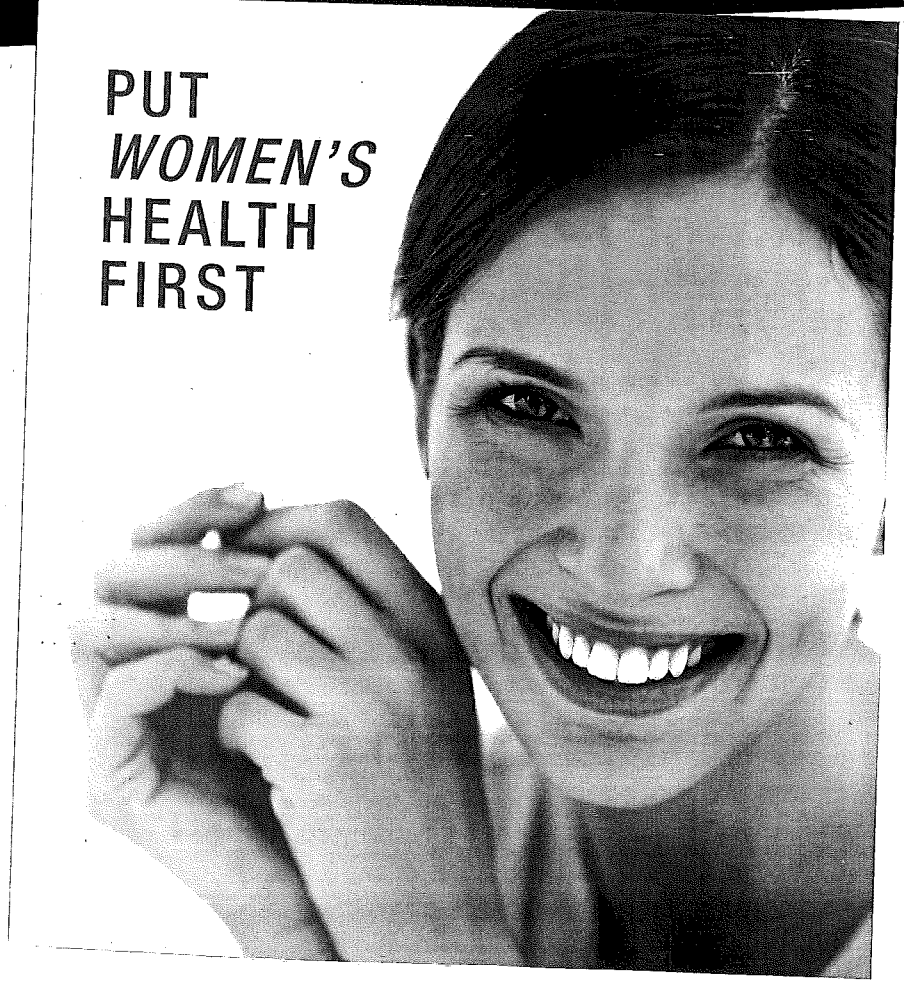

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Tell the Department of Health & Human Services: Put Women's Health First

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Name John T. Gordon

E-mail address tobygordon@windstream.ne

ZIP Code 27050

Additional Comments:
Women's health is a Medical issue and should be guided by health professionals not "religeously" motivated politicians

☐ Yes, I would like to receive updates from organizations supporting this comment:

NARAL Pro-Choice North Carolina Foundation

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FIRST NAME: Lauretta **LAST NAME:** Gordon

EMAIL: lauretta.gordon@carolina.rr.com **ZIP:** 28216

Optional Comment field:

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Phillip Graham

E-mail address Pgraham1@nc.rr.com

ZIP Code 27713

Additional Comments:

☐ Yes, I would like to receive updates from organizations supporting this comment:

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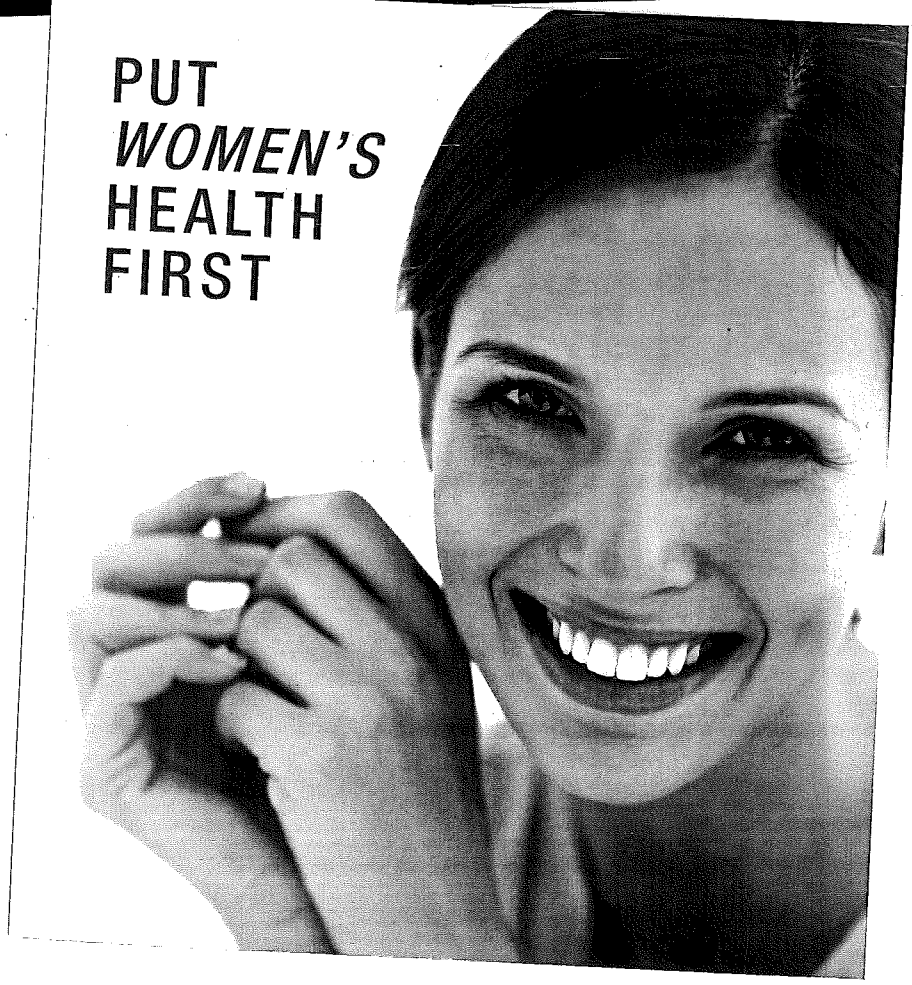

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Raleigh, NC 27699-2701

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Name Juliana Grassia

E-mail address jgrassia@unca.ed

ZIP Code 28804

Additional Comments:

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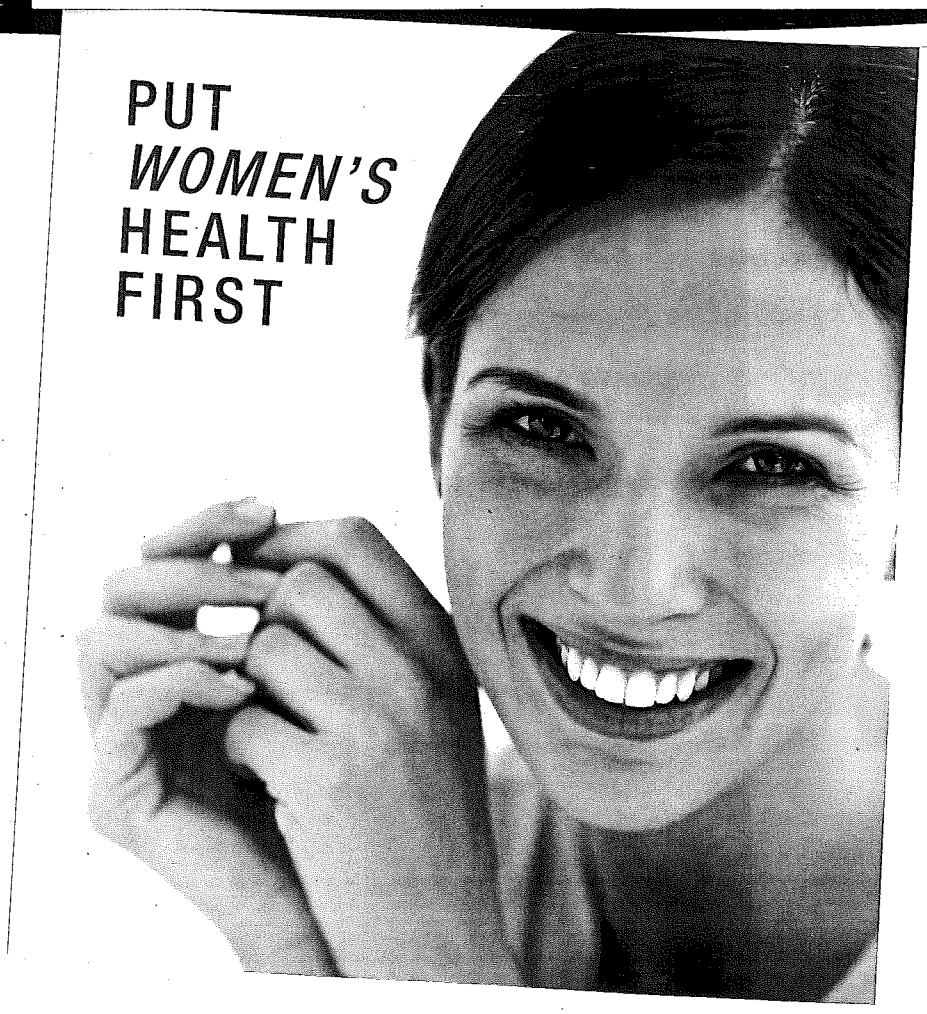

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Name Karen Gray

E-mail address KGray9L6@gmail.com

ZIP Code 27291

Additional Comments:

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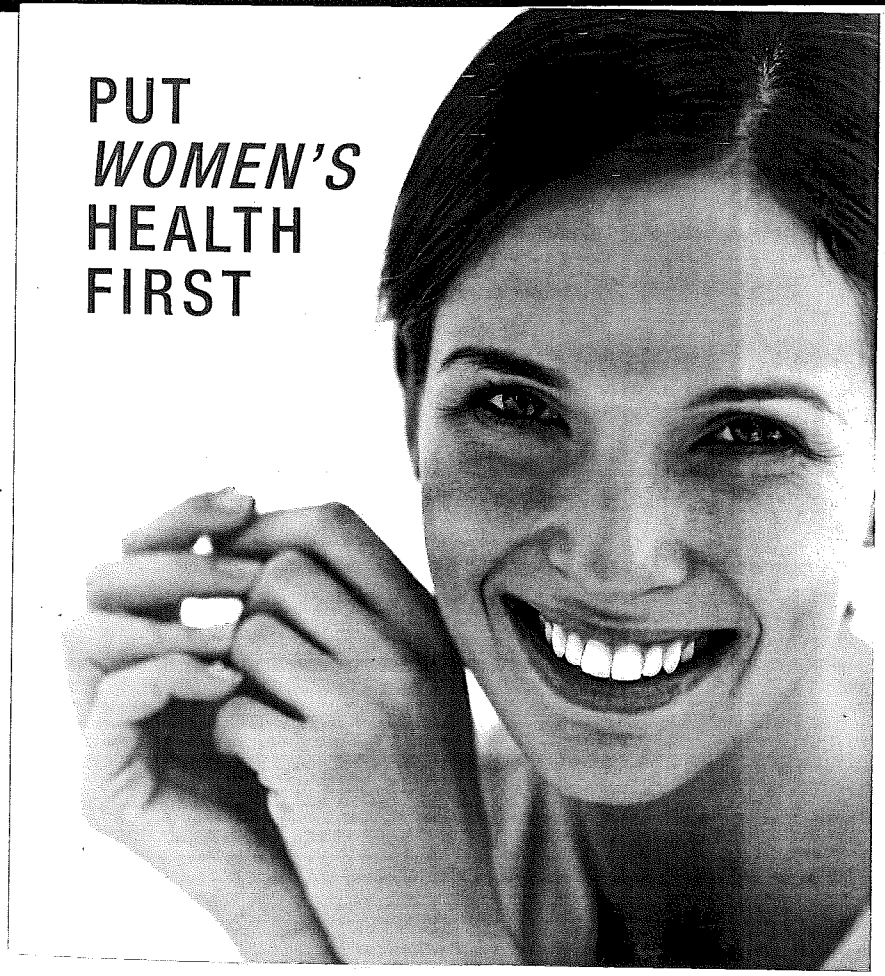

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Name Rebekah Gray

E-mail address gray.rebekah.j@gmail.com

ZIP Code 27539

Additional Comments:

It's funny how much y'all hate women for people who were birthed by one.

☐ Yes, I would like to receive updates from organizations supporting this comment:

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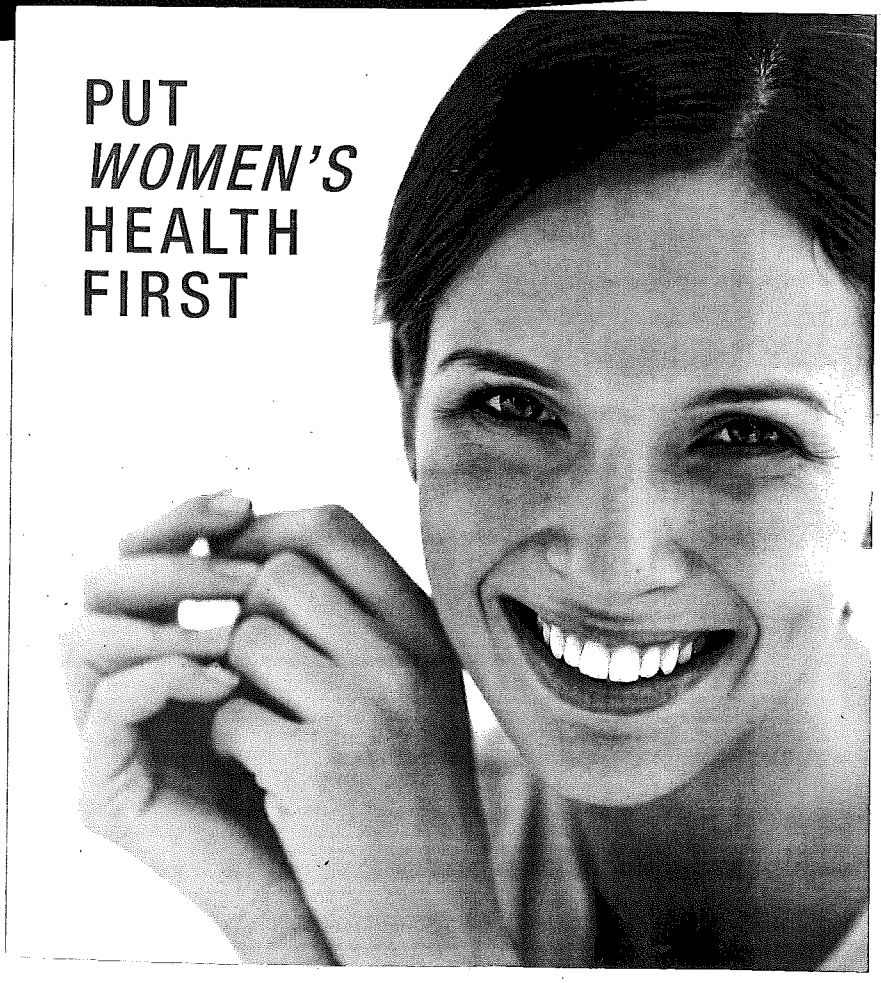

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Name Joshua Green

E-mail address midemark@hotmail.com

ZIP Code 27701

Additional Comments:

Put women's health first please.

☐ Yes, I would like to receive updates from organizations supporting this comment:

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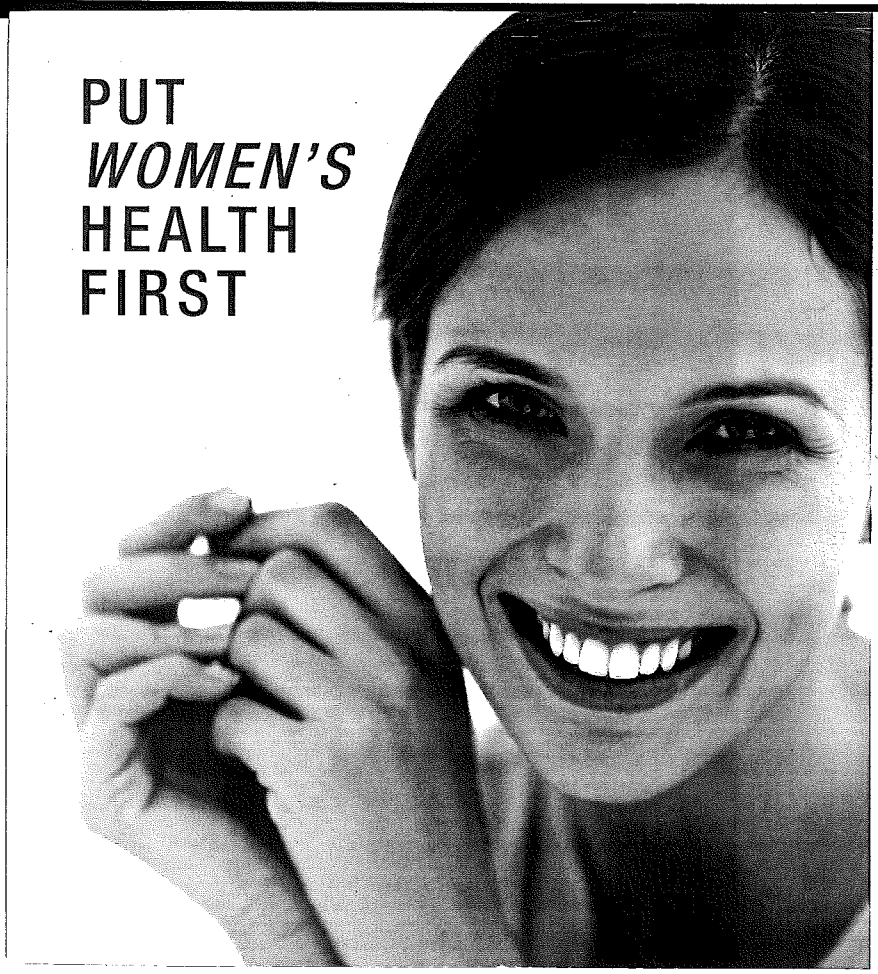

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FIRST NAME: Alice **LAST NAME:** Green

EMAIL: ggreen6@charter.net **ZIP:** 28803

Optional Comment field:

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FIRST NAME: Richard

LAST NAME: Greene Pratt

EMAIL:

ZIP: 28209

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Sylvia Greenwood

E-mail address Srgknitter@aol.com

ZIP Code 28803

Additional Comments:

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FIRST NAME: Alex **LAST NAME:** Greenwood

EMAIL: Greenwood@AshevilleGlass.com **ZIP:** 28801

Optional Comment field:

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FIRST NAME: Annelise

LAST NAME: Gregory

EMAIL:

ZIP: 27614

Optional Comment field:

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FIRST NAME: KATHERINE **LAST NAME:** GREGORY

EMAIL: KAGEGREGORY@GMAIL.COM **ZIP:** 28786

Optional Comment field:

KEEPING HEALTH CENTERS OPEN AND AVAILABLE PREVENTS THE KIND OF TRAGEDIES THAT SELF INDUCED OR BACK-DOOR ABORTIONS LEAD TO. DON'T FORGET ABOUT HOW WE REALLY SHOULD PROTECT WOMEN.

☑ Yes, I would like to receive updates from organizations supporting this comment.

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FIRST NAME: Candice **LAST NAME:** Greig

EMAIL: ssss[illegible]@northstate.net **ZIP:** 27265

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Sonya Gressel

E-mail address slindblom.greffel@gma

ZIP Code 27357

Additional Comments:

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FIRST NAME: Margaret

LAST NAME: Grider

EMAIL: donldgrider31.com

ZIP: 27609

Optional Comment field:

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Name Claire Giffin

E-mail address cegiffin@aol.com

ZIP Code 27104

Additional Comments:

Women have to be healthy
We care for All -
How would the work be
done if Women were
sick, hurt & dead without
expert, reliable care -
healthcare!

☐ Yes, I would like to receive updates from organizations supporting this comment:

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Name Heather Griffin-Dolcino

E-mail address griffinpal@aol.com

ZIP Code 27513

Additional Comments:

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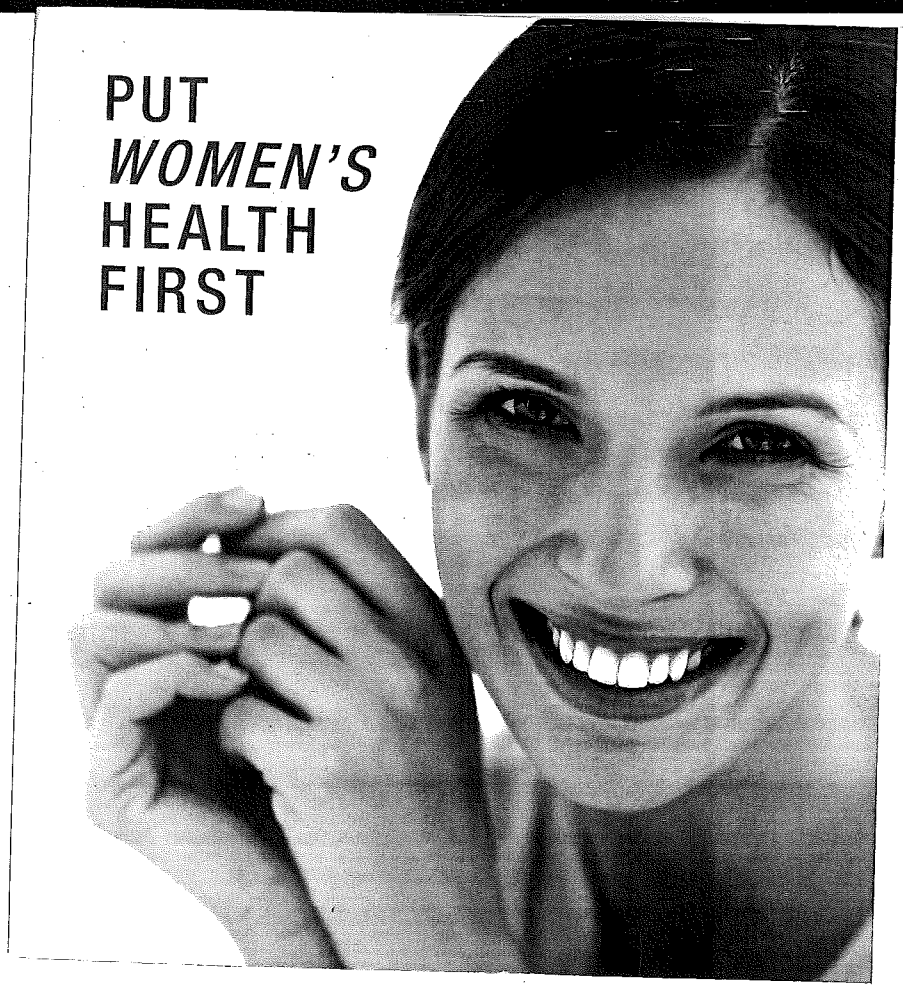

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2701 Mail Service Center
Raleigh, NC 27699-2701

Statement of David A. Grimes, MD, FACOG, FACPM, FRCOG (hon)

Senate Bill 353 Hearing

Raleigh, NC

December 19, 2014

Good morning. My name is David Grimes. I am a physician Board-certified in both obstetrics/gynecology and preventive medicine. I have been licensed in North Carolina for 40 years. I have served on medical school faculties in North Carolina, Georgia, and California. In the 1980s, I was Chief of the Abortion Surveillance Branch of the CDC in Atlanta; as such, I was the principal federal health official responsible for studying the safety of abortion in the U.S. In the 1990s I chaired the World Health Organization Task Force conducting research with medical and surgical abortion internationally. I have published more than 90 peer-reviewed papers, numerous textbook chapters, and several books on abortion, most recently Every Third Woman in America: How Legal Abortion Transformed Our Nation.[1] I was elected to the Institute of Medicine of the National Academies of Sciences. I have helped to develop clinical practice guidelines both in the U.S. and overseas.[2] I was one of a group of advisors to DHHS during its deliberations pursuant to SB 353.

The process used by DHHS was a model of how this should be done.[3, 4] DHHS relied on the latest published medical research, evidence-based clinical guidelines developed by national medical organizations, and consensus among a multidisciplinary group of

advisors. In contrast to informal guideline development used in decades past,[5] the evidence-based, rigorous approach used by DHHS can be predicted to improve care.

As a gynecologist, public health physician, and North Carolinian, I urge adoption of the proposed regulations as written. The scientific process by which they were developed must not be degraded by legislative tinkering, modification, or addition of other provisions unrelated to patient well-being.[5] Importantly, these evidence-based recommendations of DHHS must not be tainted by political pressure from special interest groups with no relevant medical expertise. As noted in the *Raleigh News and Observer* on December 17, 2014, by North Carolina gynecologist Matthew Zerden, "...let doctors practice medicine without political interference."[6, 7]

A simple analogy explains why the proposed regulations should remain intact. On my way to this meeting, I drove over several bridges on I-40. I did so with confidence, as I have for years. My confidence stems from the knowledge that these bridges were designed and built by experts in engineering and construction, with decades of relevant practical experience. Legislators in the General Assembly did not dictate the specifications for these bridges; that responsibility was delegated to engineers in the Department of Transportation.[8] Importantly, bridge specifications had no input from lobbying groups opposing road construction and advocating a light rail system instead.

The same holds true for medicine. Supervision of medical practice is entrusted by law to DHHS and the NC Medical Board. Neither the General Assembly nor lobbying groups should usurp the roles of DHHS and the Medical Board. Medical care, like bridge

construction, is simply too important to become a political football [7] -- and too complex to be left to amateurs.

[1] Grimes DA, Brandon LG. Every third woman in America: how legal abortion transformed our nation. Carolina Beach, NC: Daymark Publishing; 2014.

[2] Grimes DA, Atkins D. The U.S. Preventive Services Task Force: putting evidence-based medicine to work. Clin Obstet Gynecol. 1998;41:332-42.

[3] Woolf SH. Evidence-based medicine and practice guidelines: an overview. Cancer Control. 2000;7:362-7.

[4] Woolf SH. Do clinical practice guidelines define good medical care? The need for good science and the disclosure of uncertainty when defining 'best practices'. Chest. 1998;113:166S-71S.

[5] Woolf SH. Practice guidelines, a new reality in medicine. II. Methods of developing guidelines. Arch Intern Med. 1992;152:946-52.

[6] Zerden M. NC needs to continue to let patient care, not politics guide abortion rules. http://wwwnewsobservercom/2014/12/16/4408254/nc-needs-to-continue-to-let-patienthtml, accessed December 18, 2014.

[7] American College of Obstetricians and Gynecologists. Ob-Gyns oppose North Carolina Senate bills. http://wwwacogorg/About-ACOG/News-Room/News-Releases/2013/Ob-Gyns-Oppose-North-Carolina-Senate-Bills, accessed December 18, 2014.

[8] North Carolina Department of Transportation. How a road gets built. http://wwwncdotgov/projects/roadbuilt/, accessed December 18, 2014.

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FIRST NAME: Beverly

LAST NAME: Grimes

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ZIP: 28269

Optional Comment field:

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Name Kristen Granados

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Additional Comments:

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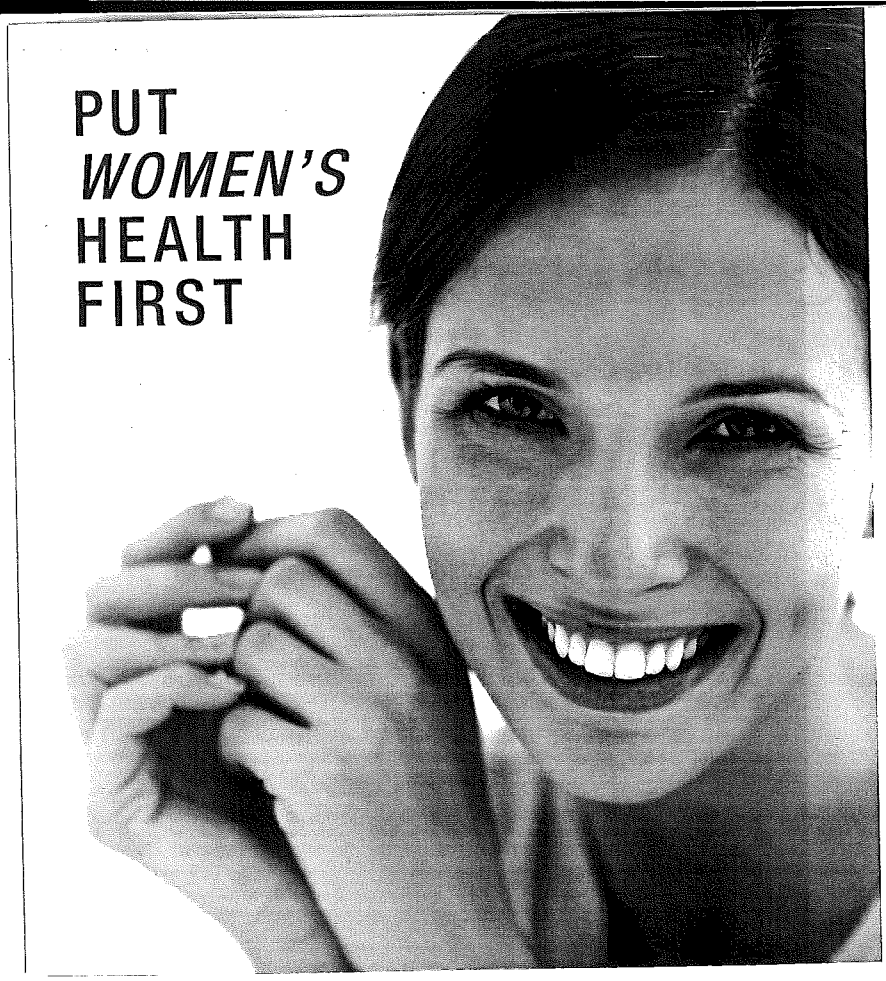

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Name Duncan Grosboll

E-mail address _____

ZIP Code 28805

Additional Comments:

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FIRST NAME: Arthur **LAST NAME:** Guilford

EMAIL: AGuilford4@gmail.com **ZIP:** 28804

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Name Alicia Gwynn

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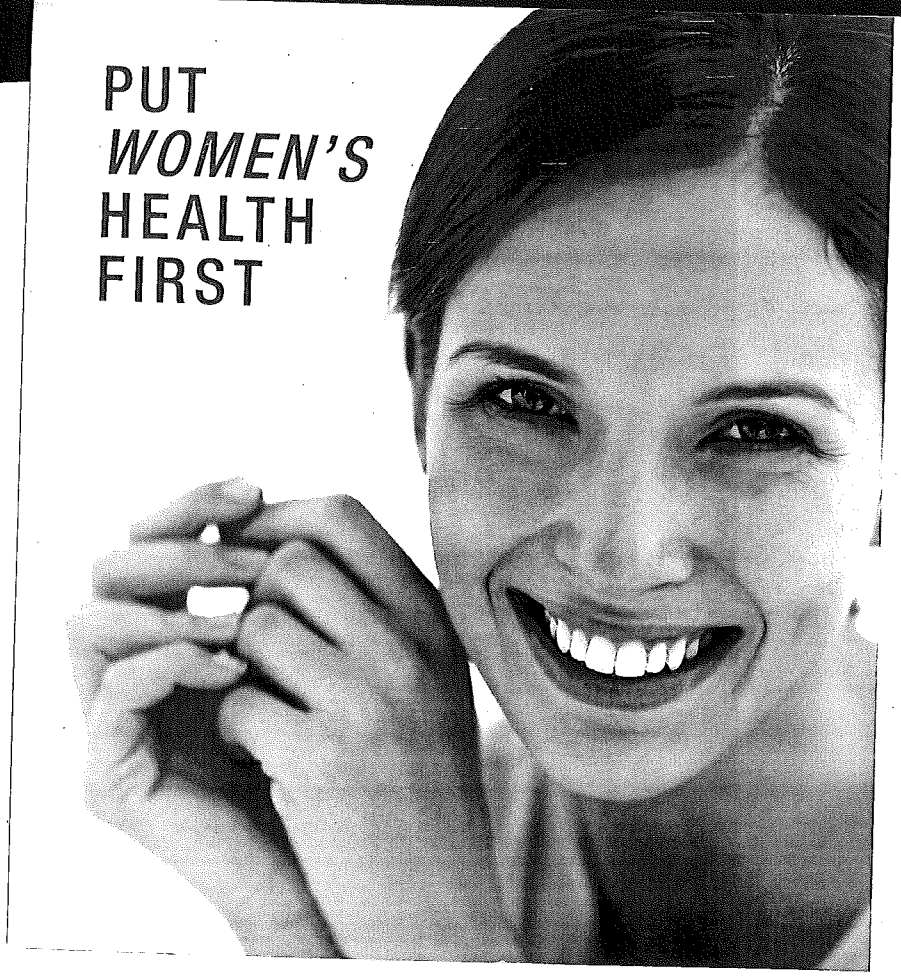

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FIRST NAME: Brittany **LAST NAME:** Gross

EMAIL: bcroper@uncg.edu **ZIP:** 28304

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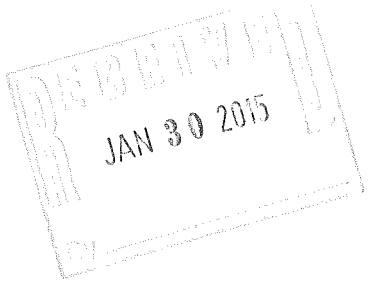

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FIRST NAME: Kevin

LAST NAME: Gunnels

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Optional Comment field:

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FIRST NAME: Zachary

LAST NAME: Gutterman

EMAIL: Zpgutterman@gmail.com

ZIP: 27516

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FIRST NAME: Carmen **LAST NAME:** H.

EMAIL: **ZIP:** 28804

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Name Alex Haas

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Additional Comments:

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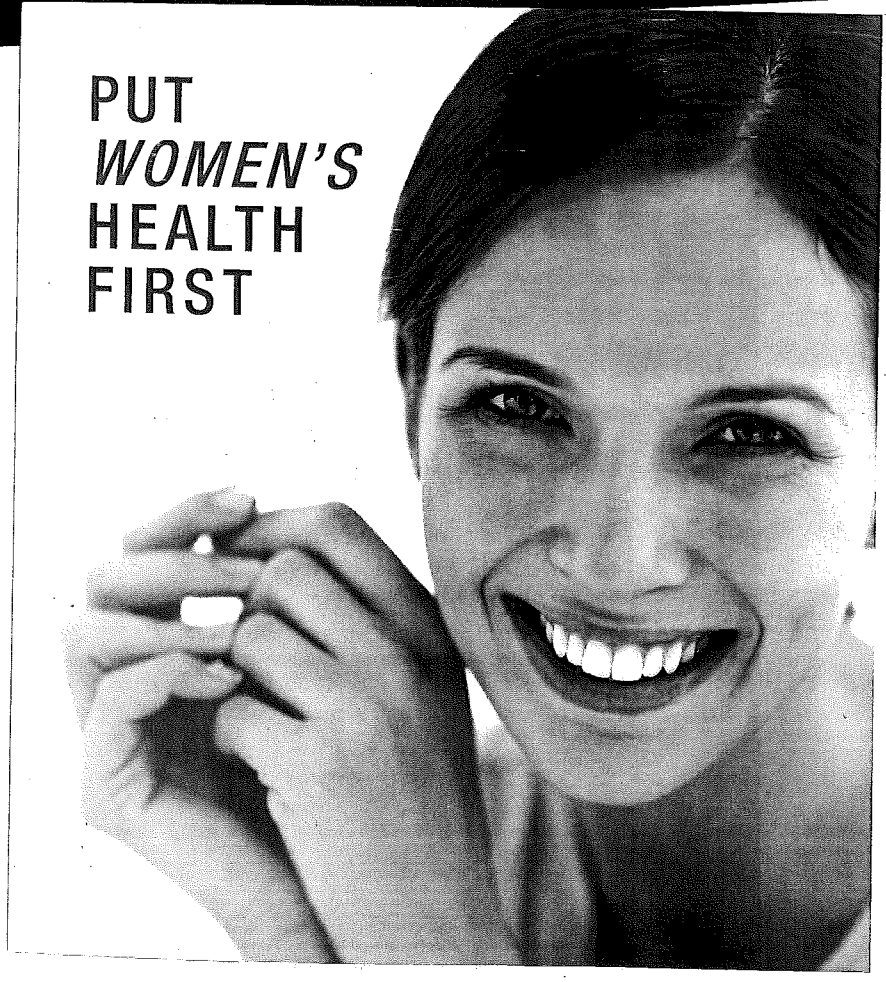

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Name Cora Hacker

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ZIP Code 28804

Additional Comments:

PRO-WOMEN

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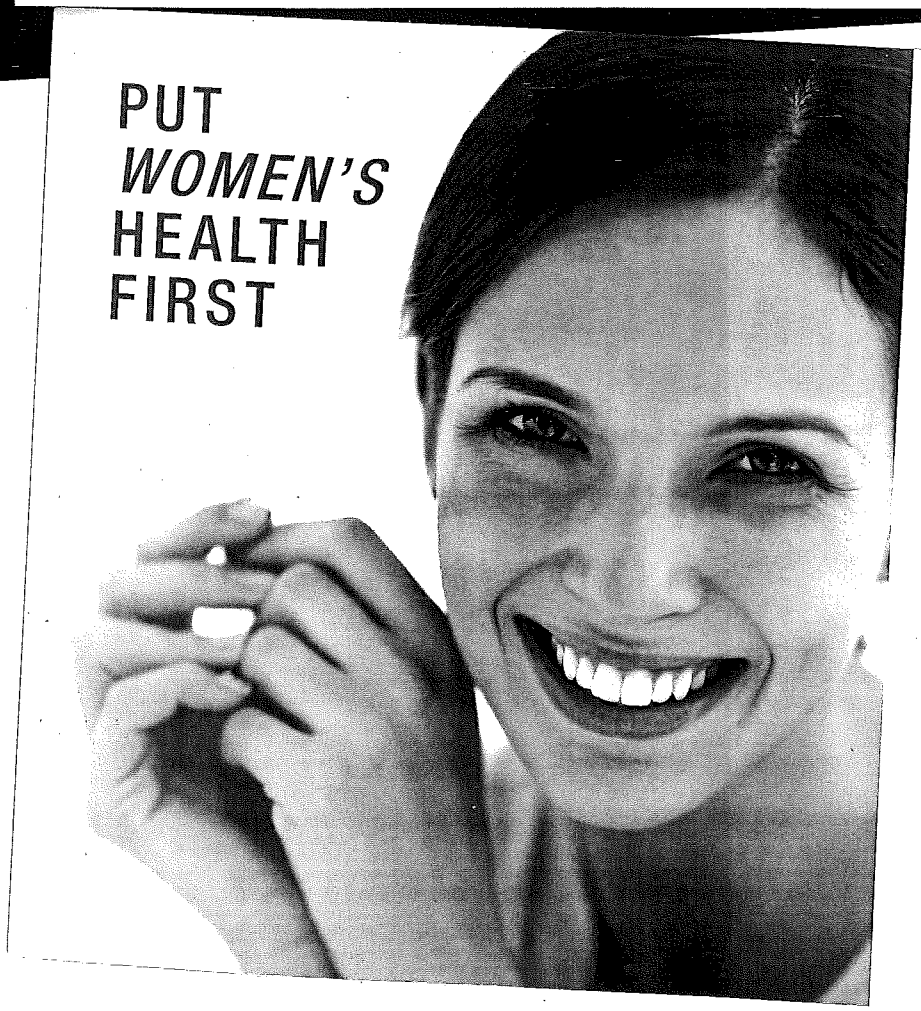

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FIRST NAME: Gracie **LAST NAME:** Hagstrom

EMAIL: graciedh@gmail.com **ZIP:** 28801

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FIRST NAME: Hayden

LAST NAME: Hains

EMAIL: hainshay@gmail.com

ZIP: [redacted] 28036

Optional Comment field:

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Name Regan Hale

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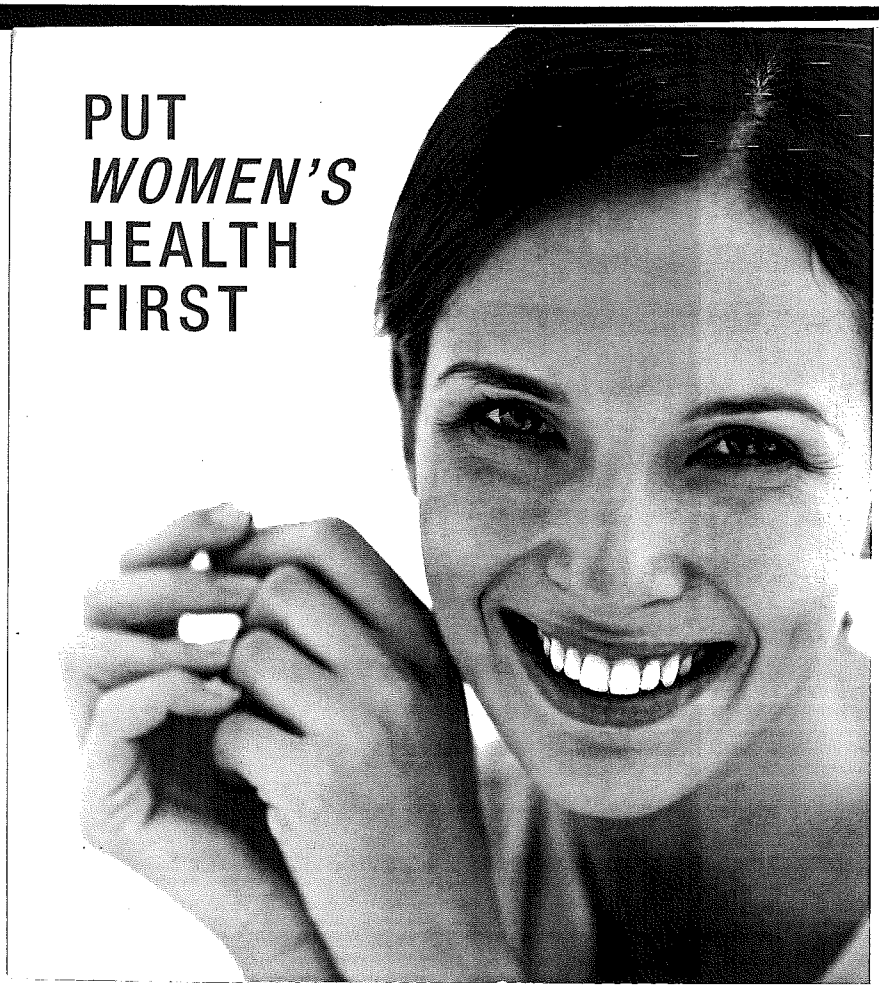

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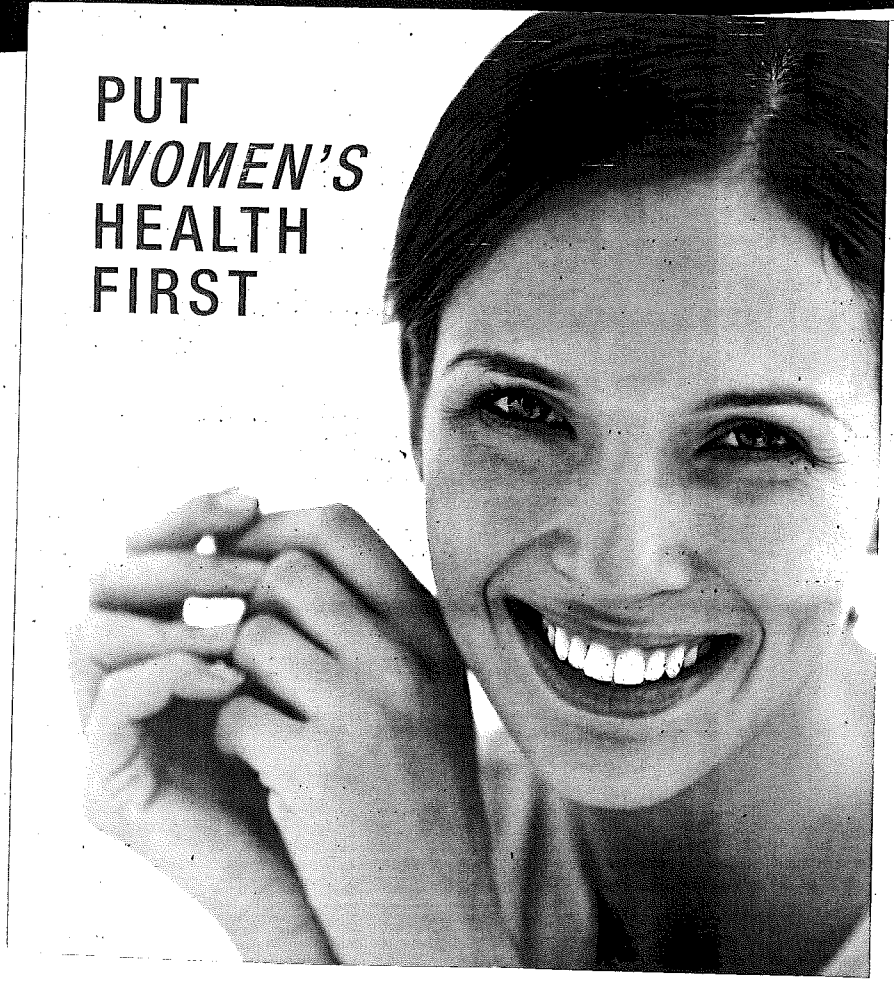

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Name Robin

E-mail address Robin.Hales@gmail.com

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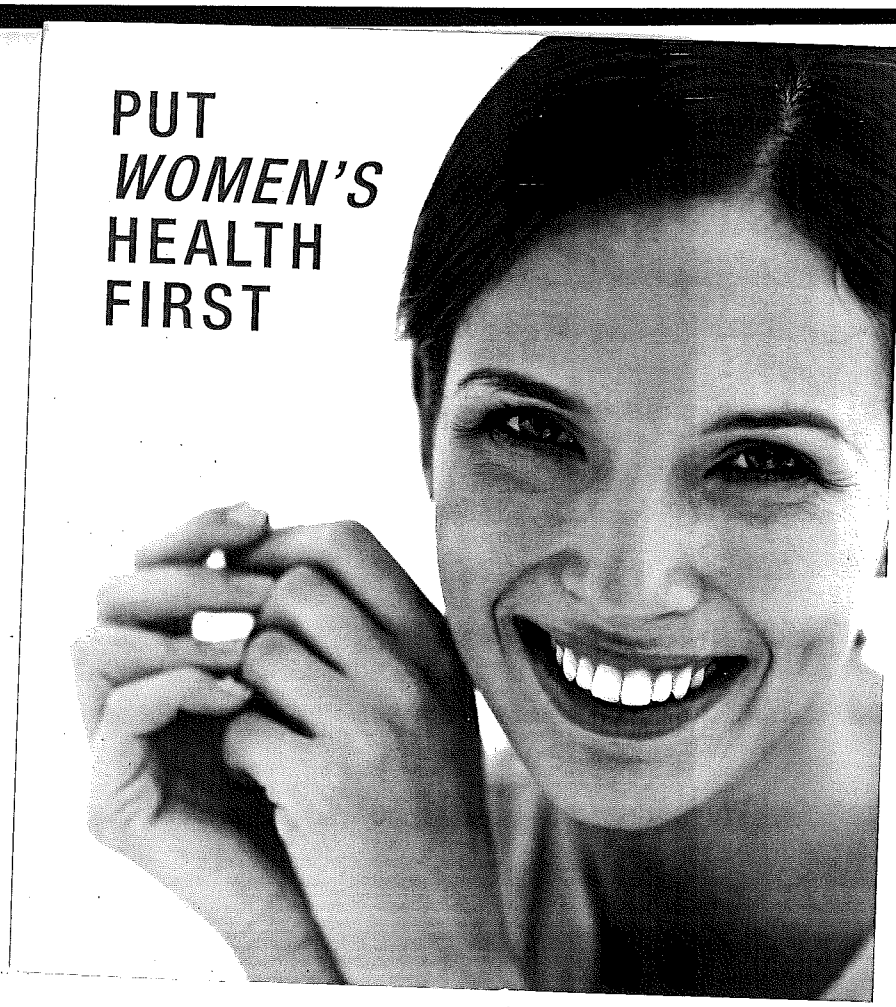

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Name Jenn Hales

E-mail address halesj1@gmail.com

ZIP Code 27605

Additional Comments:

PROTECT OUR RIGHTS! AND OUR HEALTH.

☐ Yes, I would like to receive updates from organizations supporting this comment:

NARAL Pro-Choice North Carolina Foundation

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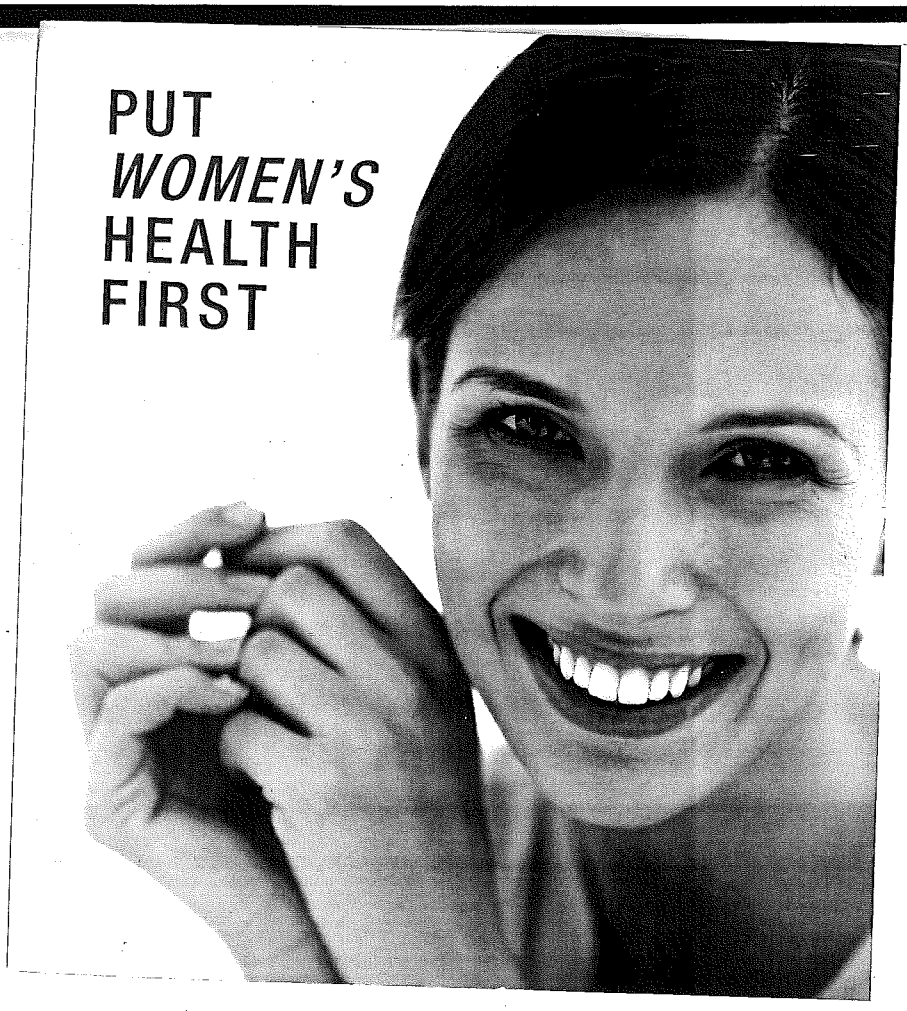

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Nadine Pfeiffer
Division of Health Service Regulation
2701 Mail Service Center
Raleigh, NC 27699-2701

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Name Cathy Hall

E-mail address Kathyindurham@yahoo.com

ZIP Code 27705

Additional Comments:

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FIRST NAME: Karen **LAST NAME:** Hall

EMAIL: wonkychair@yahoo.com **ZIP:**

Optional Comment field:

☒ No, thanks
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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Kathleen

LAST NAME: Hall

EMAIL: khcookie@gmail.com

ZIP: 27518

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Sarah

LAST NAME: Hallback

EMAIL:

ZIP: 28730

Optional Comment field:

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FIRST NAME: John Enoch

LAST NAME: Hammond

EMAIL: djcat1@icloud.com

ZIP: 27514

Optional Comment field:

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FIRST NAME: Allissa **LAST NAME:** Hanna

EMAIL: **ZIP:** 28804

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Rosie Hansen

E-mail address rosiehansen@bellsouth.net

ZIP Code 28804

Additional Comments:

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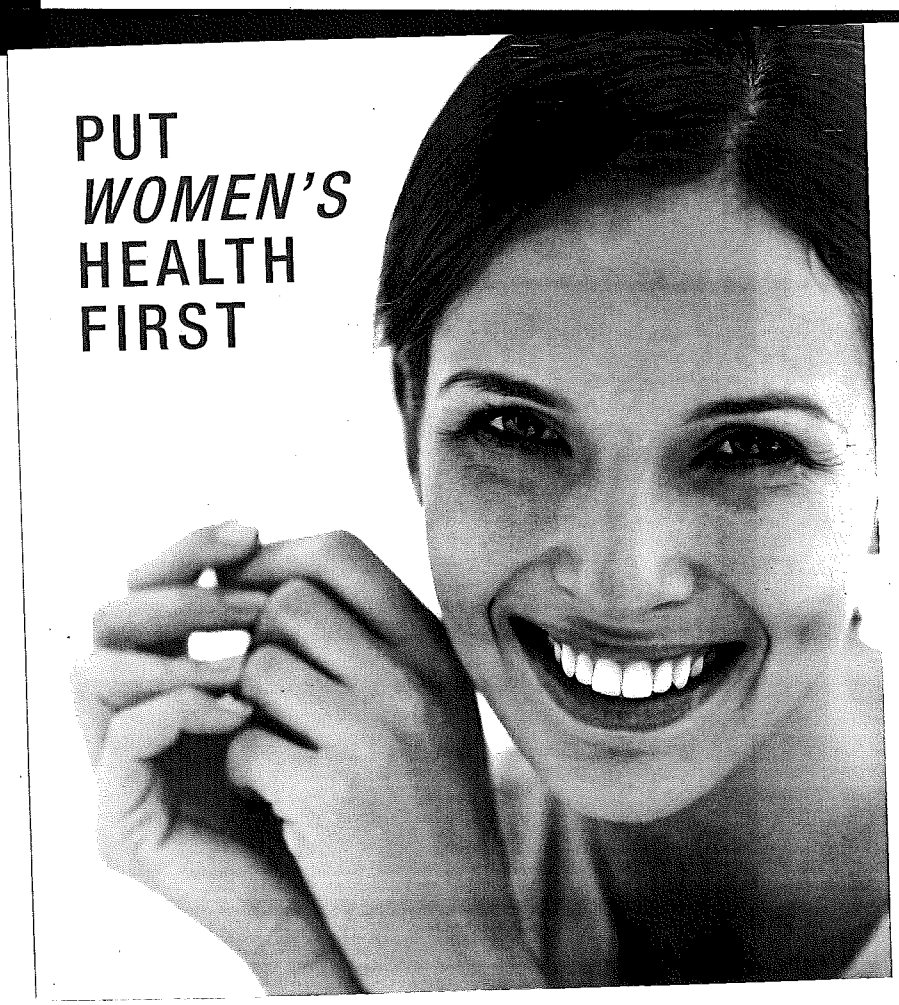

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FIRST NAME: Ashleigh **LAST NAME:** Hardee

EMAIL: ahardee@gmail.com **ZIP:** 28806

Optional Comment field:

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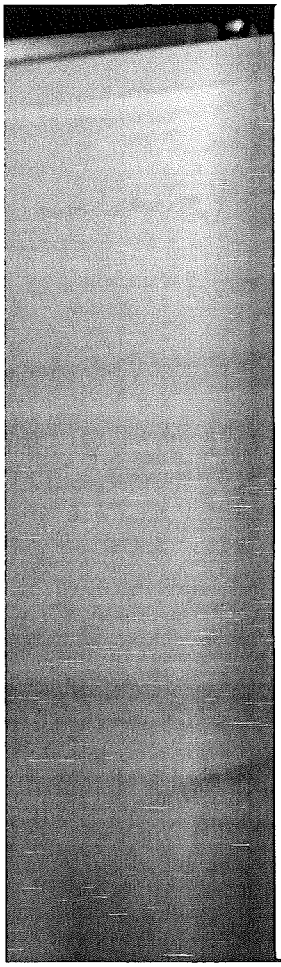
Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC



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Name Lonna Harkrader

E-mail address lonnaharkrader@gmail.com

ZIP Code 27707

Additional Comments:

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Name Sidney Harr

E-mail address justice4nifong@gmail.com

ZIP Code 27605

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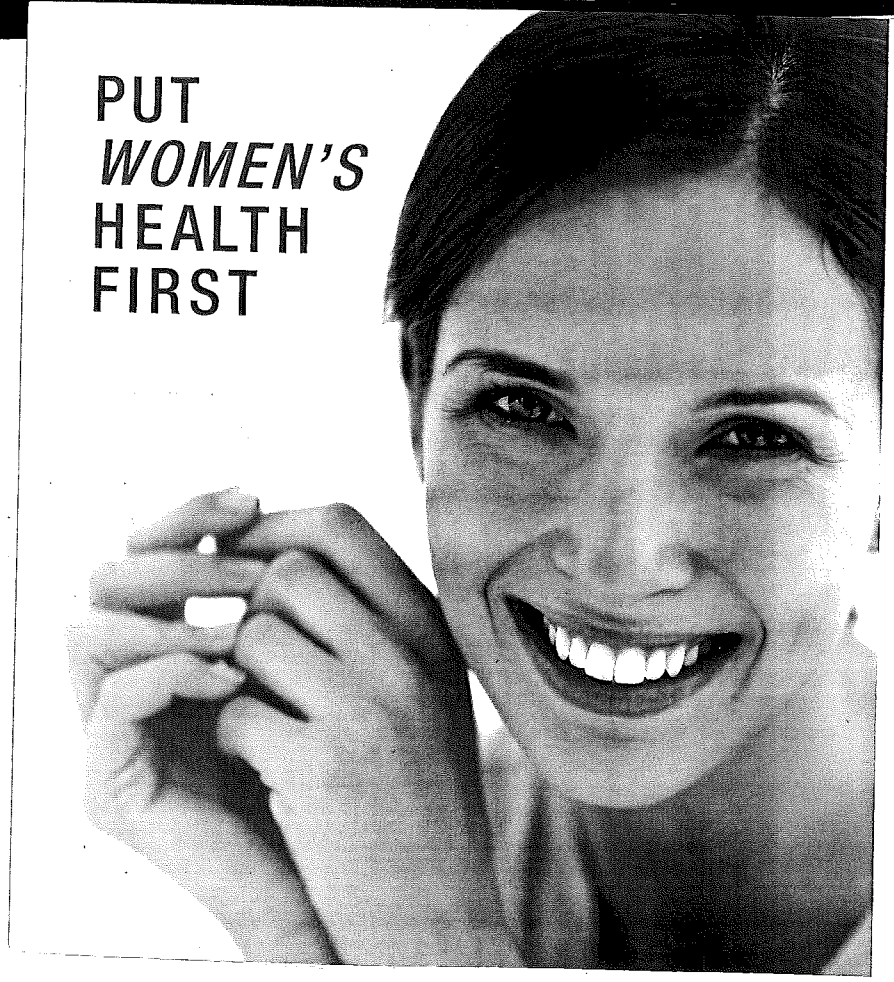

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Name Sydney Harris

E-mail address Sydneysharris@gmail.com

ZIP Code 27608

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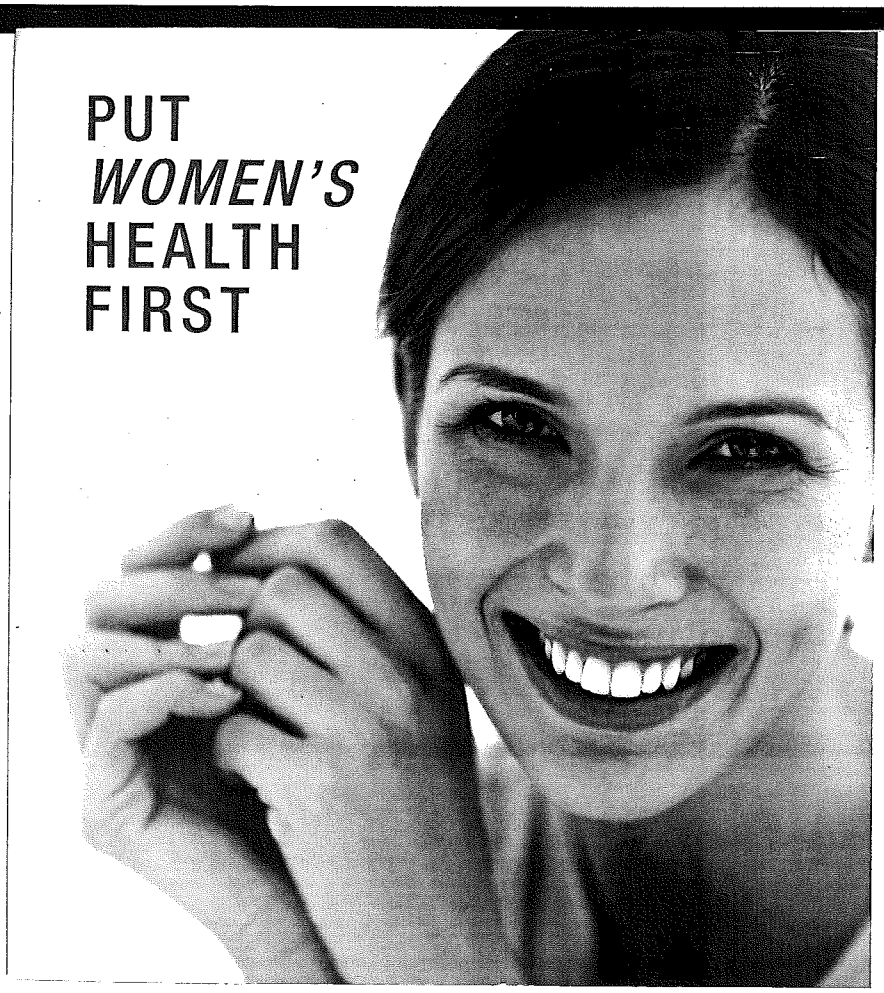

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Name Laura Harris

E-mail address lharris3@unca.edu

ZIP Code 28804

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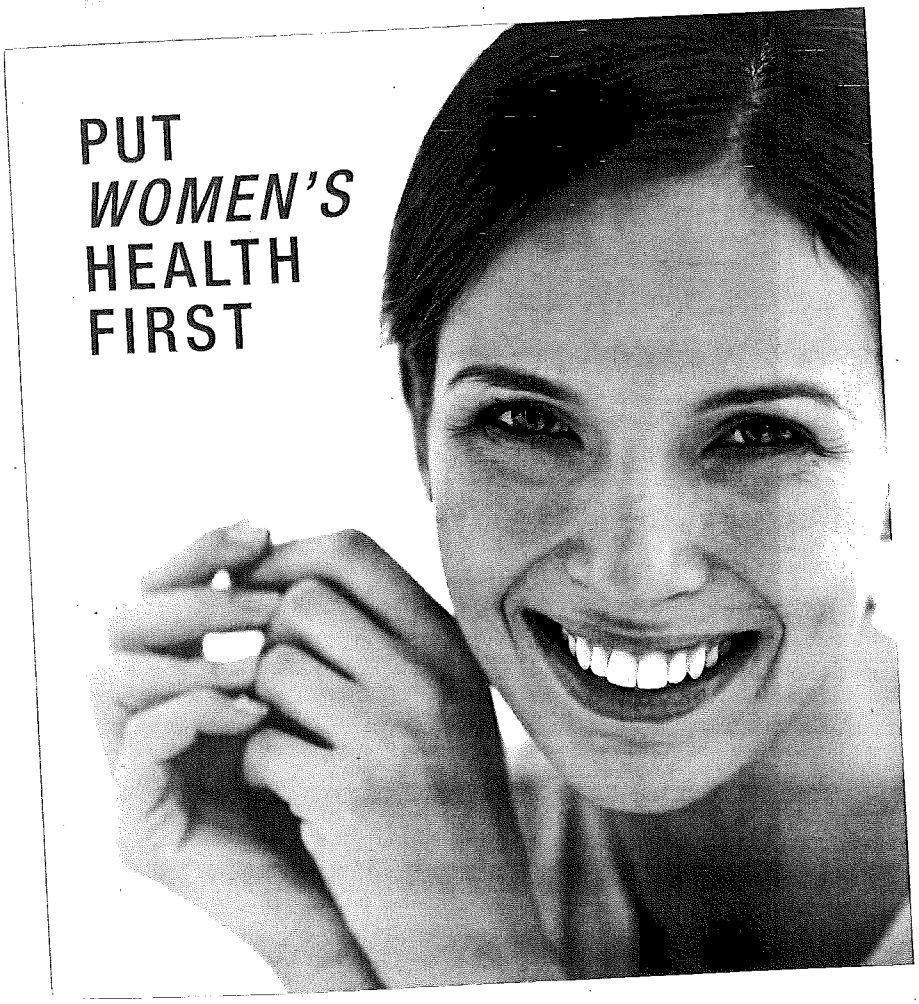

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Name Sydney Harris

E-mail address Sharr.s@gmail.edu

ZIP Code 28801

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Name Raymond Harris

E-mail address sf7676@yahoo.com

ZIP Code 28303

Additional Comments:

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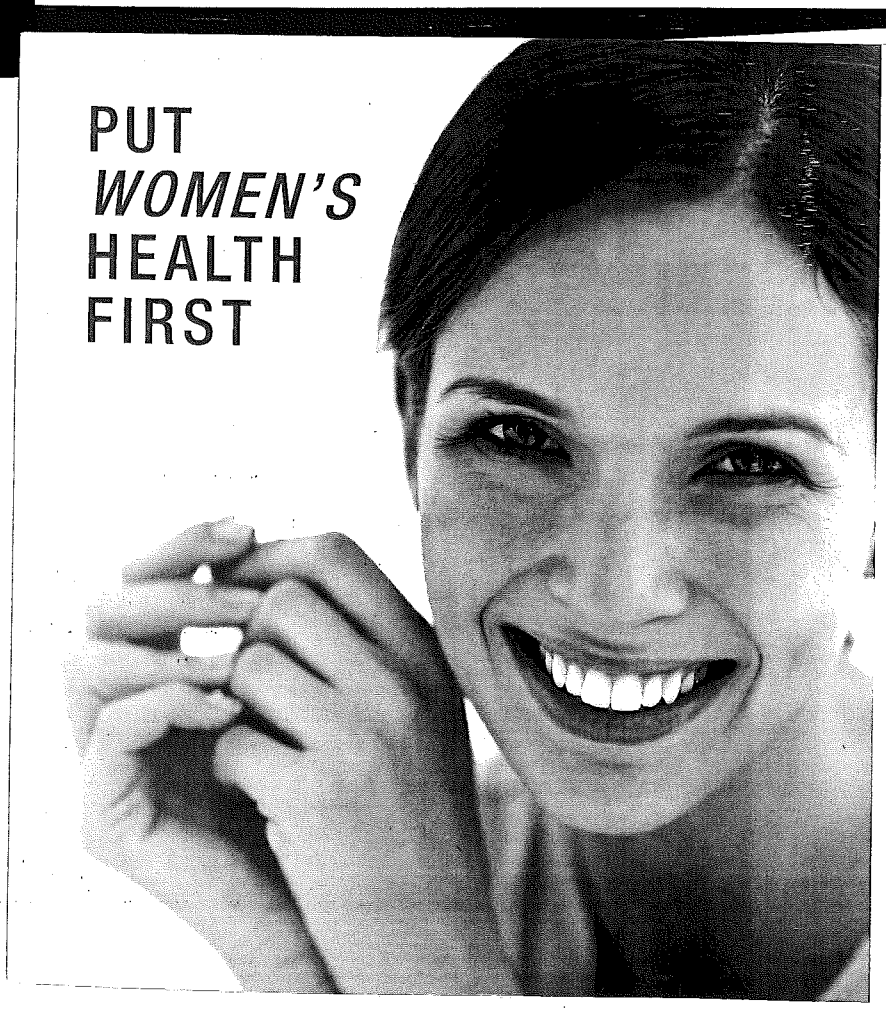

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FIRST NAME: Lyden

LAST NAME: Harris

EMAIL:

ZIP: 27231

Optional Comment field:

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FIRST NAME: DANA **LAST NAME:** HARRIS

EMAIL: harrisda@email.meredith.edu **ZIP:** 27609

Optional Comment field:

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FIRST NAME: Jemine

LAST NAME: Harris

EMAIL: jmharris1312@att.net

ZIP: 28754

Optional Comment field:

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FIRST NAME: Chelsey **LAST NAME:** Harris

EMAIL: crh27889@gmail.com **ZIP:** 27889

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Ashley

LAST NAME: Harris

EMAIL: arharris@email.meredith.edu

ZIP: 27597

Optional Comment field:

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FIRST NAME: Mary Jo **LAST NAME:** Harrison

EMAIL: glenfalls@aol.com **ZIP:** 28804

Optional Comment field:

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Name BARBARA HARRIS

E-mail address bharris@live.unc.edu

ZIP Code 27516

Additional Comments:

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FIRST NAME: Megan

LAST NAME: Hastings

EMAIL: meganhastings5@gmail.com

ZIP: [redacted] 27510

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Tammy Hawley

E-mail address thawley@uncg.edu

ZIP Code 28806

Additional Comments:

I understand some people would not like this service but we should not deny those who need it.

☐ Yes, I would like to receive updates from organizations supporting this comment:

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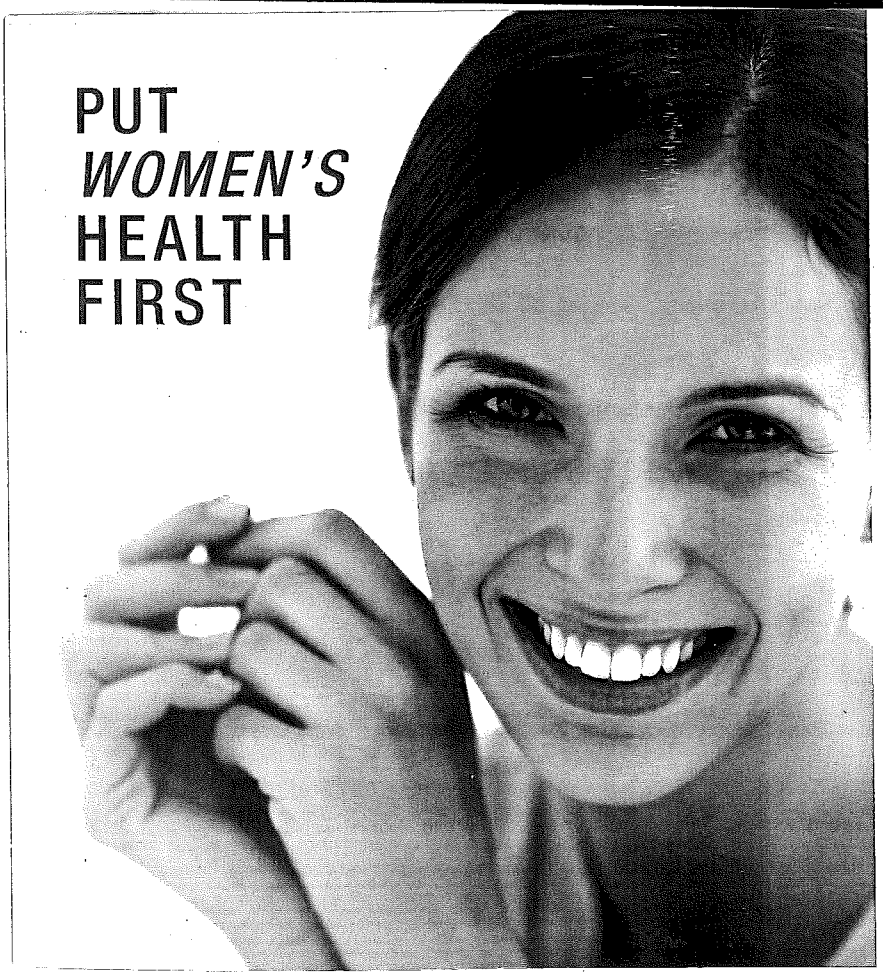

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FIRST NAME: Connie **LAST NAME:** Hayes

EMAIL: conniehayes@bellsouth.net **ZIP:** 28801

Optional Comment field:

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Name Casey Hayes

E-mail address caseyhayes@mac.com

ZIP Code 27516

Additional Comments:

Super Supporter!!

☒ Yes, I would like to receive updates from organizations supporting this comment:

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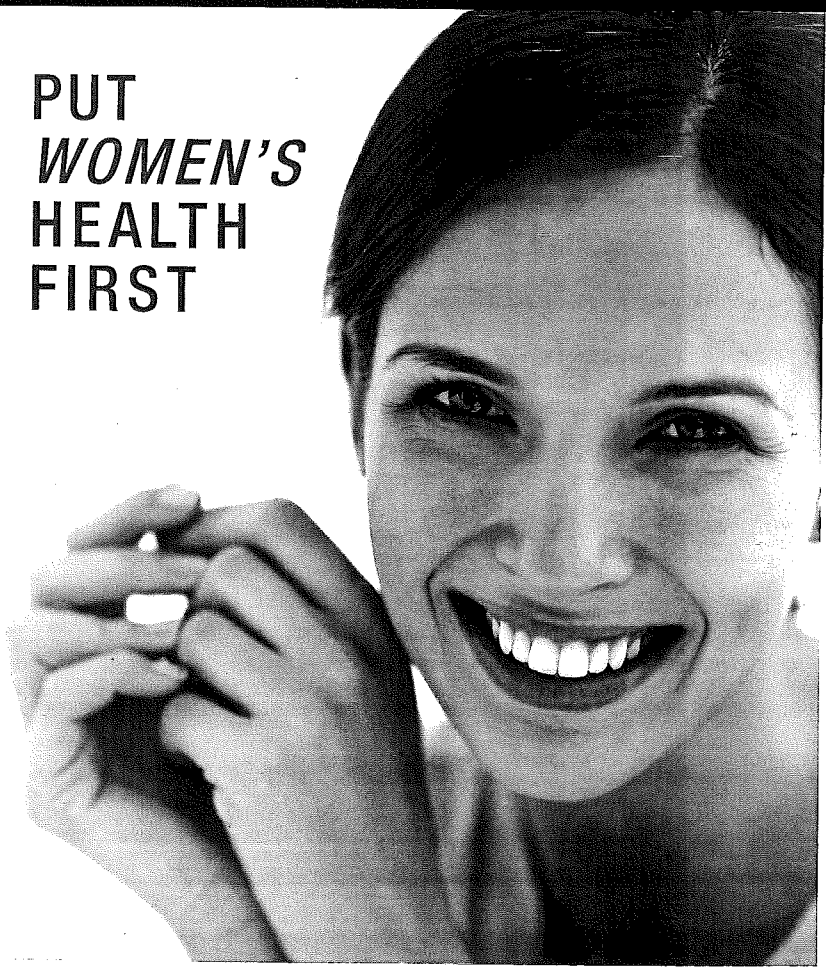

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FIRST NAME: Melissa **LAST NAME:** Hays

EMAIL: meldelmar1@yahoo.com **ZIP:** 28376

Optional Comment field:

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FIRST NAME: Andrew

LAST NAME: Heil

EMAIL: heil_a@yahoo.com

ZIP: 27517

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Eunice Heilig

E-mail address eshelig@ARY.rr.com

ZIP Code 27104

Additional Comments:

Women should control their own bodies & help them with putting their health first.

☐ Yes, I would like to receive updates from organizations supporting this comment:

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Name Madeline P. Heine

E-mail address

ZIP Code 28112-5118

Additional Comments:

Women's Health = #1
Number One!
Not your Party Line

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Name Colette Heiser

E-mail address cheiser@uncg.edu

ZIP Code 28804

Additional Comments:

FTP.

free the people

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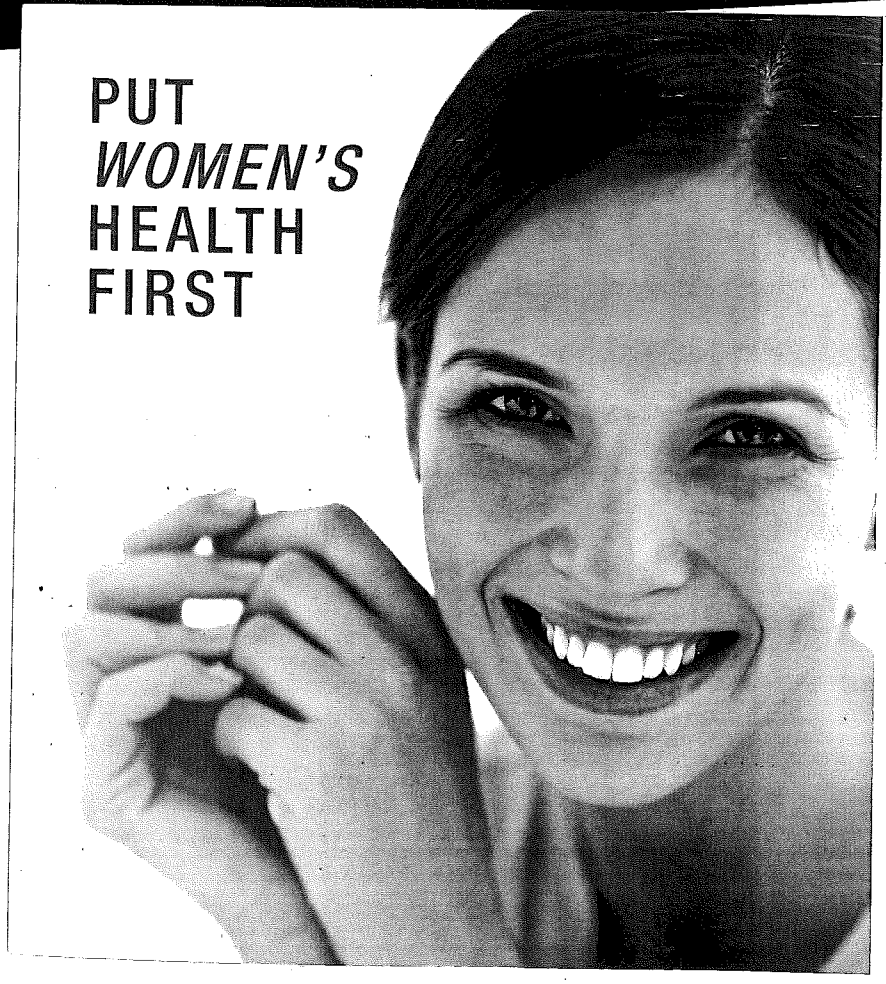

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FIRST NAME: Patrina **LAST NAME:** Hemingway

EMAIL: patrinahemingway27560@gmail.com **ZIP:**

Optional Comment field:

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Name Cate Hendren

E-mail address @ catehendren@gmail.com

ZIP Code 28804

Additional Comments:

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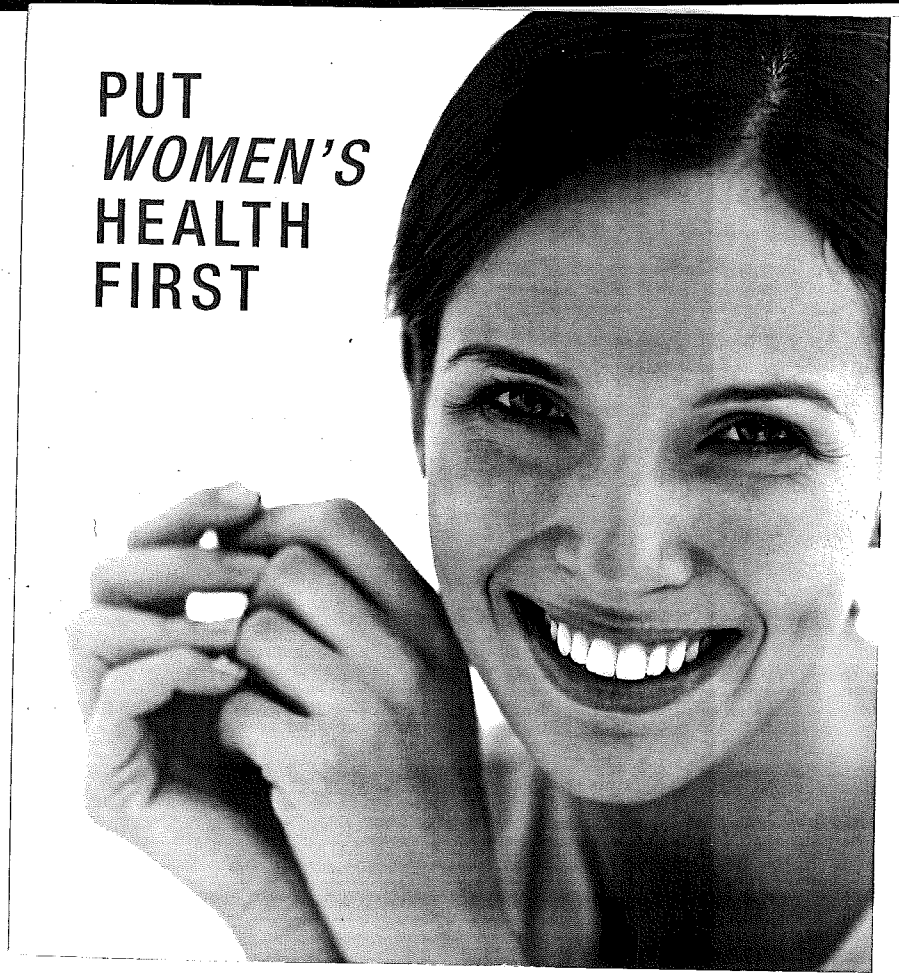

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FIRST NAME: Cate **LAST NAME:** Hendren

EMAIL: cate.hendren@mahes.net **ZIP:** 28801

Optional Comment field:

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Name Cooper Henkel

E-mail address chenkel@unca.edu

ZIP Code 28804

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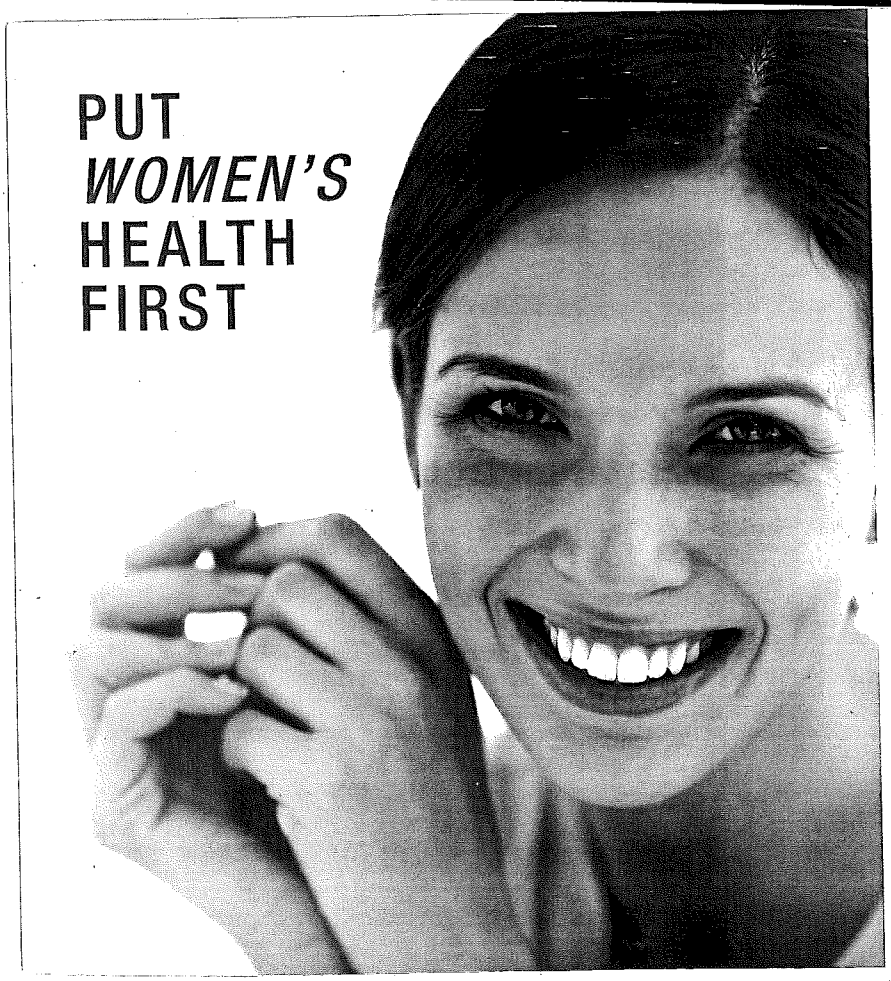

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Name Linda Henrick

E-mail address lindakayh@aol.com

ZIP Code 28659

Additional Comments:

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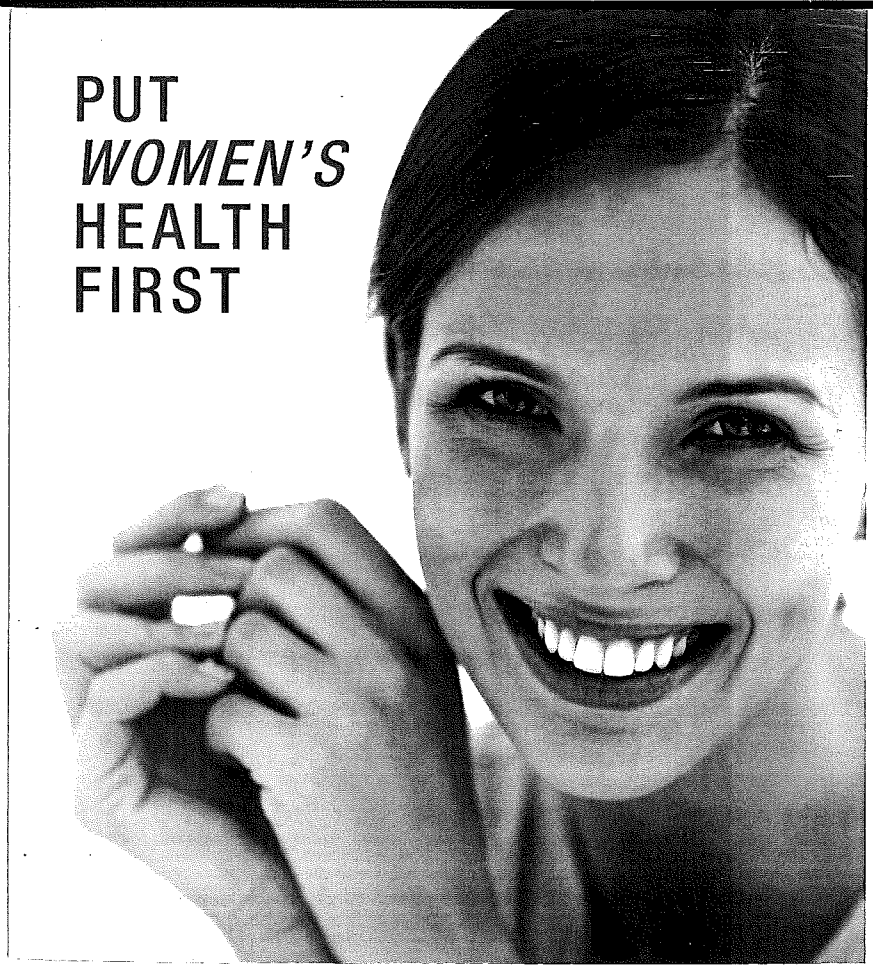

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Name Stanley Henshaw

E-mail address shenshaw@guttmacher.org

ZIP Code 27312

Additional Comments:

Most of the proposed regulations are acceptable, though unnecessary. Please do not adopt restrictions that make abortion more expensive or less available.

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FIRST NAME: Katherine **LAST NAME:** Hensley

EMAIL: asheville boula@gmail.com **ZIP:** 28804

Optional Comment field:

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FIRST NAME: Marilyn

LAST NAME: Herbert

EMAIL:

ZIP: 28801

Optional Comment field:

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Alexandra **LAST NAME:** Herman

EMAIL: **ZIP:** 28803

Optional Comment field:

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Name Sheyla Hensley

E-mail address

ZIP Code 28204

Additional Comments:

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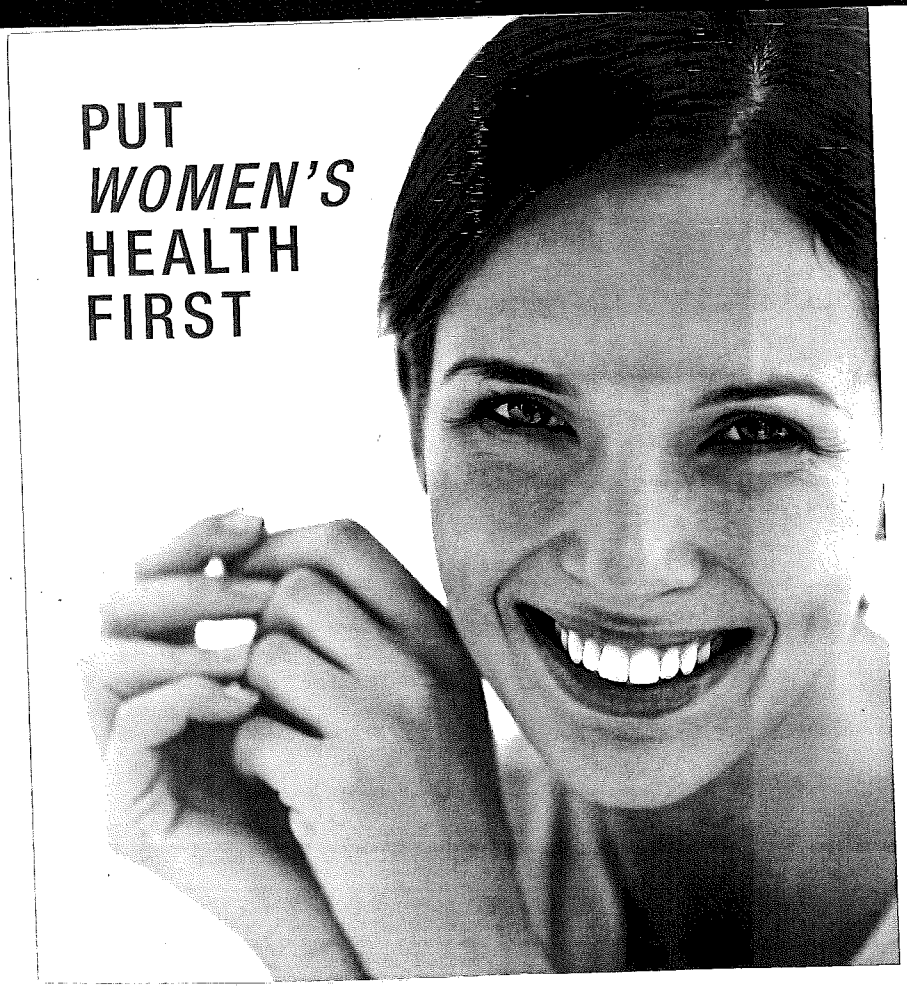

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Raleigh, NC 27699-2701

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FIRST NAME: Heather **LAST NAME:** Hicks

EMAIL: **ZIP:** 28753

Optional Comment field:

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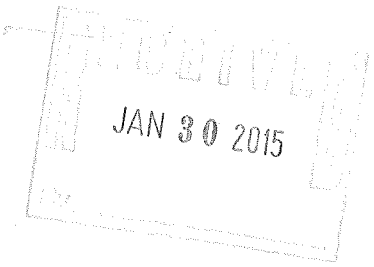

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FIRST NAME: Joshua

LAST NAME: Hicks

EMAIL: Joshua_Hicks@hotmail.com

ZIP: 28804

Optional Comment field:

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Name Jennifer Hill

E-mail address jenn277@gmail.com

ZIP Code 27707

Additional Comments:

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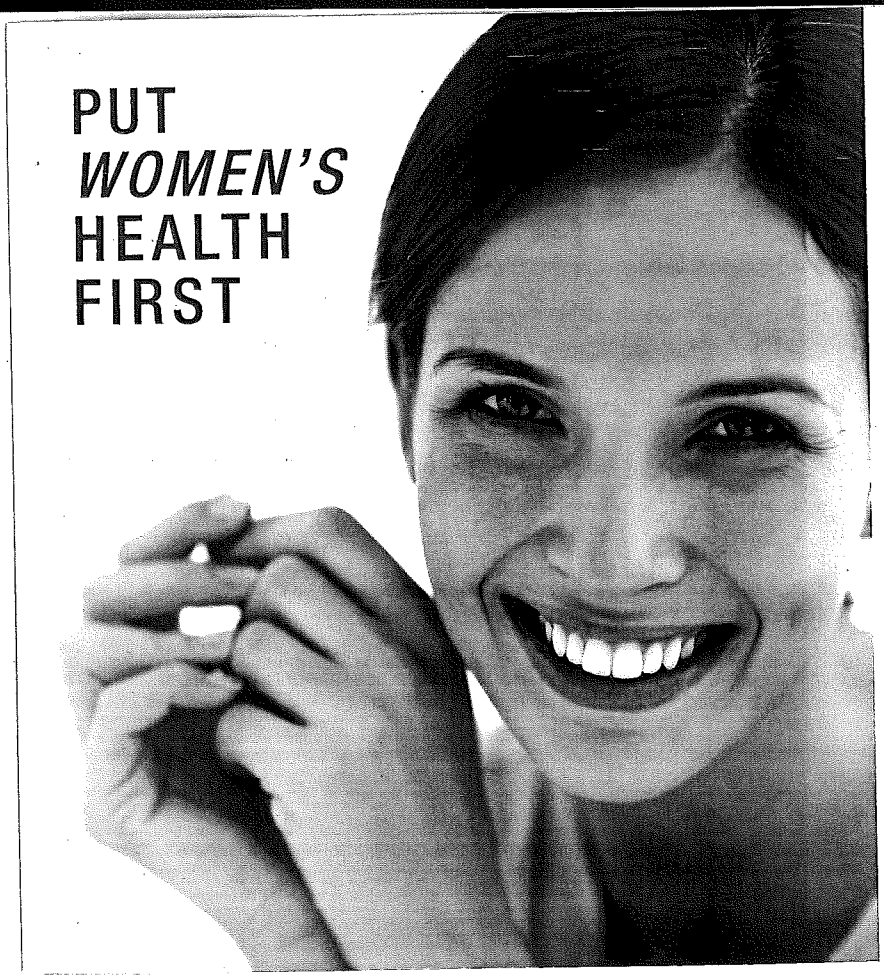

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Nadine Pfeiffer
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Raleigh, NC 27699-2701

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Name Chris Hill

E-mail address bothi92@att.net

ZIP Code 28211

Additional Comments:

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FIRST NAME: Renee

LAST NAME: Hill

EMAIL: KHill@abtech.edu

ZIP: 28754

Optional Comment field:

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FIRST NAME: Aidil

LAST NAME: Hill

EMAIL: Aidil.hill@gmail.com

ZIP: 27033

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Shanta

LAST NAME: Hill

EMAIL: Shantahill@yahoo.com

ZIP: 27520

Optional Comment field:

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Name Ashleigh Hillen

E-mail address ashleigh.hillen@gmail.com

ZIP Code 28801

Additional Comments:

I

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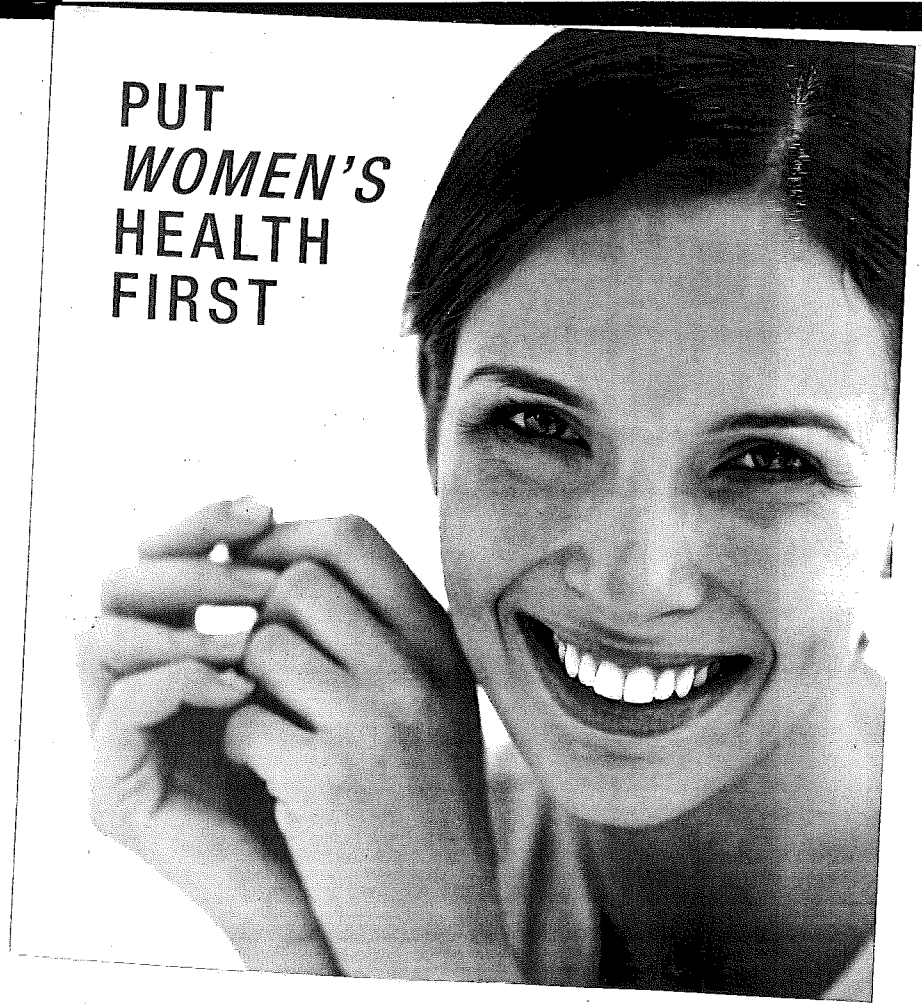

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FIRST NAME: Virginia

LAST NAME: Himmelheber

EMAIL:

ZIP: 28806

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name William Hinkle

E-mail address hinklewc@gmail.com

ZIP Code 28803

Additional Comments:

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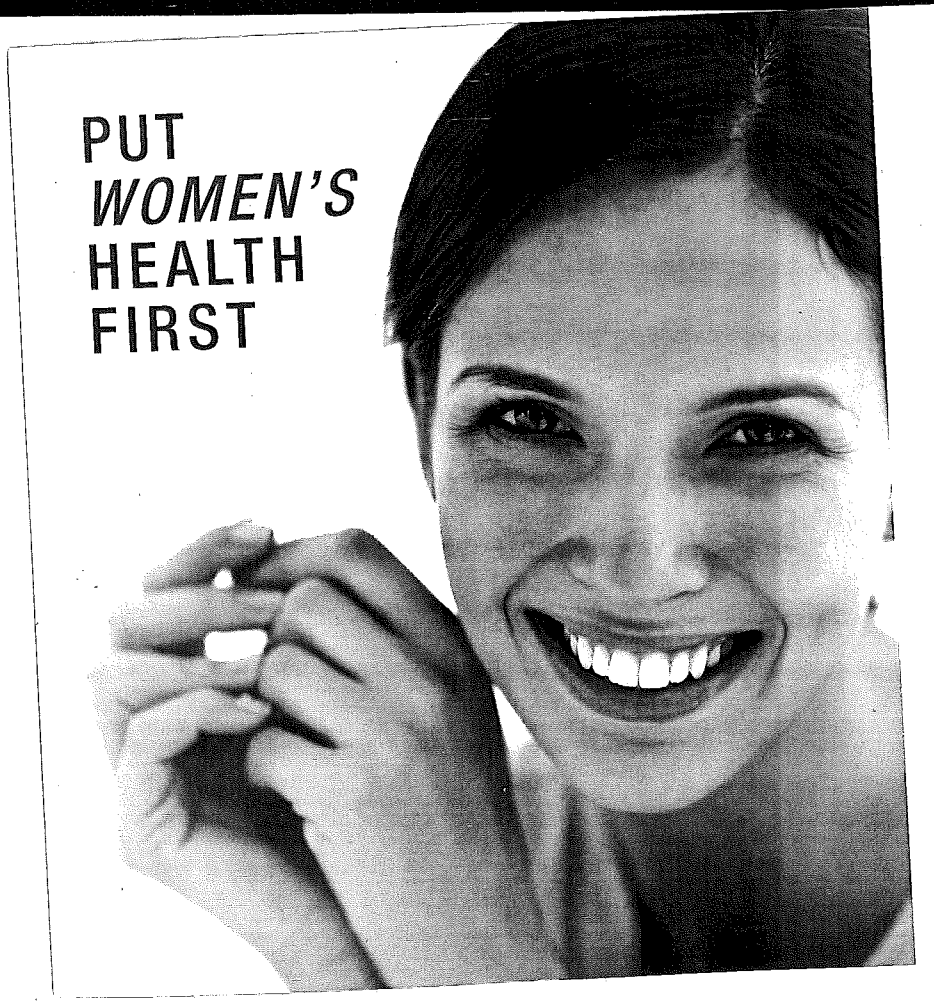

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Name Jesse Hinson

E-mail address jhinson1@uncae.edu

ZIP Code 28803

Additional Comments:

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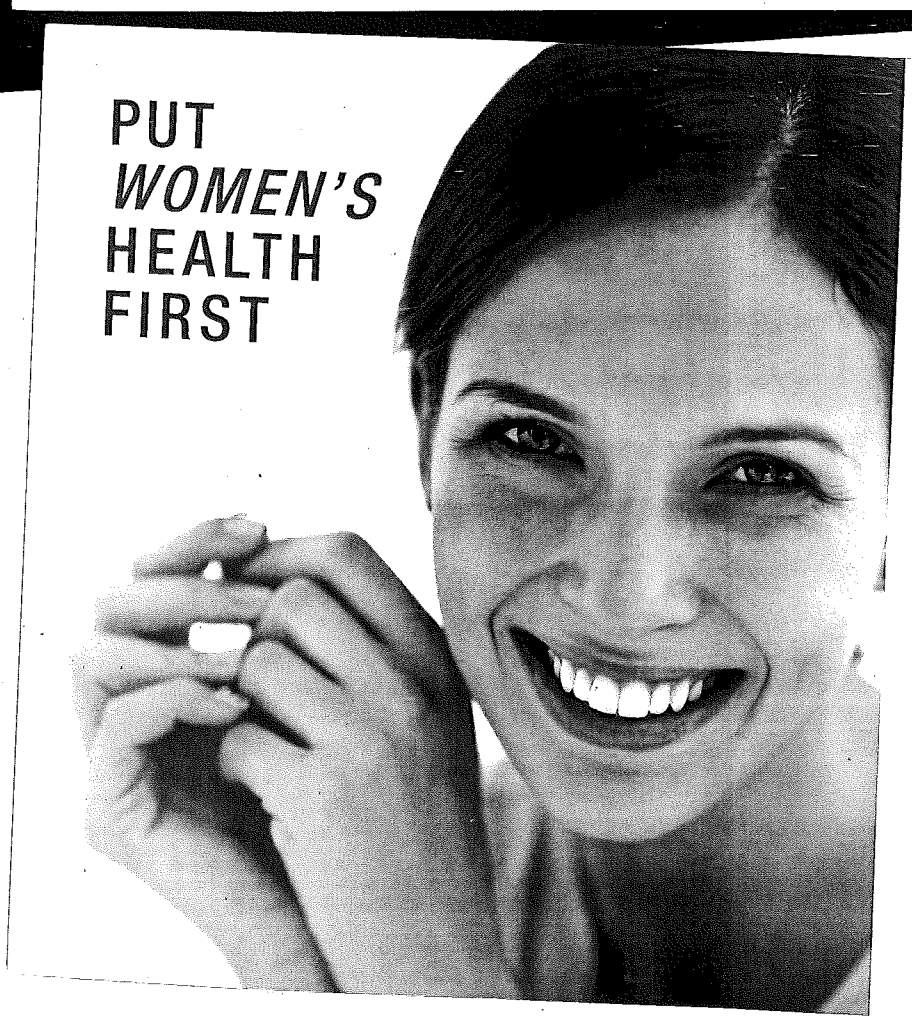

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Name Jean Hjelle

E-mail address hjelle@embarqmail.com

ZIP Code 27312

Additional Comments:

I worked in schools with children who were unwanted. I support a women's right to choose. Research has shown that birth-control & contraceptive measures reduce cancer in women. These are basic rights for 50% of the population

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FIRST NAME: Peggy **LAST NAME:** Hobson

EMAIL: peggy.h@charter.net **ZIP:** 28803

Optional Comment field:

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Name Hayle Holberg

E-mail address hayleizilla@gmail.com

ZIP Code 27502

Additional Comments:

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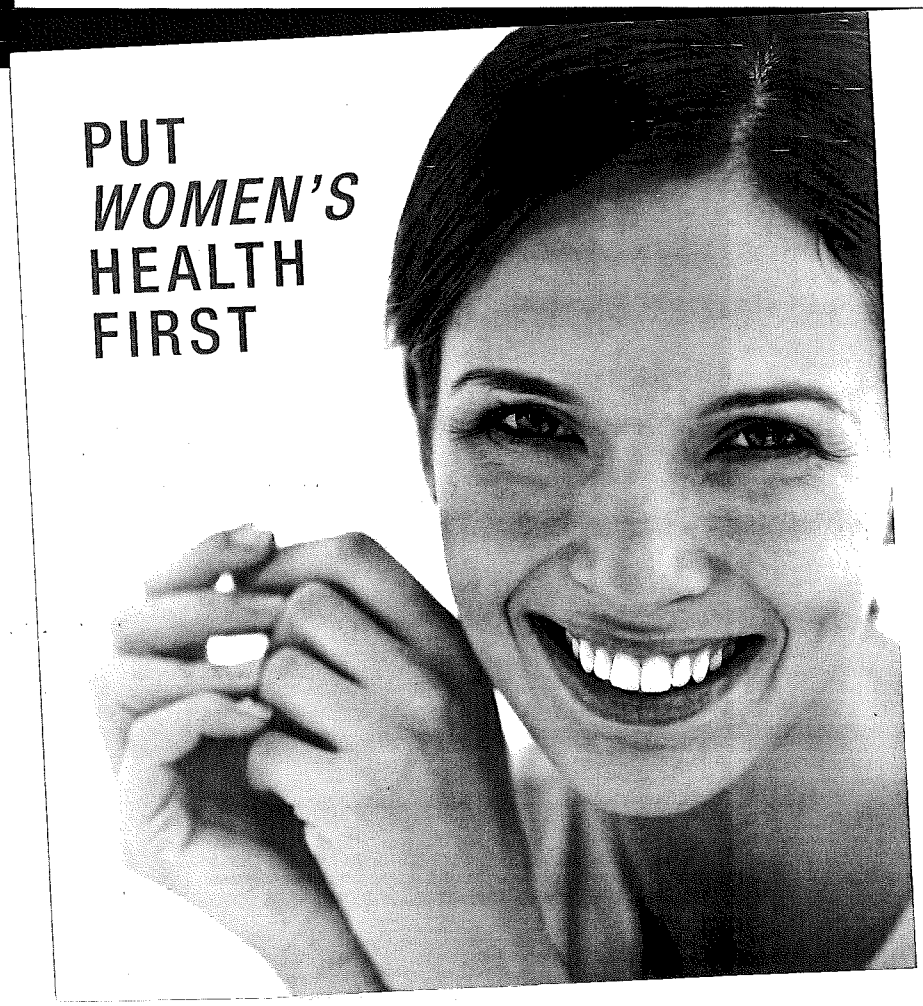

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Name J. Tiffany Holland

E-mail address jtiffanyholland@gmail.com

ZIP Code 27407

Additional Comments:

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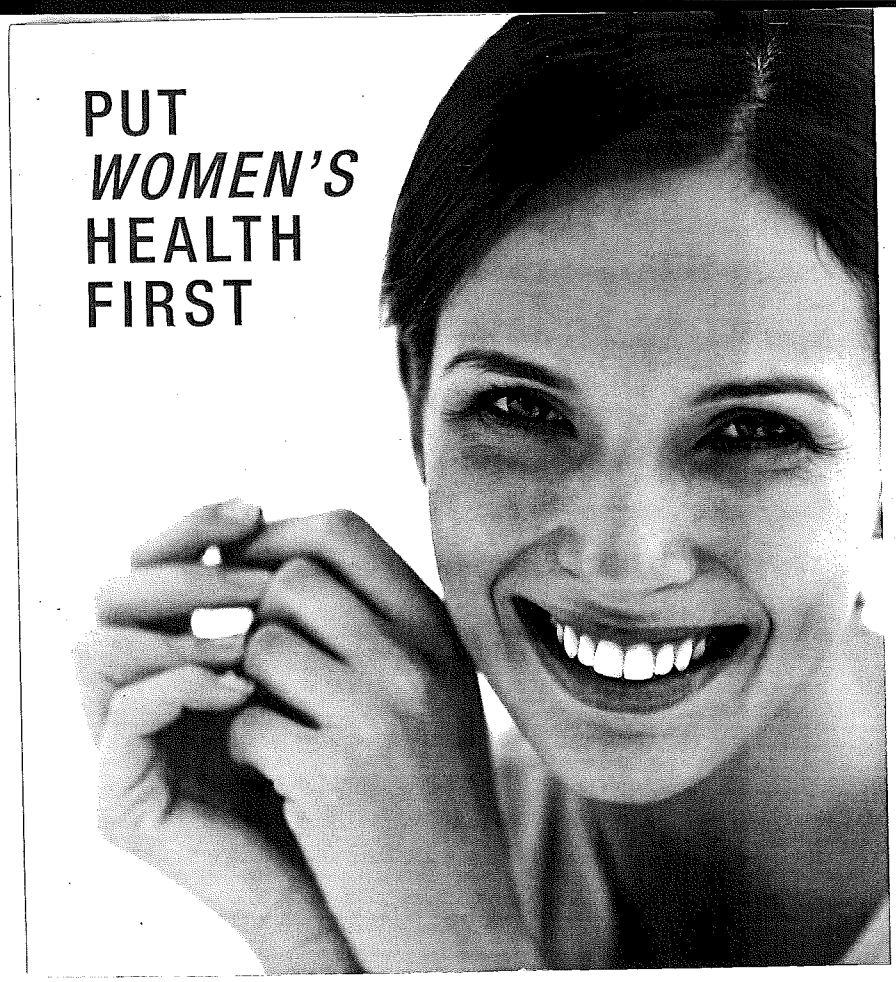

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FIRST NAME: Laura

LAST NAME: Holley

EMAIL:

ZIP: 27502

Optional Comment field:

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Amy

LAST NAME: Holmes

EMAIL:

ZIP: 27605

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Amanda Holstein

E-mail address aholstei@unca.edu

ZIP Code 28804

Additional Comments:

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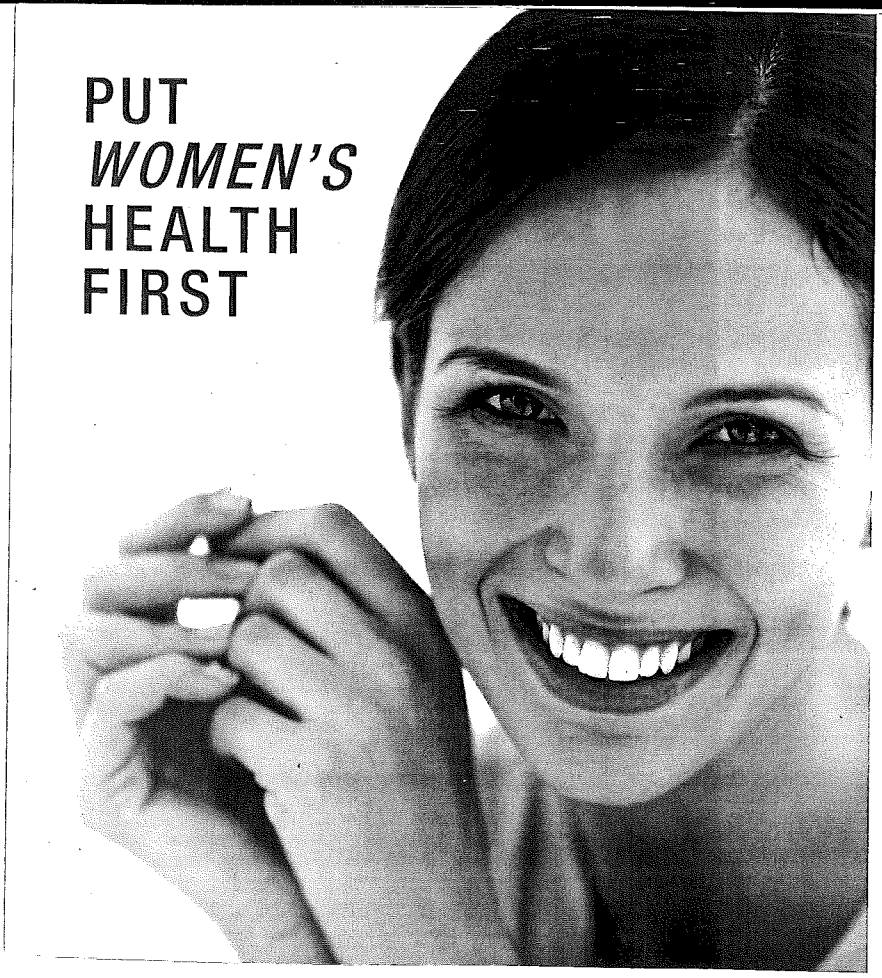

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Division of Health Service Regulation
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Raleigh, NC 27699-2701

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Name Rachel Holt

E-mail address rholt@unca.edu

ZIP Code 28801

Additional Comments:

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Name Karen Holt

E-mail address Kiholt7140@yahoo.c

ZIP Code 27302

Additional Comments:

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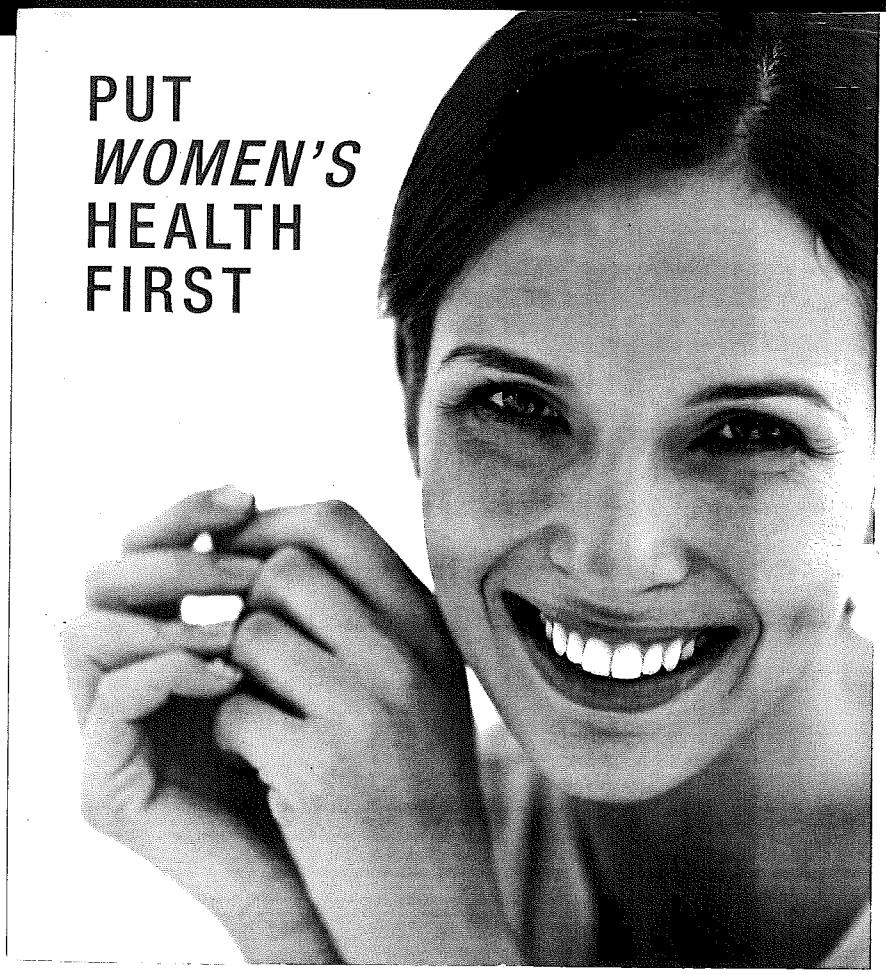

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FIRST NAME: James **LAST NAME:** Holt

EMAIL:

ZIP: 29205

Optional Comment field:

"They're just too coward to stare the problem in the face"

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Persia

LAST NAME: Homesky

EMAIL: persiaofxeres@gmail.com

ZIP: 27514

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Deborah Hooker

E-mail address dahooker@ncsu.edu

ZIP Code 27520

Additional Comments:

Please listen to and honor the expertise of medical + reproductive health specialists. These regulations have the potential to profoundly affect so many lives. Do the right thing. Thank you

☐ Yes, I would like to receive updates from organizations supporting this comment:

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Name Lucas Hopkins

E-mail address

ZIP Code 27412

Additional Comments:

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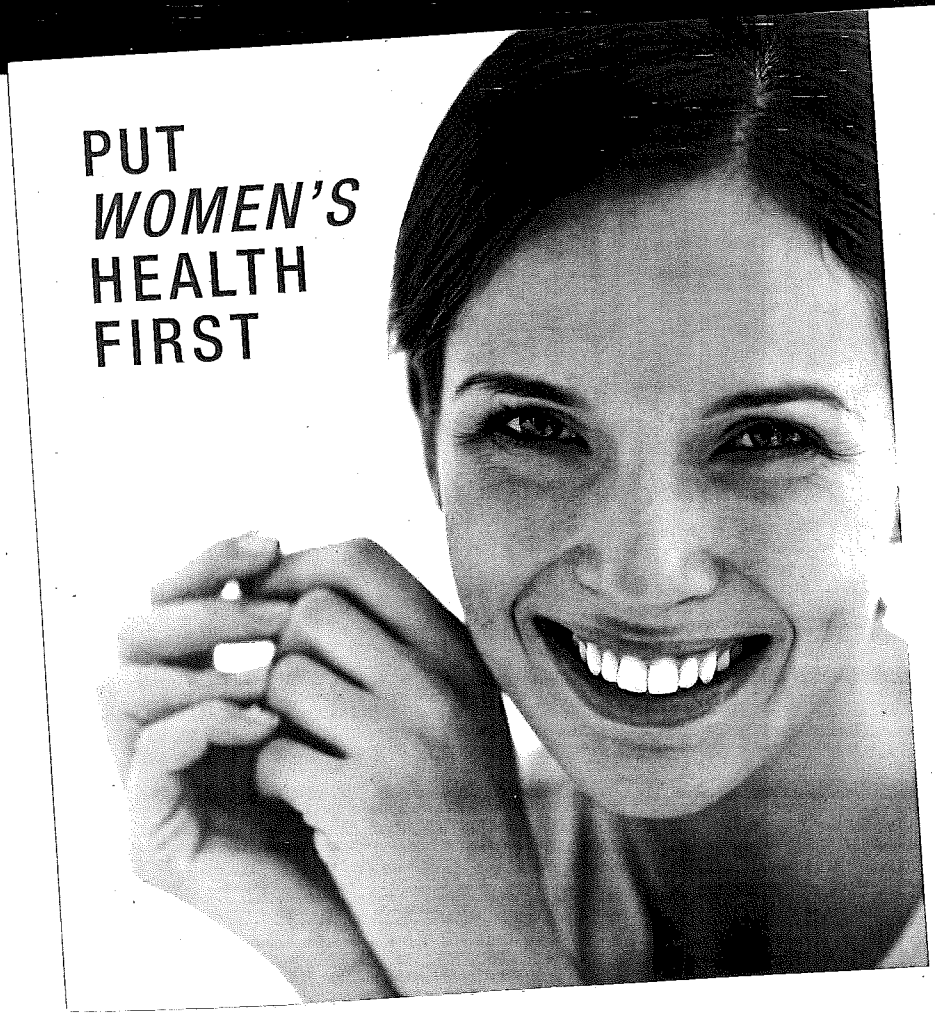

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FIRST NAME: Lauren

LAST NAME: Kyle Horton

EMAIL: lkylehorton@gmail.com

ZIP: 28428

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Harold Hogstrom

E-mail address mewick1@yahoo.com hogstrom@aol.com

ZIP Code 28804

Additional Comments:

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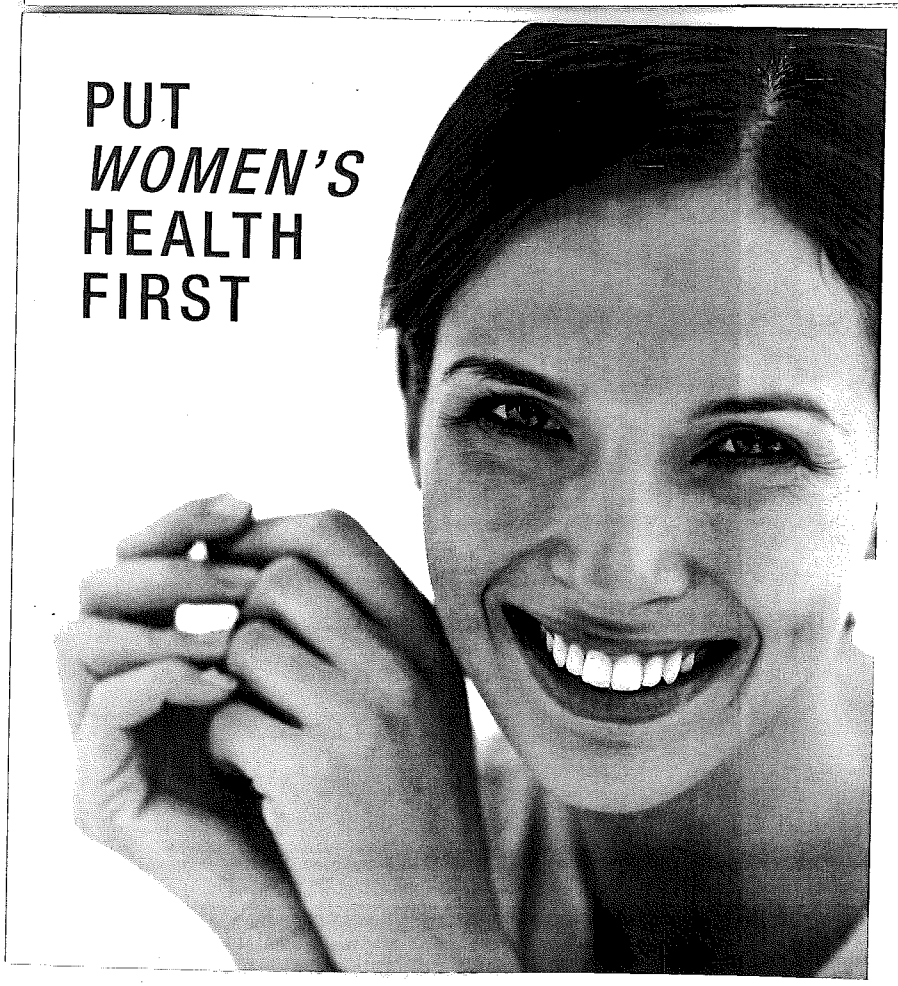

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Name Hendey Hostetter

E-mail address hendey hostetter@gmail.com

ZIP Code 27514

Additional Comments:

This is crucial for women!!

☐ Yes, I would like to receive updates from organizations supporting this comment:

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Name Amber Houser

E-mail address

ZIP Code 28905

Additional Comments:

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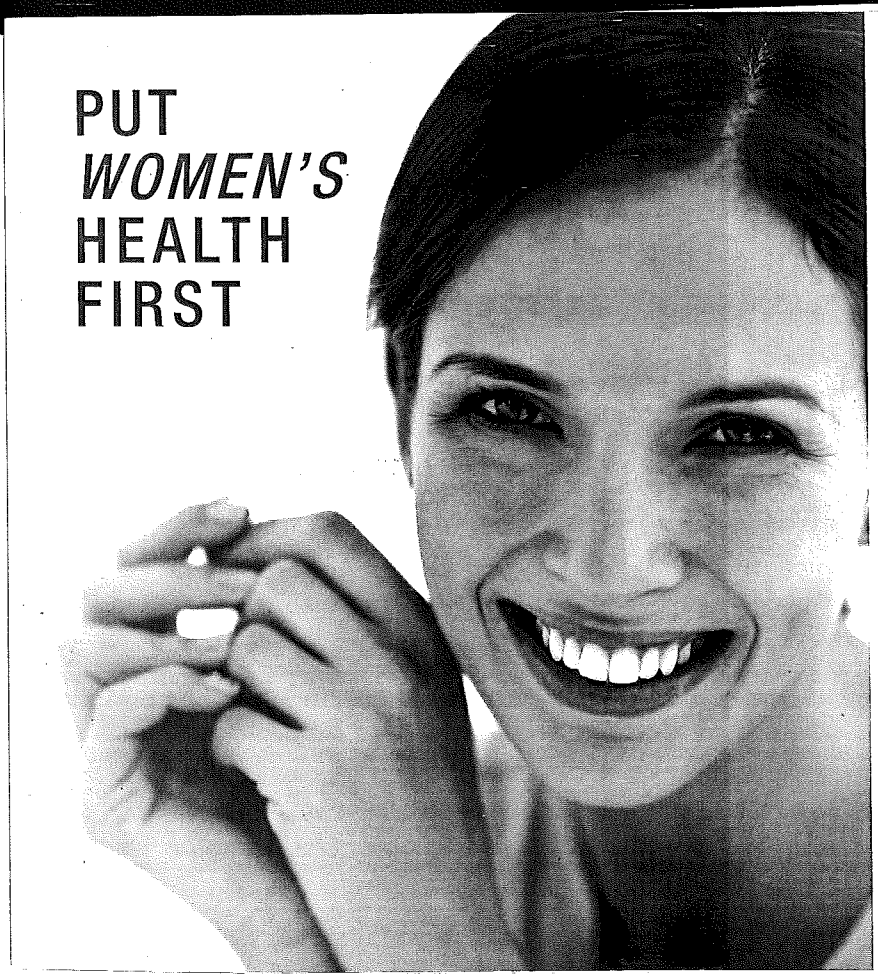

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FIRST NAME: Robert **LAST NAME:** Houser

EMAIL: rhouser1949@yahoo.com **ZIP:** 28615

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Guthrie Howard

E-mail address ghoward@unca.edu

ZIP Code 28804

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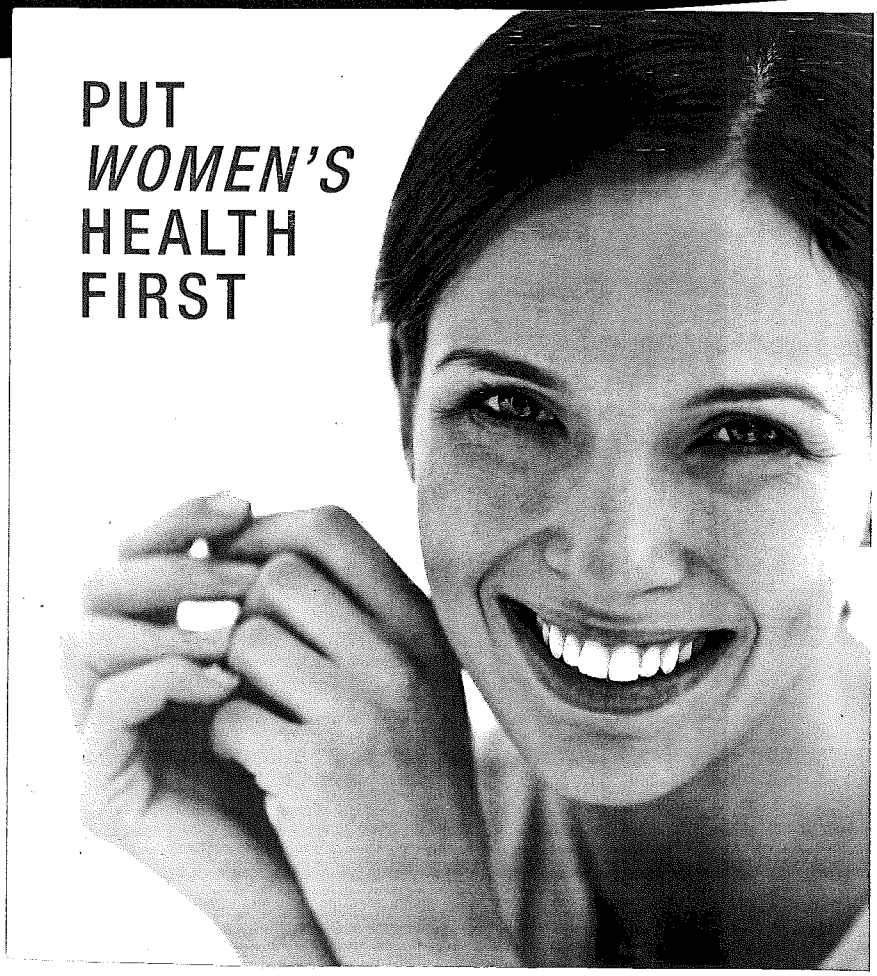

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Name Ann Howe

E-mail address annchowe@gmail.com

ZIP Code 27615

Additional Comments:

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Name Eleanor Hubbard

E-mail address ehhubbard@gmai
.com

ZIP Code 27526

Additional Comments:

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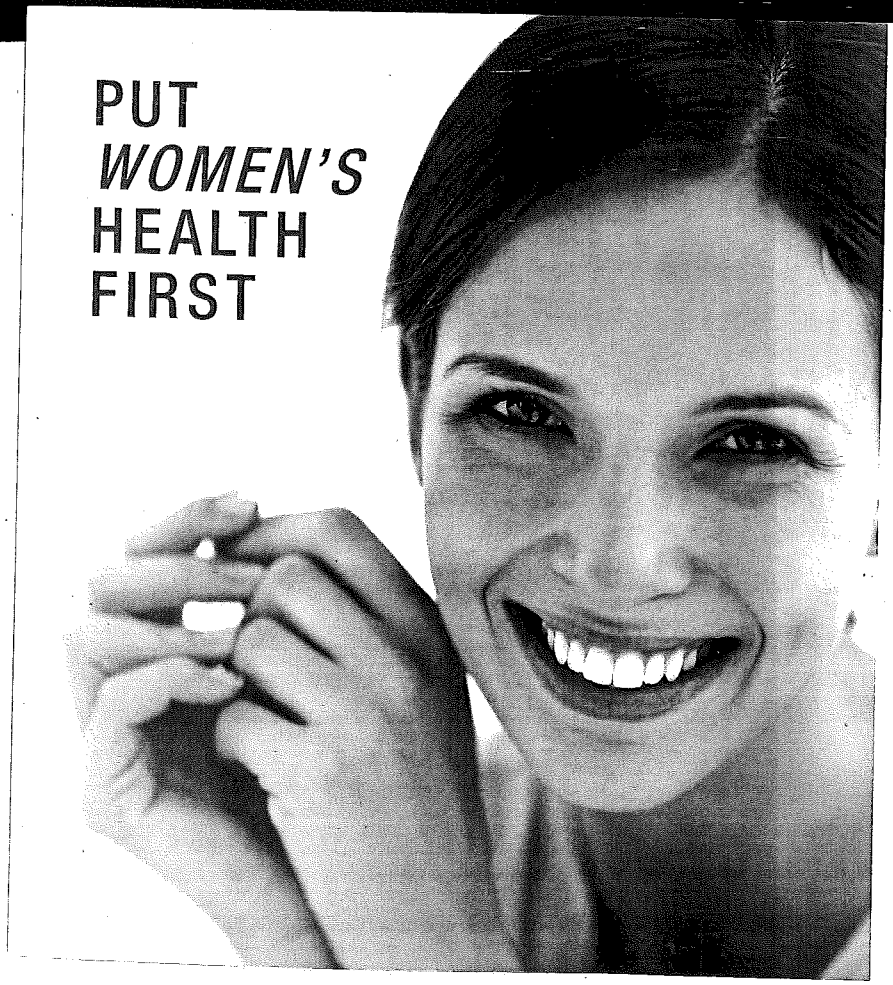

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Name FRANCES HUFFMAN

E-mail address franciehuffman3396@att.net

ZIP Code 27103

Additional Comments:

Birth control is essential for an orderly life. Even the Pope now states that people shouldn't breed like rabbits.

Frances Huffman

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Name Daniel Huger

E-mail address dehuger@gmail.com

ZIP Code 28803

Additional Comments:

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FIRST NAME: Daniel **LAST NAME:** Huger

EMAIL: danhuger@gmail.com **ZIP:** 28803

Optional Comment field:

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Name Megan Huggins

E-mail address 1.1thbugs5@gmail.com

ZIP Code

Additional Comments:
Without health insurance Planned Parenthood has been critical to my health.

☐ Yes, I would like to receive updates from organizations supporting this comment:

NARAL
Pro-Choice North Carolina Foundation

Planned Parenthood®
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Planned Parenthood Action Fund of North Carolina

TAKE ACTION!

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Name Shelia A. Huggins

E-mail address Shanahu@aol.com

ZIP Code 27705

Additional Comments:

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Name Kae Huggins

E-mail address Khuggins5@nc.rr.com

ZIP Code 27713

Additional Comments:

Women's health is so much more than abortion. Protect the health of women. Do not allow services like Planned Parenthood to be shut down

☐ Yes, I would like to receive updates from organizations supporting this comment:

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Name Peg Hulslander

E-mail address _____

ZIP Code 27607

Additional Comments:

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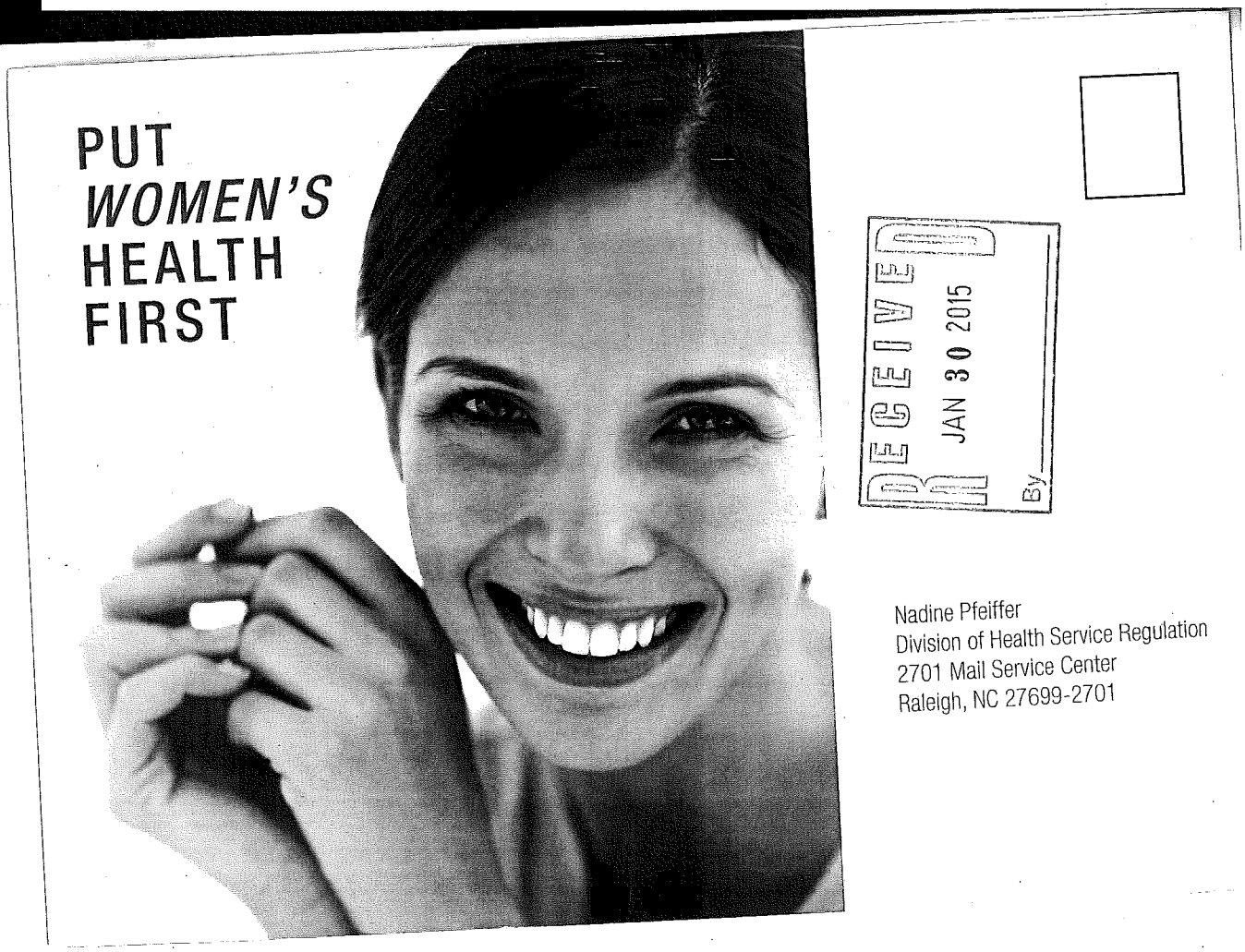

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Division of Health Service Regulation
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Raleigh, NC 27699-2701

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Name Marvin Hunt

E-mail address mhunt@ncsu.edu

ZIP Code 27713

Additional Comments:

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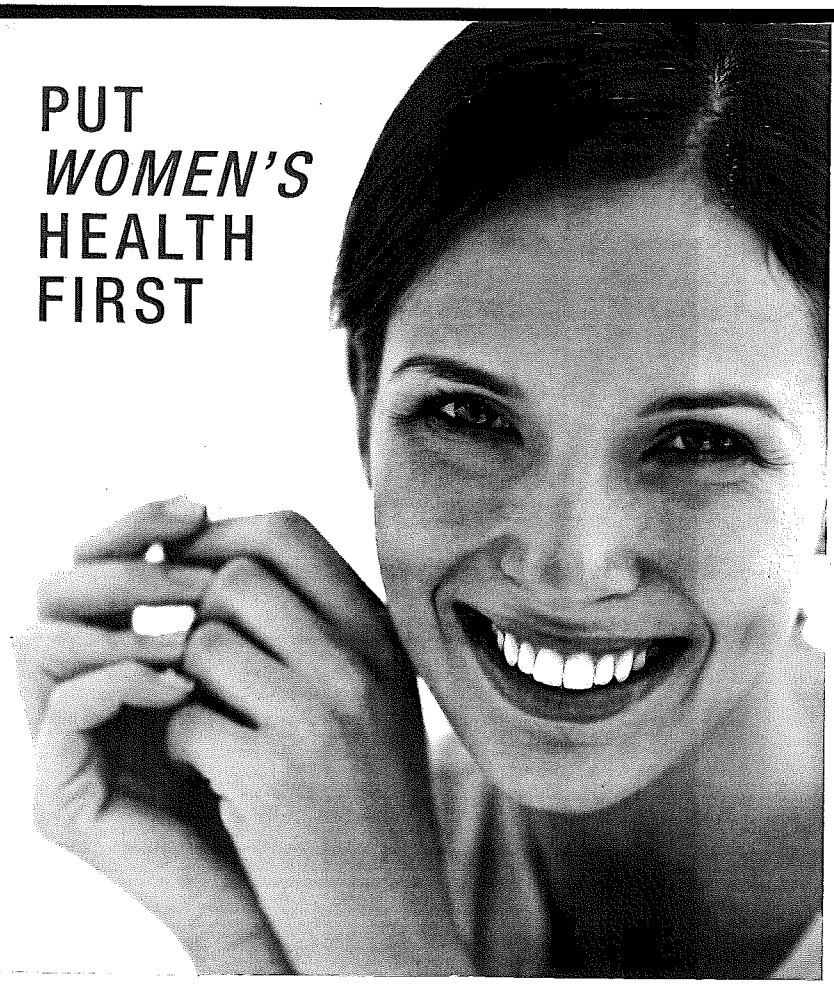

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Name Alexandra Hunt

E-mail address lxndrhunt@gmail.com

ZIP Code 27713

Additional Comments:

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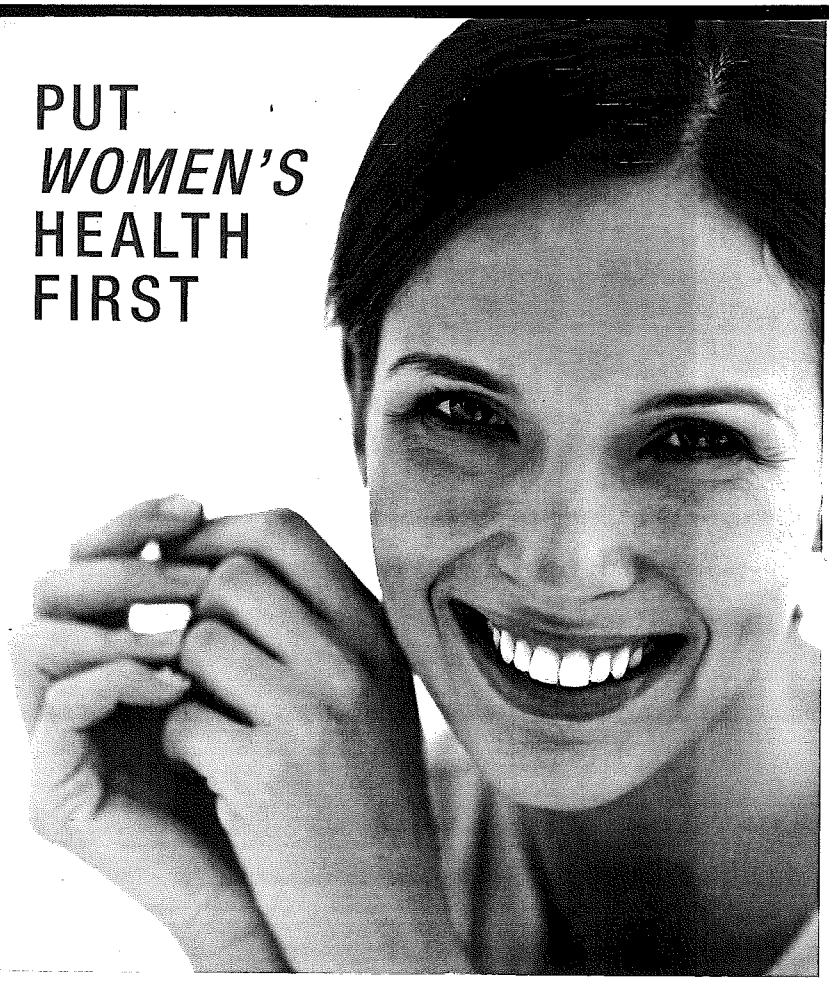

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Name Lillian Hunter

E-mail address lillyhunter1@gmail.com

ZIP Code 28270

Additional Comments:

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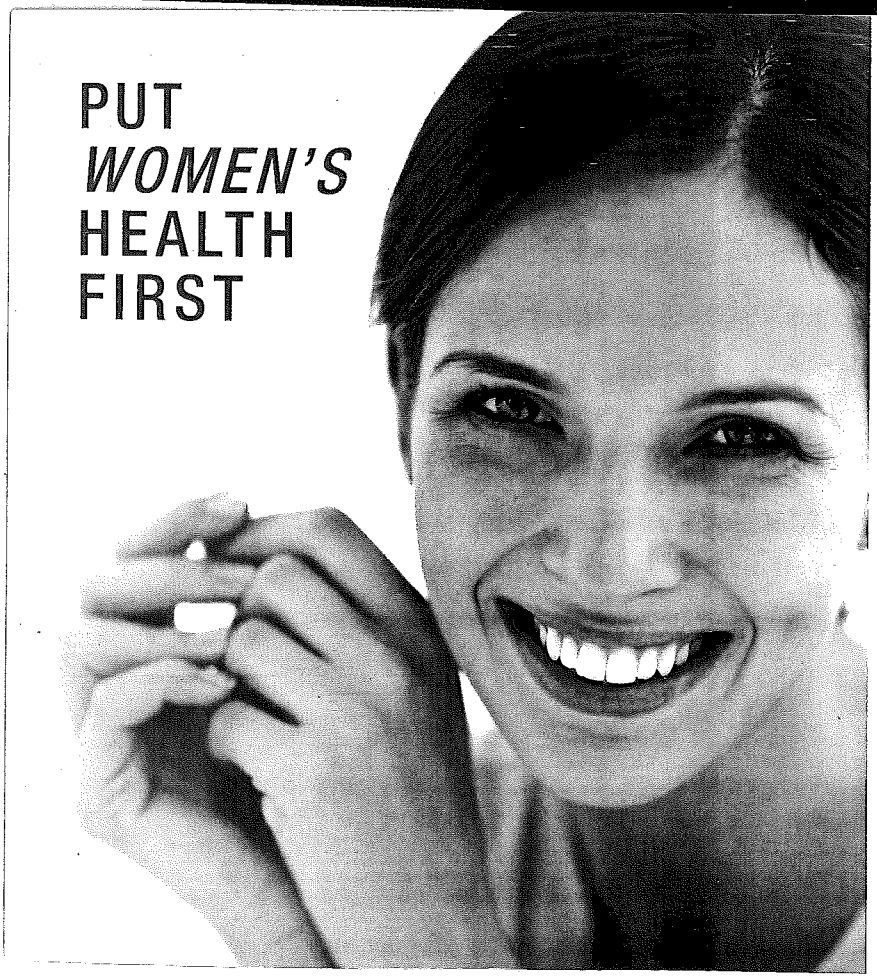

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Name Karen Hutcheson

E-mail address KKhutcheson@gmail.com

ZIP Code 27604

Additional Comments:

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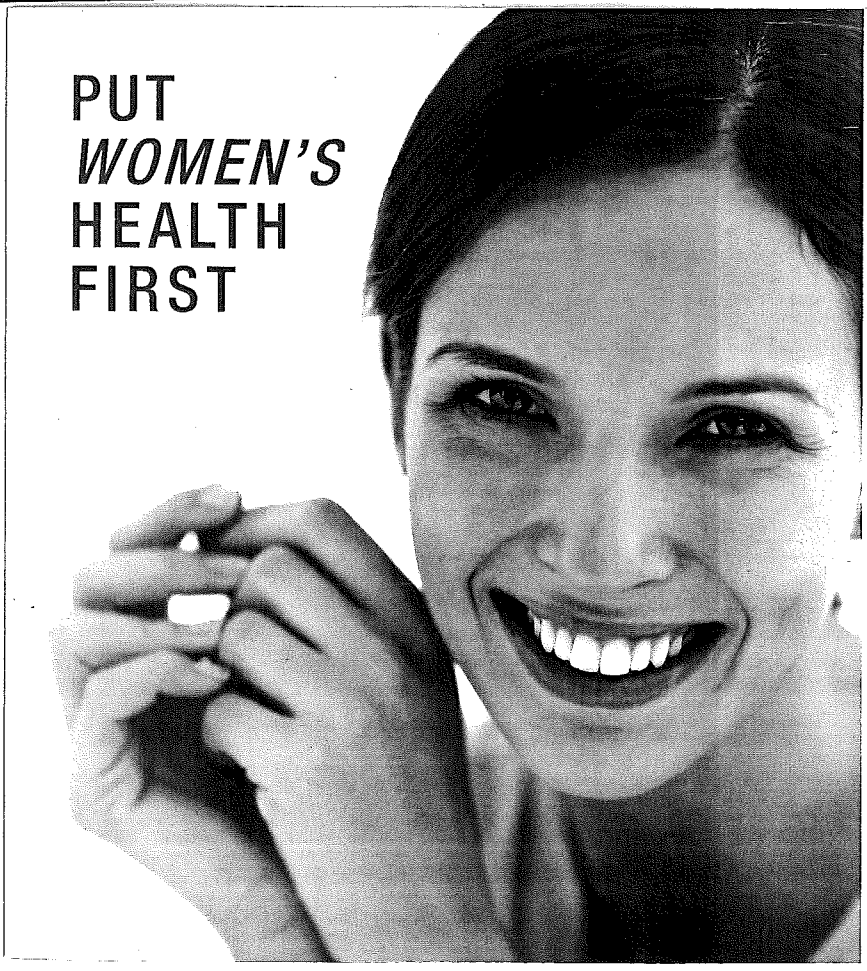

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Name Diane Hutchins

E-mail address dmh1211@aol.com

ZIP Code 28711

Additional Comments:

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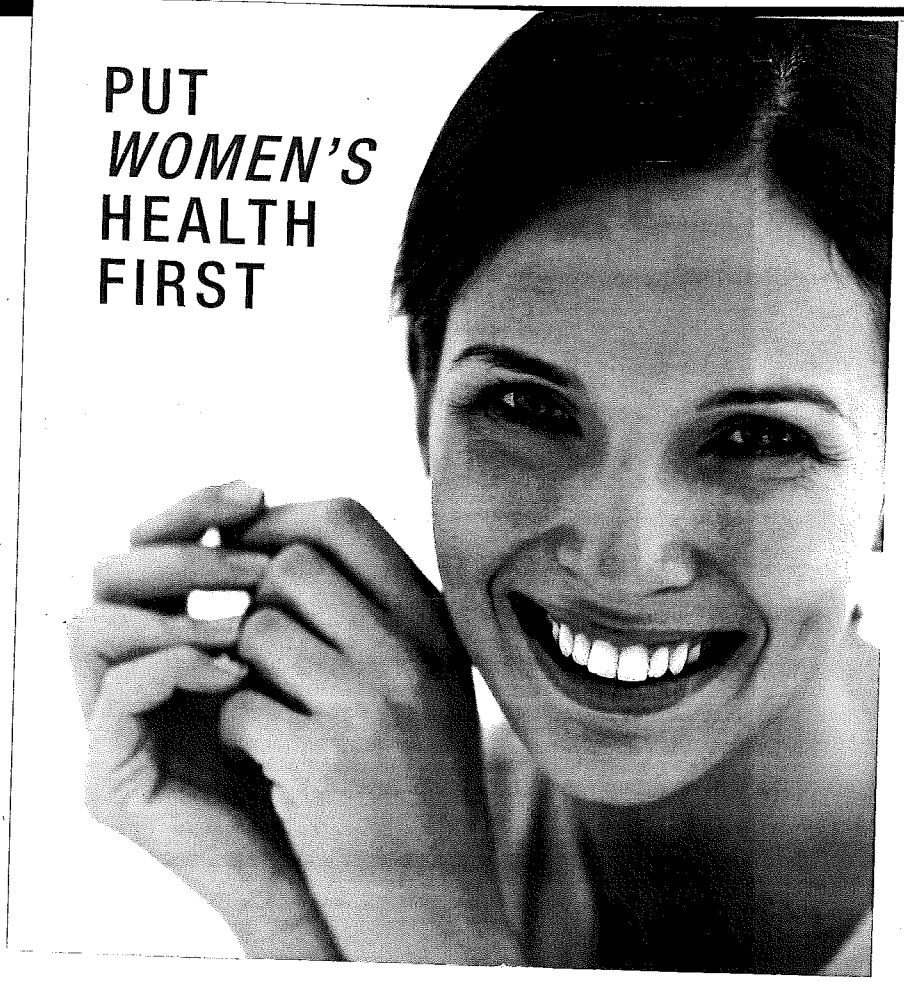

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FIRST NAME: G.

LAST NAME: Hutchins

EMAIL: kimberlywilson1984@yahoo.com

ZIP: 27587

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Mark Hutchinson

E-mail address aikimark1955@gmail.co

ZIP Code 27713

Additional Comments:

If you are a male, you have no say in such matters.

This isn't a theocracy, so legislate accordingly.

☐ Yes, I would like to receive updates from organizations supporting this comment:

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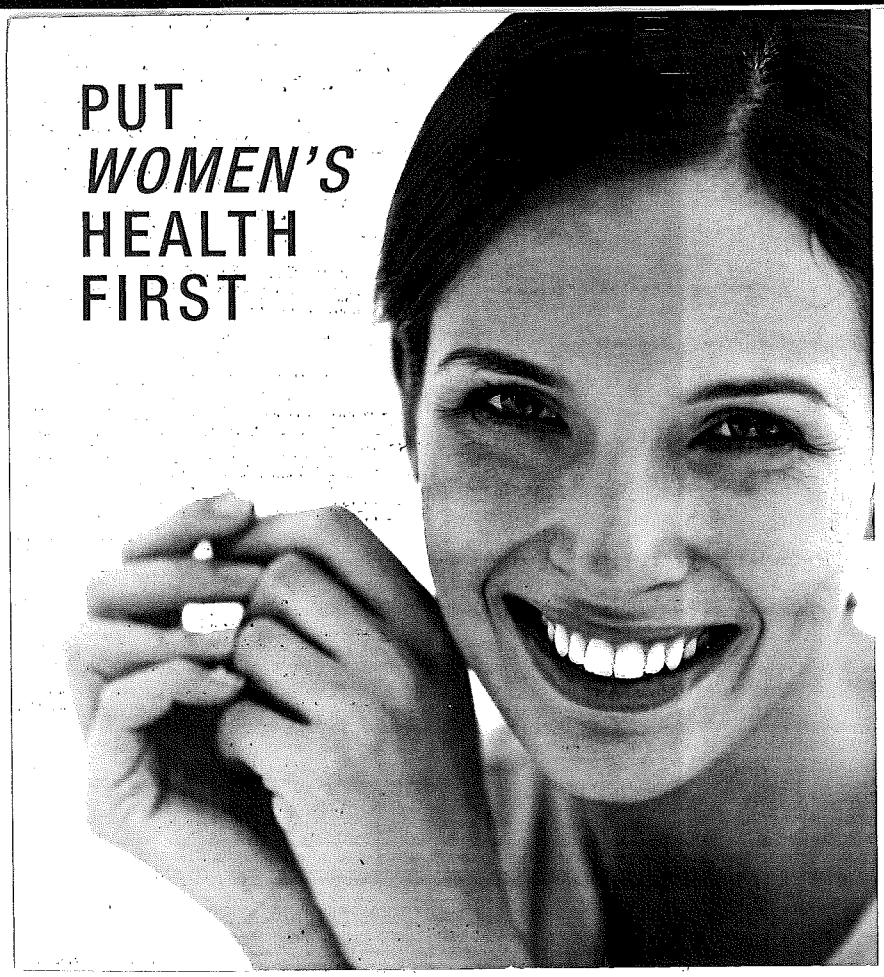

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Name Jessica Injejikian

E-mail address jinjejik@uncc.edu

ZIP Code 28073

Additional Comments:

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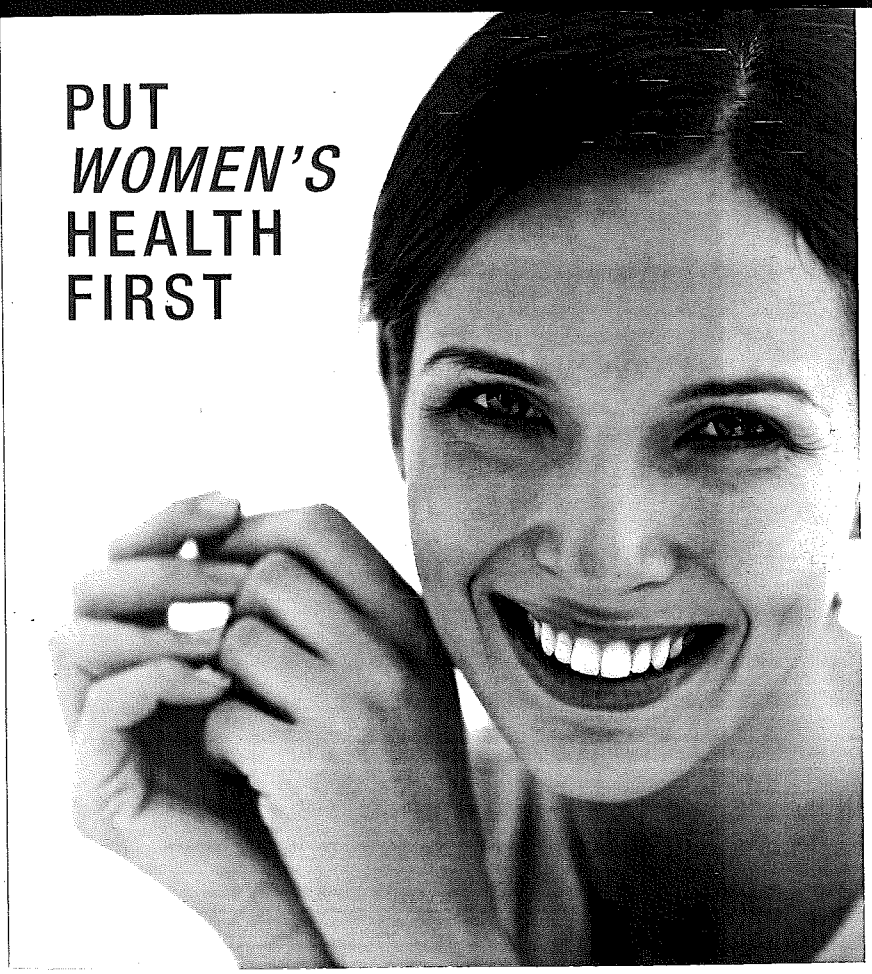

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FIRST NAME: Karen **LAST NAME:** Inglis

EMAIL: **ZIP:** 28806

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Martha **LAST NAME:** Isaacs

EMAIL: isaacsmartha@gmail.com **ZIP:** 27514

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Melony Ivers

E-mail address Taymeltobe@yahoo.com

ZIP Code 28804

Additional Comments:

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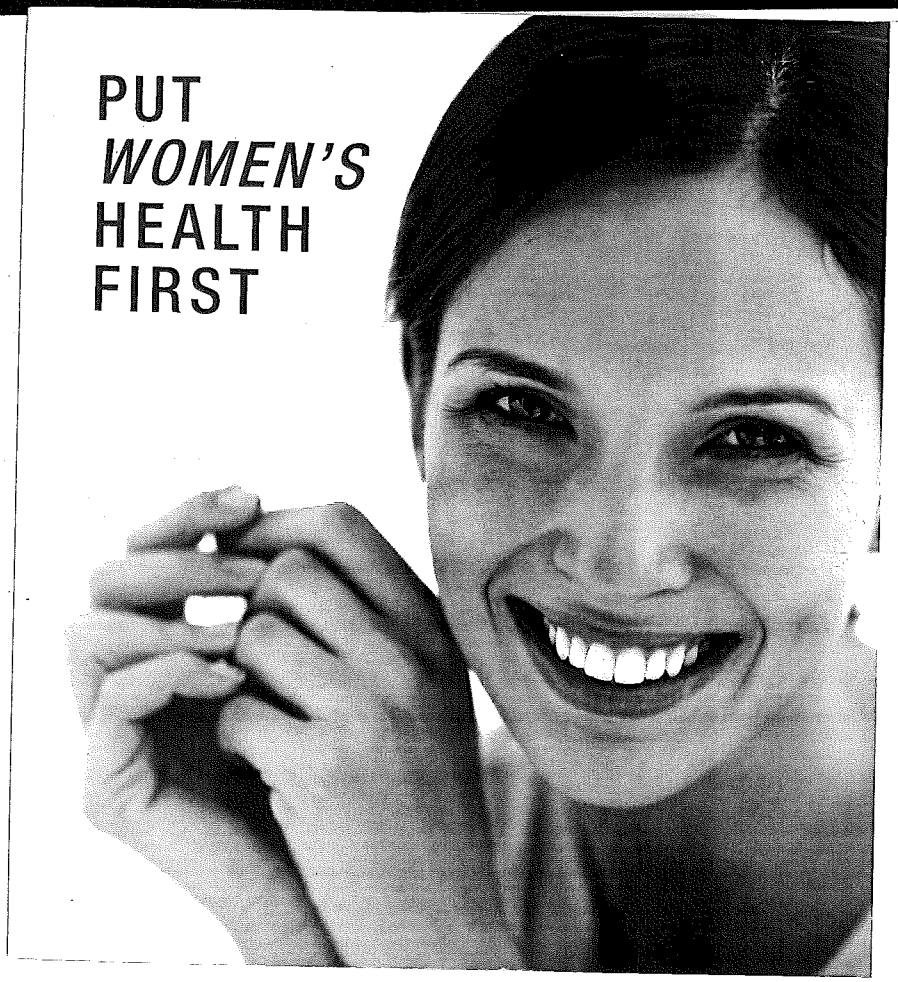

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FIRST NAME: **LAST NAME:**

EMAIL: **ZIP:**

jackeltz18@gmail.com 27713

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name J'n-Quil Jackson

E-mail address josephjjackson31@gmail.c

ZIP Code 27616

Additional Comments:

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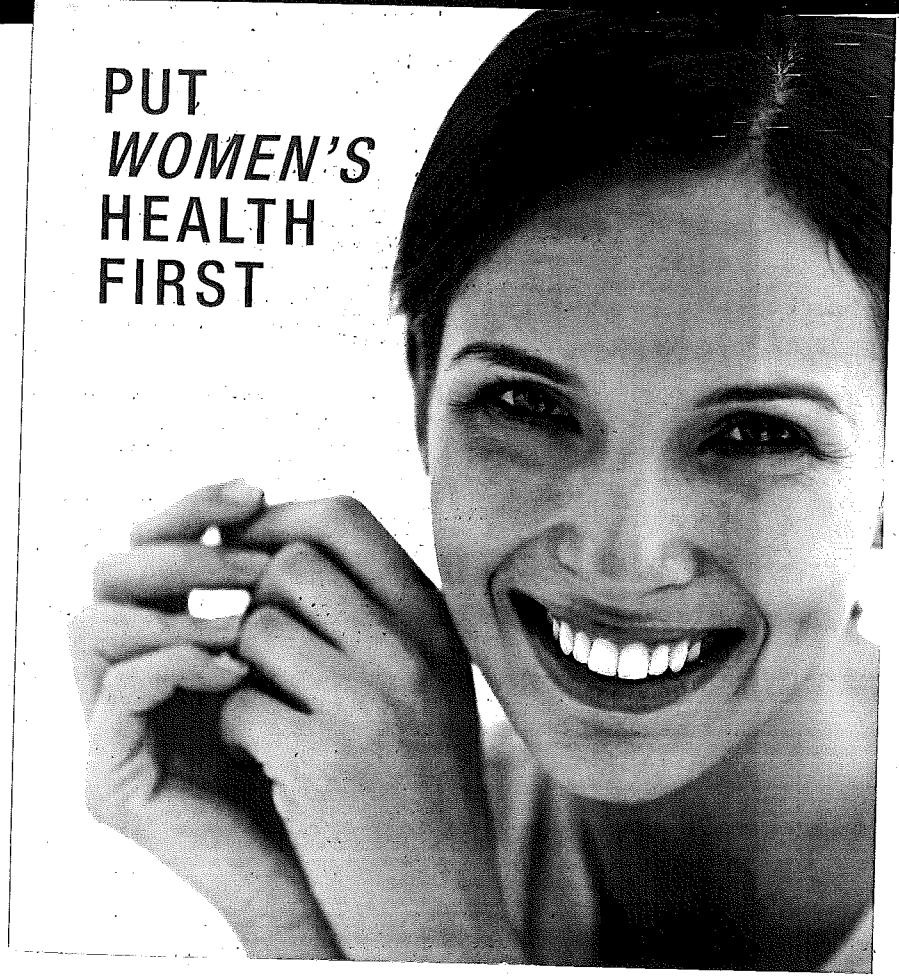

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Raleigh, NC 27603
p: 919.833.7534 f: 919.832.9061
www.ppsat.org

Planned Parenthood South Atlantic

January 28, 2015

Via Priority Mail and E-Mail

Nadine Pfeiffer
2701 Mail Service Center
Raleigh, NC 27699-2701

Re: Comments on Notice of Intent on Certifications of Clinics for Abortion, published in the December 1, 2014 North Carolina Registrar.

These comments are submitted by Planned Parenthood South Atlantic ("Planned Parenthood") in response to the Notice of Intent on Certifications of Clinics for Abortion, published in the December 1, 2014 North Carolina Register, Vol. 29, Issue 11 ("Proposed Rules"). Planned Parenthood operates nine health centers in the state of North Carolina, including three health centers that provide surgical and medication abortion services since as early as 1974.

The Proposed Rules were published in response to the enactment of Session Law 2013-366 s.4(c), Part IV, Amend Woman's Right to Know Act ("Woman's Right to Know Act"), which became effective on July 29, 2013, with the stated goal of "provid[ing] improvements in the care and safety of women who undergo abortion procedures." Proposed Rules, Reason for Proposed Action, North Carolina Registrar, Vol. 29, Issue 11 at 1290. The Woman's Right to Know Act itself stipulates that the Department should promulgate these rules without "unduly restricting access." Woman's Right to Know Act, Section 4(c). Accordingly, in order to promote better women's health and safety through broader access to essential abortion services, we strongly encourage the Department to revise the Proposed Rules as detailed below.

I. The Proposed Rules Are Inappropriate in the Context of Medication Abortion and Should Be Revised Accordingly.

The Proposed Rules are inappropriate in the context of health centers that only provide medication abortion and should be revised accordingly. In particular, the minimum standards for construction and equipment, 10A NCAC 14E .0201, the requirement that procedure rooms be used strictly for abortion procedures, 10A NCAC 14E .0311(a), the requirement of written

transfer agreements with hospitals, 10A NCAC 14E .0310(c), and the requirement that the patient be observed to ensure no post-operative complications are present, 10A NCAC 14E .0313(a), are medically inappropriate and serve no conceivable medical benefit to medication abortion patients. As such, they should be amended to exclude health centers that perform medication abortion and not surgical abortion.

In the first nine weeks, measured from the last menstrual period, abortions can be performed by either surgical or medical means. For a non-surgical medication abortion, the woman takes one medication at the health center and goes home. Twenty-four to forty-eight hours later she takes another medication, which causes the uterus to expel its contents and the abortion to be completed, away from the health center at a location of her choosing. Given that the woman is only taking an oral medication at the health center, many requirements that may be appropriate in the context of surgical abortion[1] are not appropriate in the context of medication abortion.

As is explained above, medication abortion is a method of ending an early pregnancy by taking pills that cause the woman to miscarry within a short and predictable period of time. It is commonly provided out of doctors' offices and clinics nationwide. Medication abortion is extremely safe and is associated with few complications or contraindications. For a medication abortion, the patient takes a mifepristone pill at the health center. That day, she is given misoprostol pills and instructed to take them herself twenty-four to forty-eight hours later. She then passes the products of conception at home or a place of her choosing, usually approximately four or five hours after she takes misoprostol. Medication abortion requires no anesthesia or sedation. There is nothing about the safety of mifepristone that requires it to be taken in a health center. Rather, it is taken in a health center or health professional's office so that the provider can confirm that the patient takes the mifepristone, and at what time, for purposes of monitoring the safety and efficacy of the process.

Moreover, adverse events following medication abortion are exceedingly rare and would not in fact occur at the health center itself. In a small percentage of cases (approximately two percent), women who have a medication abortion will elect to or need to have a surgical procedure to complete the abortion, but that procedure need not be performed immediately or at the same health center where she took the mifepristone. Many obstetrician-gynecologists routinely handle incomplete or missed abortions (miscarriages).

Therefore, several provisions in the Proposed Rules would be medically inappropriate or unnecessary in the context of a health center only providing medication abortion. This is particularly true in the case of the minimum standards for construction and equipment, which are

[1] Planned Parenthood reiterates its position that many of the provisions found in the Proposed Rules are inappropriate for surgical abortion providers as well.

intended for surgical facilities requiring a vastly different medical environment,[2] and for limitations on the use of procedure rooms for other services, as medication abortion does not, from a medical standpoint, require any specific physical space, equipment, or environment to provide the procedure. The provisions of the Proposed Rules that would require a written transfer agreement with a hospital, 10A NCAC 14E .0310(c), or that the patient be observed "to ensure that no immediate post-operative complications are present[,]" 10A NCAC 14E .0313(a), are also medically inappropriate and unnecessary as they would provide no medical benefit to the patient, even in the rare circumstances involving complications that require emergency attention as those complications would not occur in the health center.

Accordingly, the Proposed Rules are inappropriate in the context of health centers providing medication abortion and not surgical abortion and should be revised accordingly.

II. The Proposed Rules Should Define "Patient" to Resolve Ambiguity Concerning Applicability.

Section .0100 of the Proposed Rules should be amended to create a definition of "patient" that makes clear that the Proposed Rules are only applicable to patients seeking or receiving abortion procedures. Such a definition would eliminate confusion over whether certain obligations are triggered in the context of a patient at the health center for reasons unrelated to abortion and would better reflect the Department's exercise of authority as related to abortion services.

III. The Proposed Rules Fail to Adequately Protect Patient and Staff Privacy and Confidentiality.

Several requirements in the Proposed Rules pose privacy and confidentiality concerns. As a preliminary matter, the Proposed Rules appear to allow for both announced and unannounced inspections of health centers providing abortion. 10A NCAC 14E.0111(a) ("Any clinic certified by the Division to perform abortions shall be subject to inspections by authorized representatives of the Division annually and as it may deem necessary as a condition of holding such license."). These inspections also require that health centers allow for inspection and review "in any medium necessary" of patient medical records but do not articulate adequate protections for patients, patient privacy, or health center staff safety and privacy. 10A NCAC 14E.0111(d) ("Representatives of the Division may review any records in any medium necessary to determine compliance with the rules of this Subchapter, while maintaining the confidentiality of the complainant and the patient, unless otherwise required by law."). Finally, the Proposed Rules would require that the health center "allow the Division to have immediate access to its premises and the records necessary to conduct an inspection and determine compliance...." without limiting this access to the times during which the health center is staffed, thereby

[2] Again, it is the position of Planned Parenthood that many of the provisions found in the Proposed Rules are also inappropriate for surgical abortion providers.

requiring staff members to be on call at all hours to provide access to the health center to the Department. 10A NCAC 14E .0111(f).

All patients have an expectation of privacy in their medical records; this expectation is protected by both medical ethics[3] and the law.[4] In addition, confidentiality is extremely important to patients seeking reproductive health services. Patients are targeted for harassment outside of health centers, and there is a history of anti-abortion groups seeking patient information in order to deter women from obtaining abortion services.

These Proposed Rules should be revised to make explicit that Department representatives have access only to patient records that have been redacted of all information that could identify patients and health center staff. They should also be revised so as to make clear that the Department may not remove patient records from the premises and clarify that state employees may not interview current patients without their explicit permission. The Proposed Rules should further be amended to require that, before any plans of correction are made available to the public, to the extent they will be, that all individually identifiable information shall be redacted, including that of clinic staff, and the health center shall be given the opportunity to review the document in advance of its disclosure to ensure that patient and health center confidentiality is adequately protected. Finally, the Proposed Rules should be amended so that inspections are limited to the health centers normal hours of operation when staff members are scheduled to be present at the health center.

IV. The Minimum Standards for Construction and Equipment Should Only Apply to Those Facilities Certified After the Final Effective Date of the Regulations.

The Proposed Rules state that the Minimum Standards for Construction and Equipment, 10A NCAC 14E .0200, only "apply to new clinics and to any alterations, repairs, rehabilitation work, or additions which are made to a previously certified facility." The Proposed Rules define "new clinic" as "one that is not certified as an abortion clinic by the Division as of July 1, 2014, and has not been certified within the previous six months of application for certification." 10A NCAC 14E.0101(8). While we are encouraged to see that the Department has allowed for certain existing facilities to be grandfathered into the new construction requirements, as is typically the case when new construction standards are introduced for medical facilities,[5] the way

[3] *See* AMA, Code of Medical Ethics, Opinion 5.05 Confidentiality (2010), available at http://www.ama-assn.org/ama/pub/physician-resources/medical-ethics/code-medical-ethics/opinion505.page?.

[4] *See* HIPAA, 42 U.S.C. §§1320d et seq. In addition, this particular issue of state health department access to patient records has come up in at least one other state, when Arizona regulations were drafted to give the Arizona Department of Health broad access to patient records. The federal U.S. Court of Appeals for the Ninth Circuit struck down that regulation, holding that "giving [the state department of health] unbounded access to unredacted patient records violates the informational privacy rights of patients." *Tucson Woman's Clinic v. Eden*, 379 F.3d 531, 553 (9th Cir. 2004).

[5] *See e.g.*, 10A N.C. Admin. Code 13B.6103 (hospitals); 10 A N.C. Admin. Code 13C.1410 (ambulatory surgical facilities).

in which "new clinic" has been defined leaves facilities who have recently sought or will soon seek certification with a great deal of uncertainty and, potentially, a great deal of expense.

By defining "new clinic" as "one that is not certified as an abortion clinic by the Division as of July 1, 2014, and has not been certified within the previous six months of application for certification[,]" the Proposed Rules make it so that any facility that was not licensed by that date, even if it has completed construction but not the licensing process, may not license without undergoing what would likely be costly renovations to comply with standards that have not yet been formally adopted. The Proposed Rules should be amended to extend grandfathering to any facility that has been certified prior to the final formal adoption of regulations for abortion-providing health centers.

V. The Proposed Rules Should Be Revised to Eliminate the Requirement for a Transfer Agreement with a Hospital.

Planned Parenthood appreciates that by creating a limited exception to the requirement, the Department has recognized that it is not medically necessary for an abortion provider to obtain a written transfer agreement in order to operate a safe facility. 10A NCAC 14E .0310(c).

Abortion is an extremely safe procedure with a mortality rate far below that of other common procedures such as colonoscopies or tubal ligations.[6] The complication rate for abortion is also extremely low, with major complications occurring in only 0.23% of cases. In fact, the overall complication rate of 2.1% is much lower than that of childbirth.[7] Indeed, the vast majority of complications that do occur can be treated at the health center without hospital treatment required.

What is more, the Proposed Rules already require that a health center providing abortion have a written plan for the transfer of emergency cases from the clinic to a nearby hospital in the event that hospital treatment became necessary.[8] *See* 10A NCAC 14E .0310(a). This requirement reflects widely accepted medical standards and is more than sufficient to ensure that patients experiencing complications that require treatment at a local hospital receive the care they need in a timely fashion.[9]

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[6] The mortality rate for abortion is just 0.6 per 100,000, Elizabeth Raymond and David Grimes, *The Comparative Safety of Legal Induced Abortion and Childbirth in the United States.* 119 Obstet. Gynecol. 215, 215 (2012); compared with a rate of 34 per 100,000 for colonoscopy, CW Ko et al., *Complications of Colonoscopy: Magnitude and Management.* 20 Gastrointest. Endosc. Clin. N. Am. 659-71 (2010); 4.72 per 100,000 for tubal ligation, GL Smith, *Comparative Risks and Costs of Male and Female Sterilization.* 75 Am J Public Health 370, 372 (1985).

[7] Ushma D. Upadhyay et al., *Incidence of Emergency Department Visits and Complications After Abortion*, 125 Obstet. Gynecol. 175, 181 (2015).

[8] Planned Parenthood's Medical Standards and Guidelines also require its health centers to have written transfer protocols.

[9] Additionally, federal law requires, through the Emergency Medical Treatment & Labor Act, that hospitals in North Carolina treat and stabilize all emergency patients unless transfer to another facility is otherwise indicated. 42 U.S.C. § 1395dd(b) (commonly referred to as EMTALA).

As such, while Planned Parenthood appreciates that by creating a limited exception to the requirement, the Department has recognized that it is not medically necessary for an abortion provider to obtain a written transfer agreement in order to operate a safe facility, we nevertheless encourage the Department to strike the requirement altogether.

VI. The Proposed Rules Should Be Amended to Eliminate the Requirement that Procedure Rooms Be Maintained Exclusively for Abortion Procedures.

The Proposed Rules should be amended to allow for procedure rooms to be used for procedures other than abortion. 10A NCAC 14E .0311(a) ("The procedure room shall be maintained exclusively for abortion procedures and shall be so designed and maintained to provide an atmosphere free of contamination by pathogenic organisms.") Currently, many abortion providing health centers use procedure rooms for a variety of services, some surgical and some not. These services can include cervical cancer screenings, Well-Woman exams, and colposcopies. Restricting the procedure rooms to abortion services would do nothing to improve patient health or safety and would likely require health centers to add, most likely at significant expense, another procedure or examination room so as to allow for the other services to be provided in those alternative spaces. As such, the Proposed Rules should be amended to remove this restriction on the use of procedure rooms or, at the very least, amended so as to only apply to those health centers otherwise required to comply with the minimum standards for construction and equipment in Section .0200. *See* 10A NCAC 14E .0201(b).

VII. The Proposed Rules Should Be Amended to Require Hospital Transfer Only Where Medically Indicated.

The Proposed Rules should be amended so as to require that a patient be transferred to a hospital only where medically indicated. As currently written, the Proposed Rules would require "[a]ny patient having an adverse condition or complication known or suspected to have occurred during or after the performance of an abortion" to be transferred to a hospital. *See* 10A NCAC 14E .0313(b). First, as written, this requirement denies the clinician his or her ability to determine whether such a transfer is medically appropriate in his or her professional judgment, instead replacing it with the judgment of the Department. Second, as written, this provision would require many patients experiencing minor complications[10] to be treated at a hospital where they would incur significant and unnecessary medical expense. The Proposed Rules should be amended to restore clinician discretion and eliminate the unnecessary hospital treatment where it is not medically indicated.

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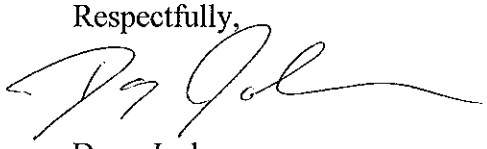
[10] Section .0100 of the Proposed Rules defines "complication" as including but not being limited to "hemorrhage, infection, uterine perforation, cervical laceration, or retained products of conception." 10A NCAC 14E .0101(3). As defined in the Proposed Rules, minor infections that could potentially be treated using antibiotics or other low intervention treatments that would not require hospitalization. Similarly, retained products of conception are typically treated by re-aspiration, in the case of a surgical abortion, or by additional medication or aspiration, in the case of a medication abortion. Only in extremely limited circumstances would retained products of conception require hospital treatment.

*****

In conclusion, Planned Parenthood urges the Department to: (1) make amendments to sections inappropriate in the context of medication abortion; (2) define "patient" as a patient seeking or receiving abortion services; (3) make revisions to adequately protect patient and staff privacy and confidentiality; (4) make the minimum standards for construction and equipment only applicable to those facilities certified after the final effective date of the regulations; (5) eliminate the requirement for a transfer agreement with a hospital; (6) eliminate the requirement that procedure rooms be maintained exclusively for abortion procedures; and (7) only require hospital transfer where medically indicated.

Respectfully,



Doug Jackson

Interim President and CEO

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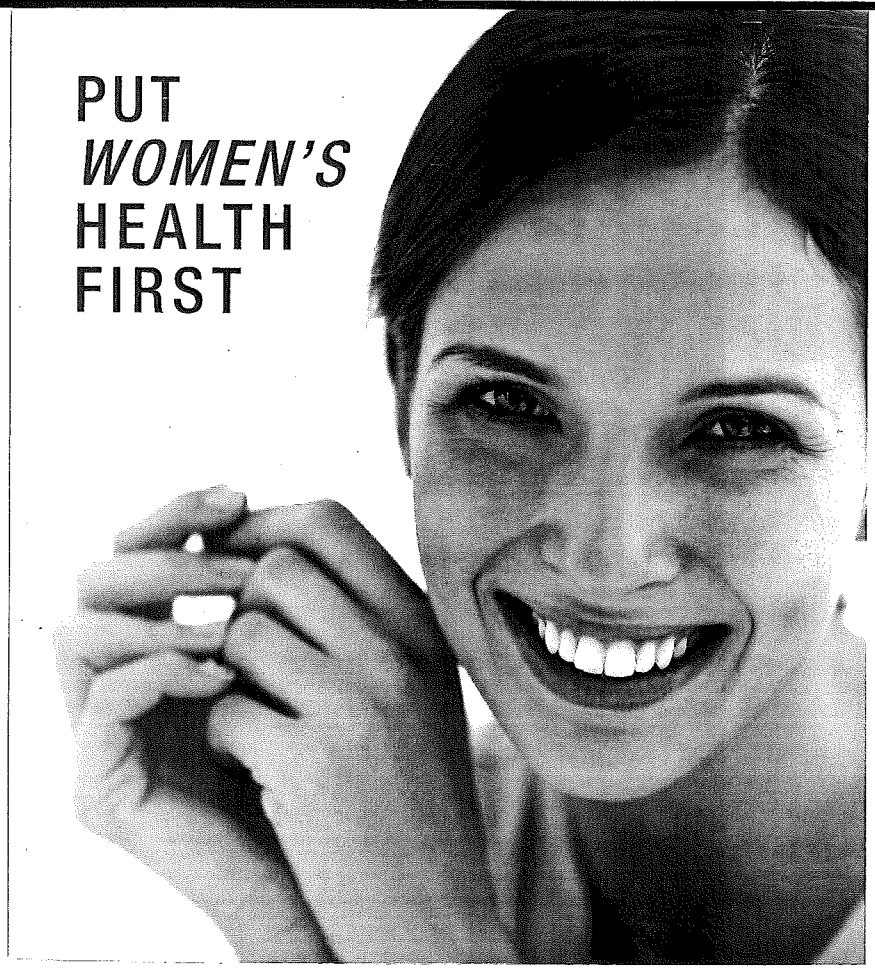

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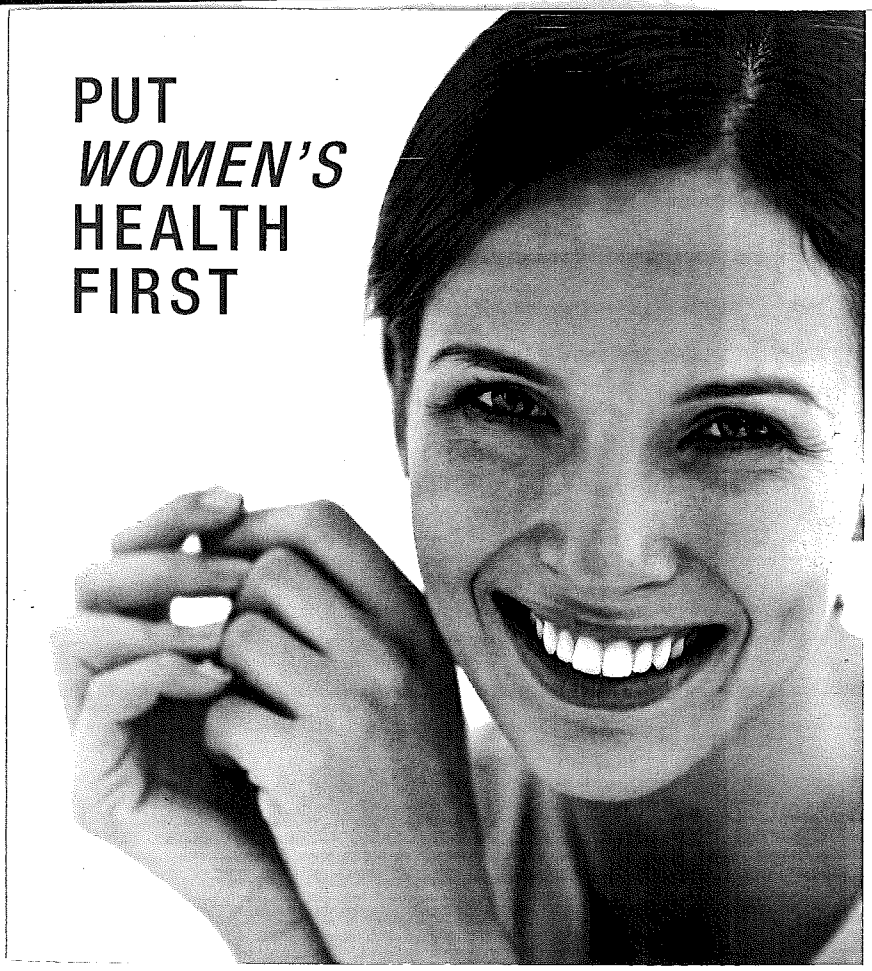

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FIRST NAME: Evelyn **LAST NAME:** Johnson

EMAIL: jevelynlewis@gol.com **ZIP:** 27612

Optional Comment field:

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Thomas **LAST NAME:** Johnson

EMAIL: sommerfeg1@gmail.com **ZIP:** 27605

Optional Comment field:

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FIRST NAME: Rebecca

LAST NAME: Johnson

EMAIL: rebeccaallison75@yahoo.com

ZIP: 27603

Optional Comment field:

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FIRST NAME: Michelle **LAST NAME:** Johnson

EMAIL: johnson0605@ychoo.com **ZIP:** 28304

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Tucker Jones

E-mail address tuckerbjones@gmail.a

ZIP Code 27517

Additional Comments:

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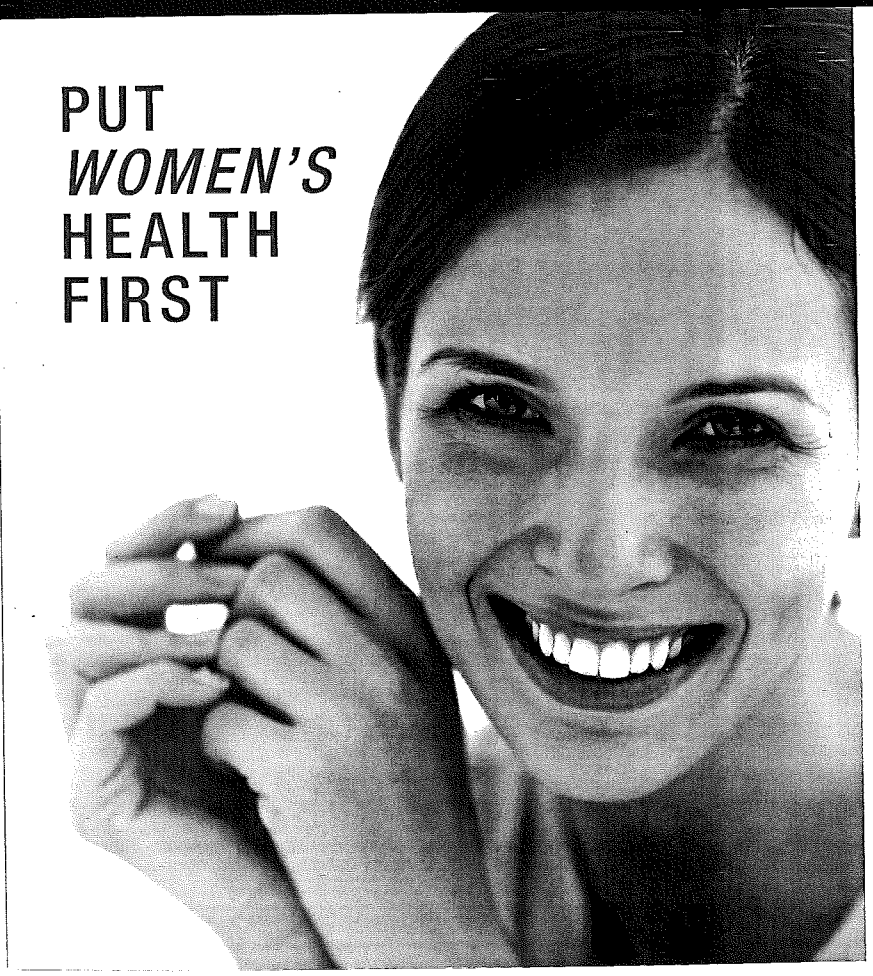

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Nadine Pfeiffer
Division of Health Service Regulation
2701 Mail Service Center
Raleigh, NC 27699-2701

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Name James Jones

E-mail address mrjones8022@yahoo.com

ZIP Code 28314

Additional Comments:

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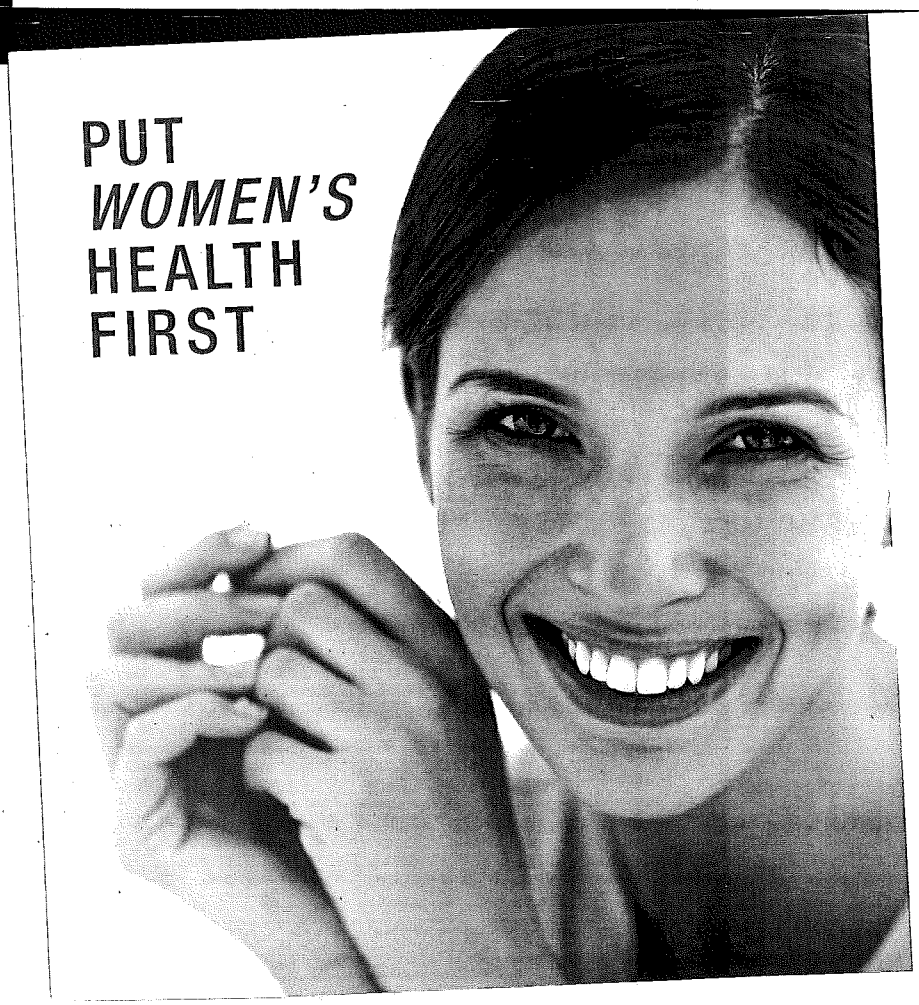

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FIRST NAME: Elisabeth

LAST NAME: Jones

EMAIL: Elisabethjones@gmail.com

ZIP: 27546

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Brian Joseph

E-mail address bjoseph@unc.edu

ZIP Code 28804

Additional Comments:

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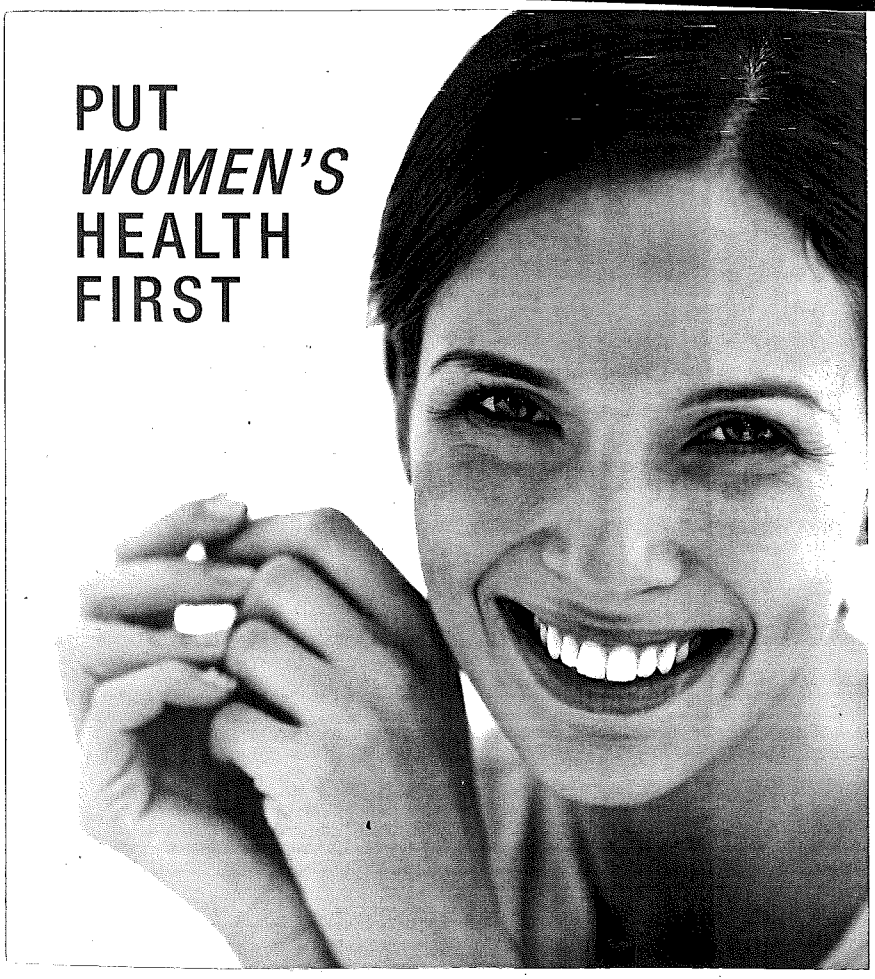

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Name Lily Joyal

E-mail address ljoyal@uncg.edu

ZIP Code 28304

Additional Comments:

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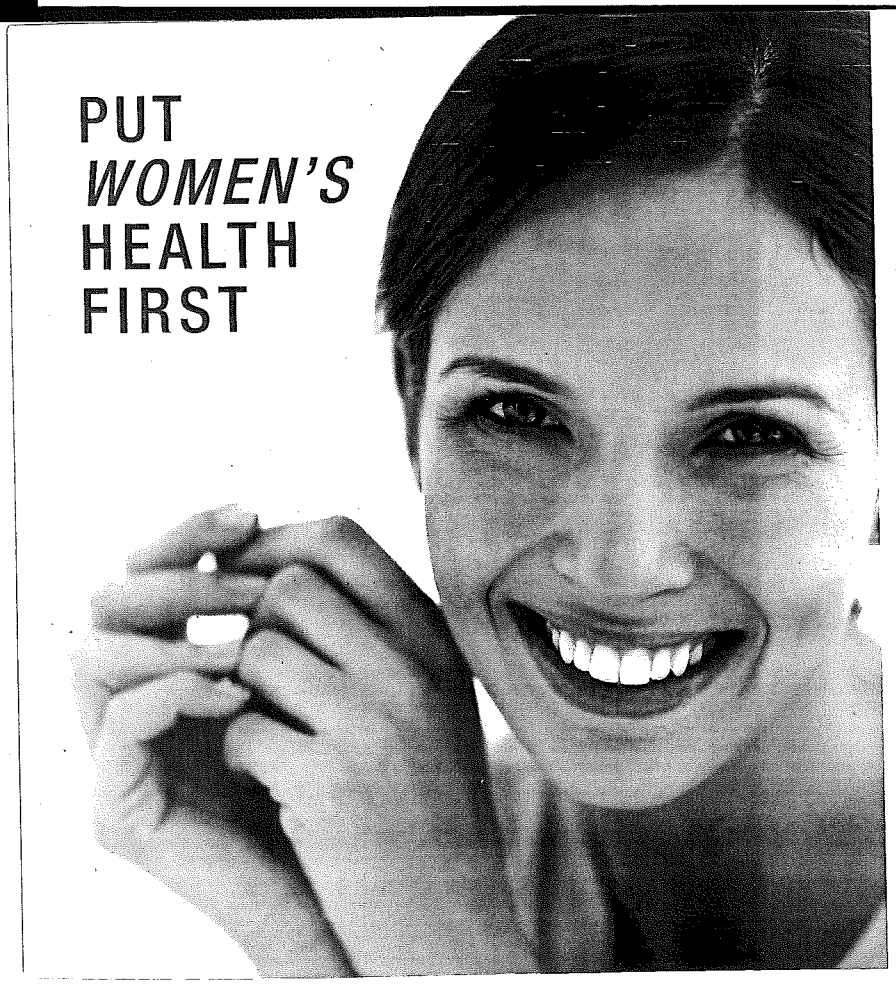

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FIRST NAME: Jesse **LAST NAME:** Jus

EMAIL: paige.n.jess@gmail.com **ZIP:** 27604

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name JASON Justice

E-mail address jason.justice@yahoo.com

ZIP Code 27604

Additional Comments:
Vaginas should not be confused with motorcycles, nor should they be legislated along with them.

☐ Yes, I would like to receive updates from organizations supporting this comment:

NARAL Pro-Choice North Carolina Foundation

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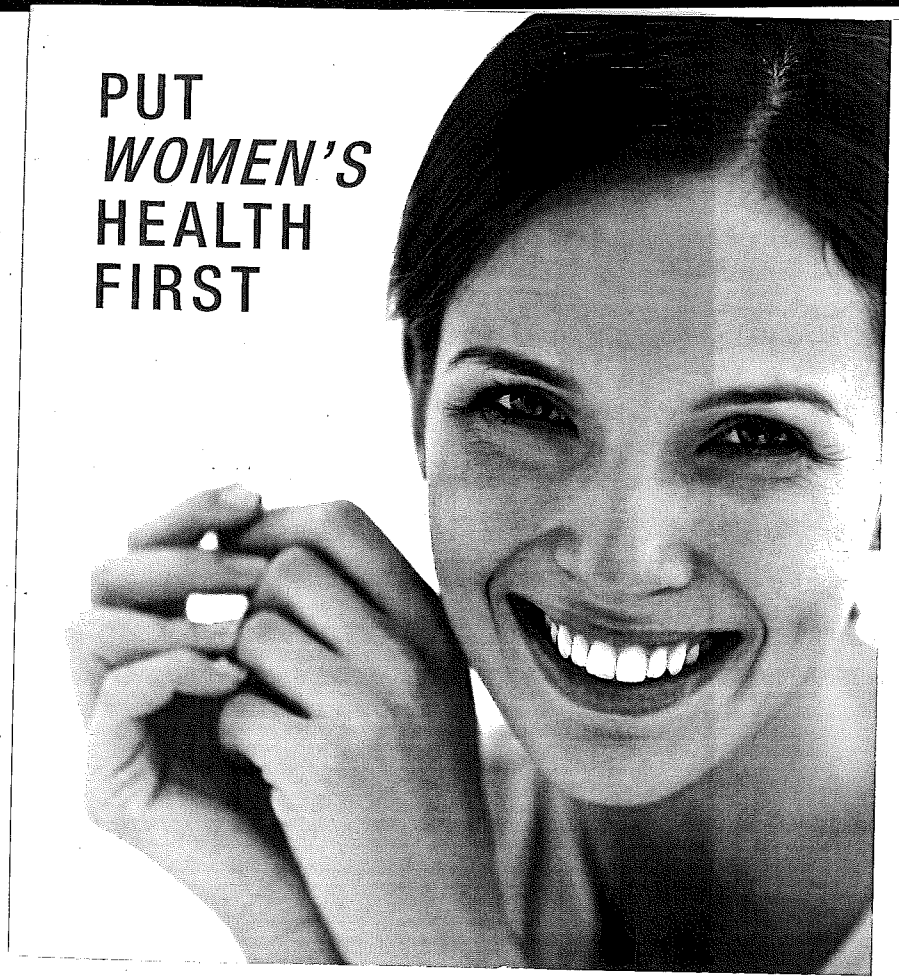

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Name Sarah Kanarski

E-mail address skanarski@gmail.com

ZIP Code 27713

Additional Comments:

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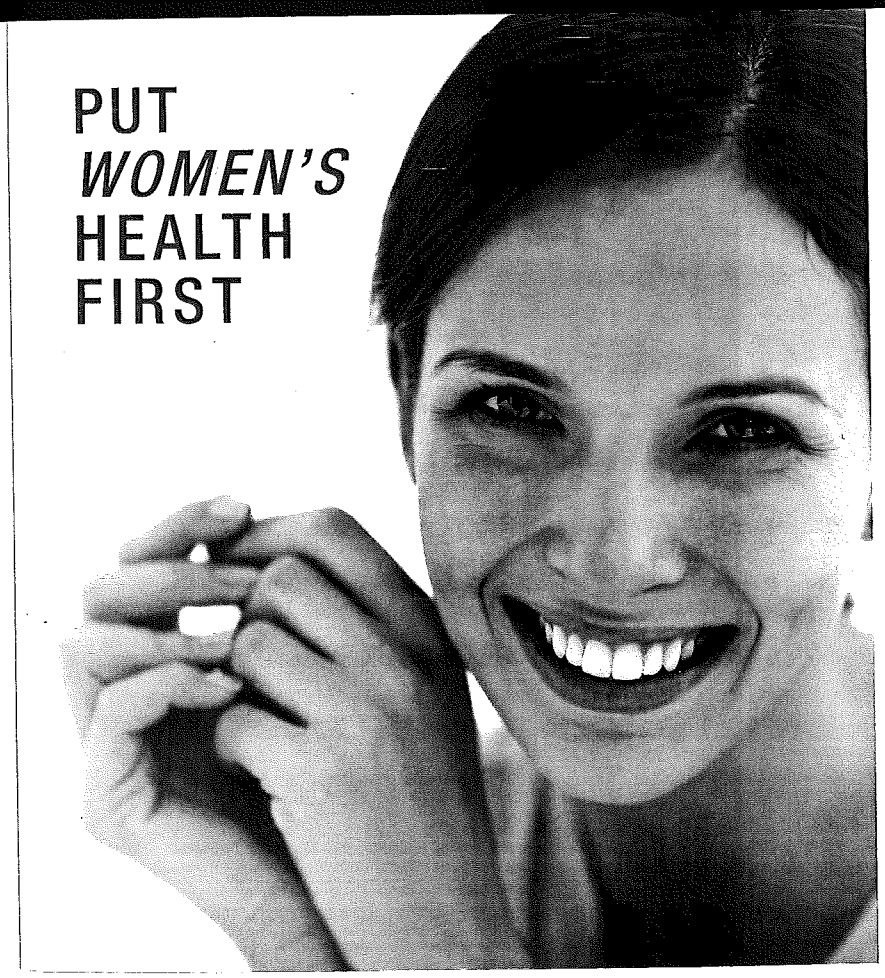

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Name Emily Kaplan

E-mail address egg1k97@gmail.com

ZIP Code 27516

Additional Comments:

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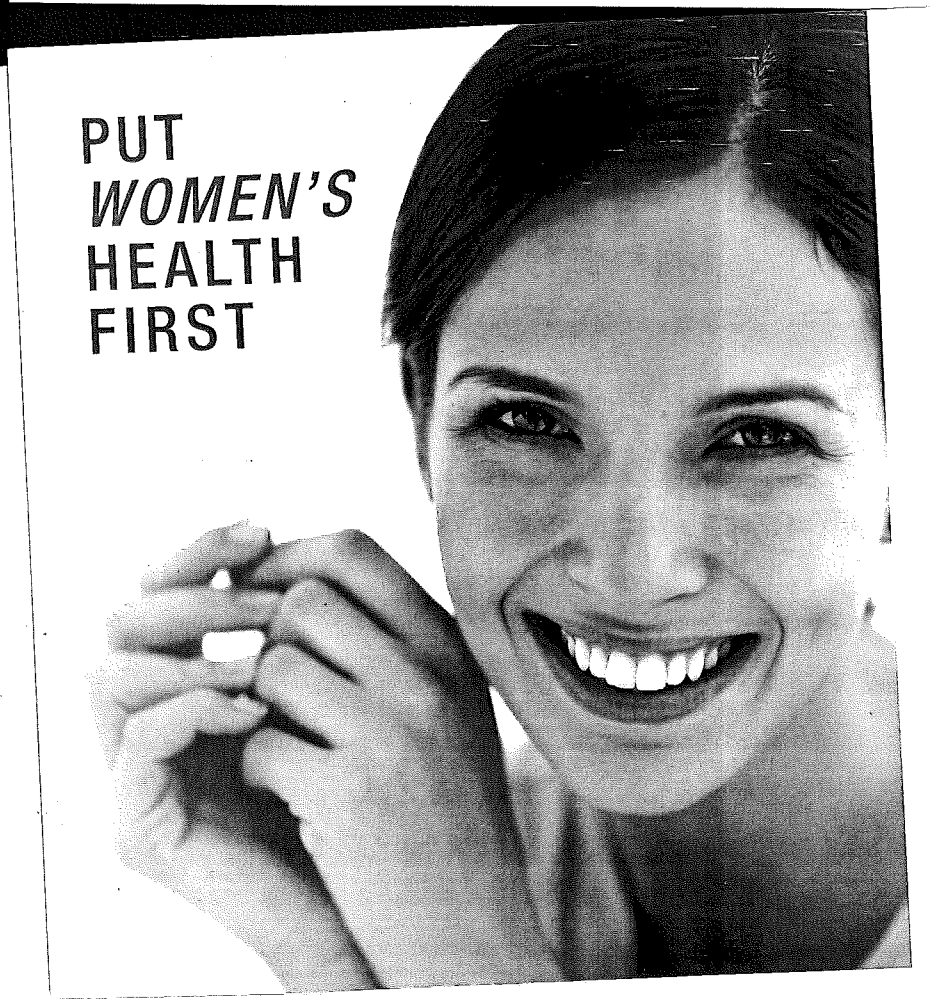

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FIRST NAME: Josie

LAST NAME: Karout

EMAIL: jkarout@gmail.com

ZIP: 28215

Optional Comment field:

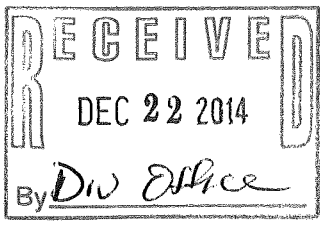
☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

Katherine Karr

1109 Barkley Road

Charlotte, NC 28209



December 16, 2014

Nadine Pfeiffer

Division of Health Services Regulation

2701 Mail Service Center

Raleigh, NC 27699-2701

Dear Ms. Pfeiffer.

I am writing to you in reference to the proposed rules for North Carolina's abortion clinics. There are some changes for the better, namely, rules about having mandatory annual inspections, emergency transport agreements and stricter codes for record-keeping.

However, I find it of much concern that women are now to be released from clinics (after having had an abortion) as soon as bleeding is "controlled", they are able to walk and have a stable pulse. There will be no minimum wait time required, not even an hour. Why?

Also, it will not be mandated that doctors carefully inspect fetal remains to ensure that all "products of conception" have been removed. Incomplete abortions can cause problems to a woman's health.

I do not understand why these things, which would help provide safety to the patients involved, are being neglected.

The primary victim in an abortion is the baby. However, the mother of an aborted baby is a victim, as well, and putting her physical health in jeopardy is also an injustice.

Sincerely,

Katherine Karr

TAKE ACTION!

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Name Quran Karriem

E-mail address qmkarriem@gmail.com

ZIP Code 27516

Additional Comments:

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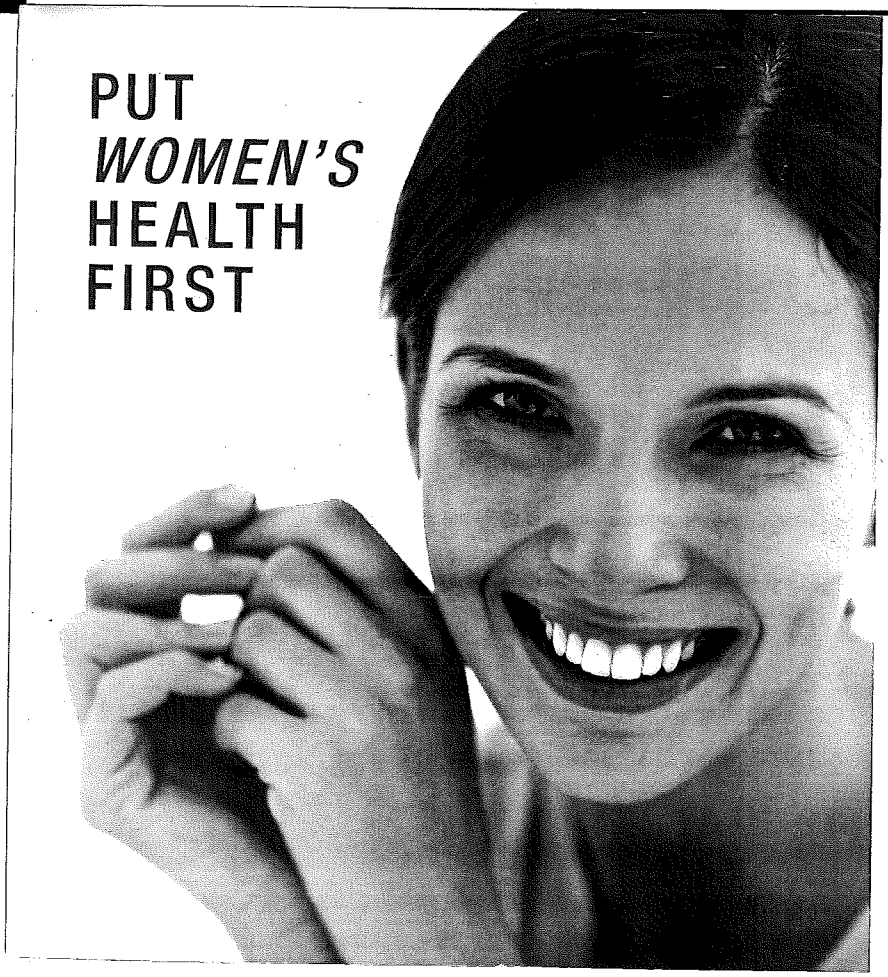

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Nadine Pfeiffer
Division of Health Service Regulation
2701 Mail Service Center
Raleigh, NC 27699-2701

December 2, 2014

ATTN: Nadine Pfeiffer

Dear Committee Member regarding new abortion clinic proposals,

First, I would like to come and speak on this. Do I need to sign up to be allowed to speak?

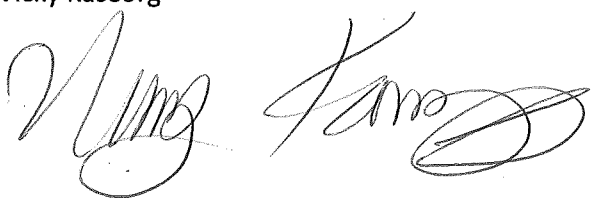
I am appalled by the proposed rules for abortion clinics, particularly the following:

But under the new rules, which are set to go into effect April 1, 2015, three significant rules governing post-operative care have been removed.
Women are no longer required to stay at the abortion clinic at least one hour after their abortions to make sure no complications arise, like uncontrolled bleeding. Women just have to be able to walk and they have to have a stable pulse, and whatever bleeding and pain they do experience just has to be "controlled."
Second, the abortion doctor or a nurse is no longer required to accompany a woman in the ambulance to the emergency room following a botched abortion.
Third, abortion doctors are no longer required to do a detailed examination of the aborted fetus' remains, to make sure all "products of conception" have been removed from the woman's uterus. Incomplete abortions can cause septic shock, leading to death in rare cases.
There are no penalties for violations.

This is horrific ignorance of the medical safety of these women, and even more disgusting to me is that a person who had significant input into these proposals is the director of Preferred Women's Health Clinic on Latrobe Ave in Charlotte which has been closed twice for violations. Why would someone with such disregard for the safety of women be part of a committee making the rules?
I heartily object and want my concerns read and known to the committee.

Sincerely,

Vicky Kaseorg



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MEDICAL FACILITIES PLANNING BRANCH

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FIRST NAME: Bonnie, ~~Keaton~~

LAST NAME: Keaton

EMAIL: manchurmInd@yahoo.com

ZIP: 28212

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

TAKE ACTION!

Tell the Department of Health & Human Services: Put Women's Health First

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Name Alicia Keen

E-mail address Keen.01@hotmail.com

ZIP Code 28803

Additional Comments:

☐ Yes, I would like to receive updates from organizations supporting this comment:

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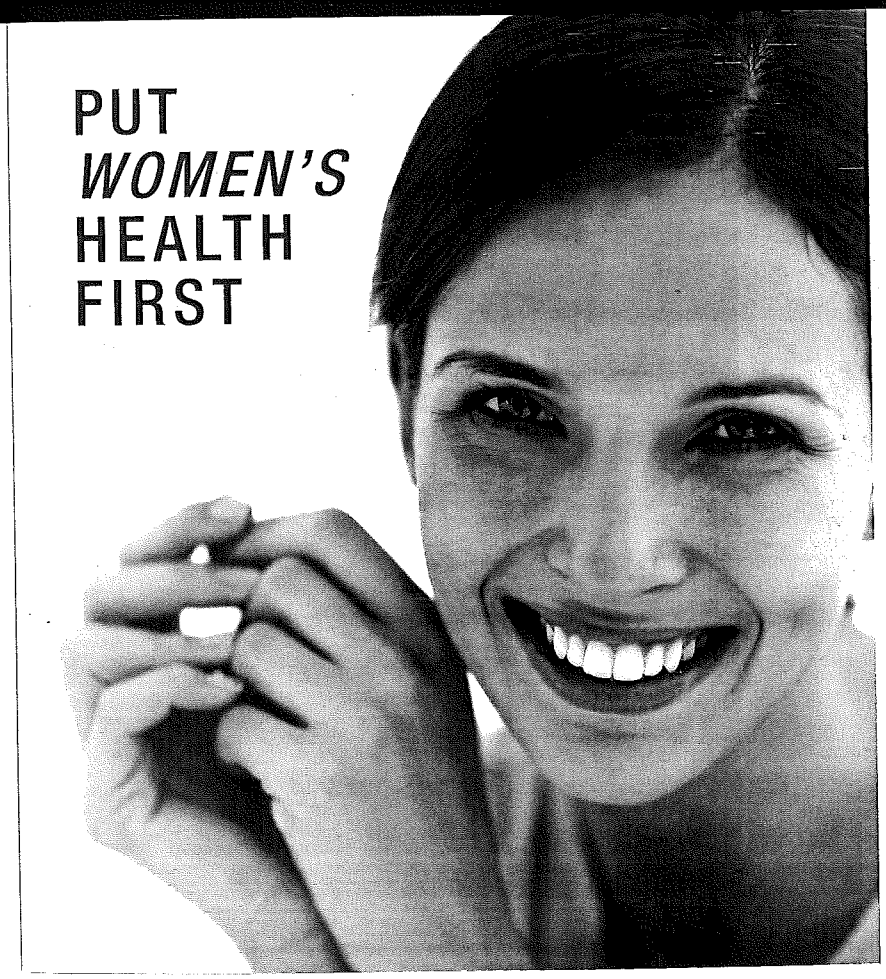

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Nadine Pfeiffer
Division of Health Service Regulation
2701 Mail Service Center
Raleigh, NC 27699-2701

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Name Pia Kelley

E-mail address pakelley@charter.net

ZIP Code 28804

Additional Comments:

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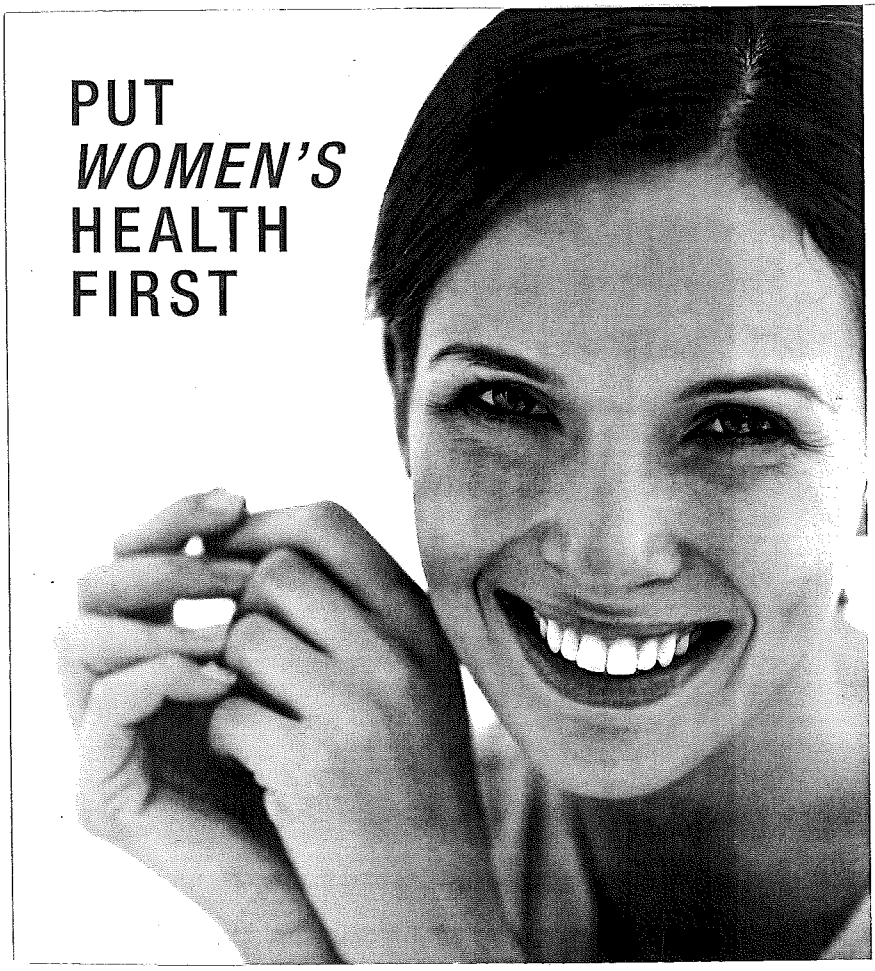

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Name Jessica Kelley

E-mail address msjcskelley@gmail

ZIP Code 27243

Additional Comments:

♡

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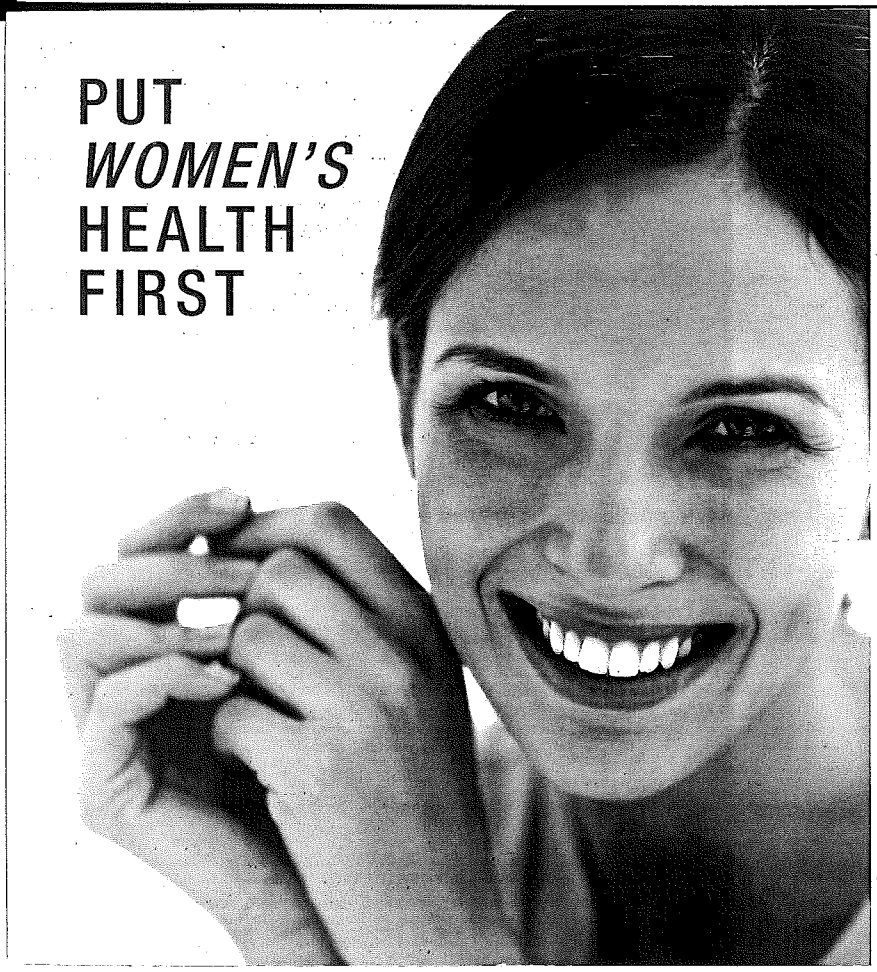

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FIRST NAME: Kait **LAST NAME:** Kelsey

EMAIL: Kaitkelsey55@gmail.com **ZIP:** 28806

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Tracy **LAST NAME:** Kemp

EMAIL: kemptrac@email.mercath.edu **ZIP:** 27539

Optional Comment field:

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Name Brenda Kennell

E-mail address brenda.kennell@gmail.com

ZIP Code 28226

Additional Comments:

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Name Sam Kepple

E-mail address skepple@uncg.edu

ZIP Code 27601

Additional Comments:

It's our bodies, yo.

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FIRST NAME: Annabeth

LAST NAME: Kern Hardcastle

EMAIL: lannabeth@gmail.com

ZIP: 28801

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Sheila Kerrigan

E-mail address kerrigan@mindspring.com

ZIP Code 27516

Additional Comments:

Sheila Kerrigan

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Name Jordyn Key

E-mail address

ZIP Code 28638

Additional Comments:

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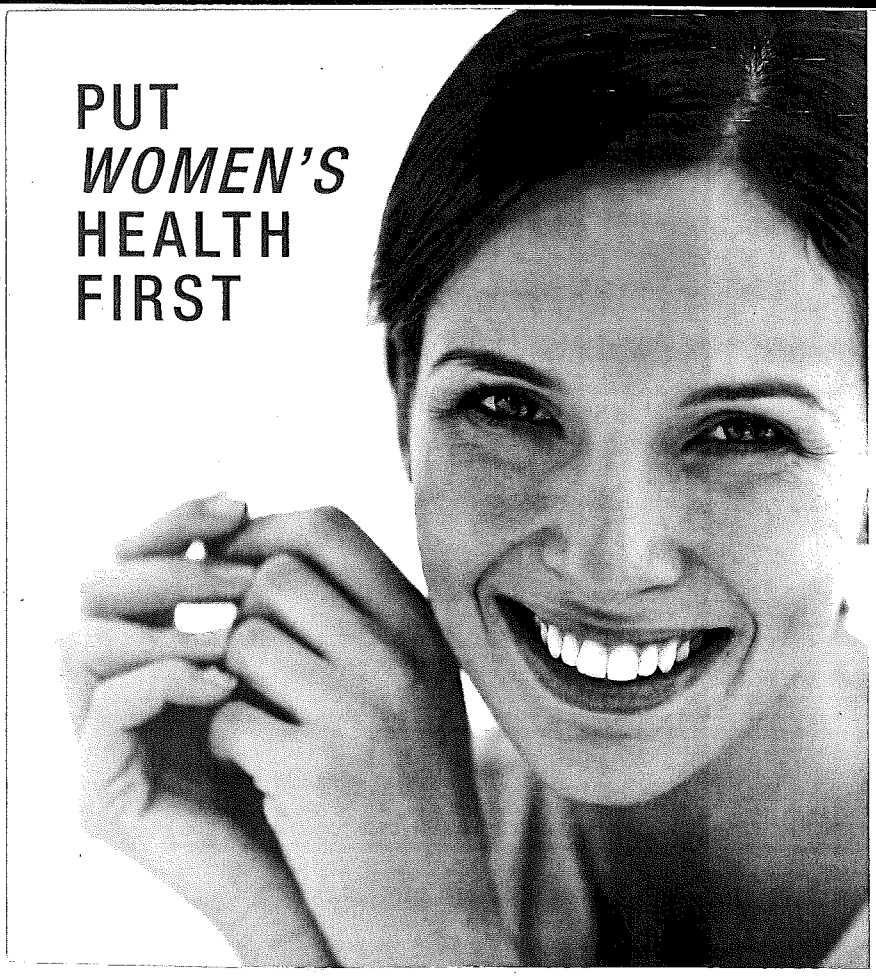

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Name Amy Keyworth

E-mail address AmKeyworth@gmail.com

ZIP Code 27606

Additional Comments:

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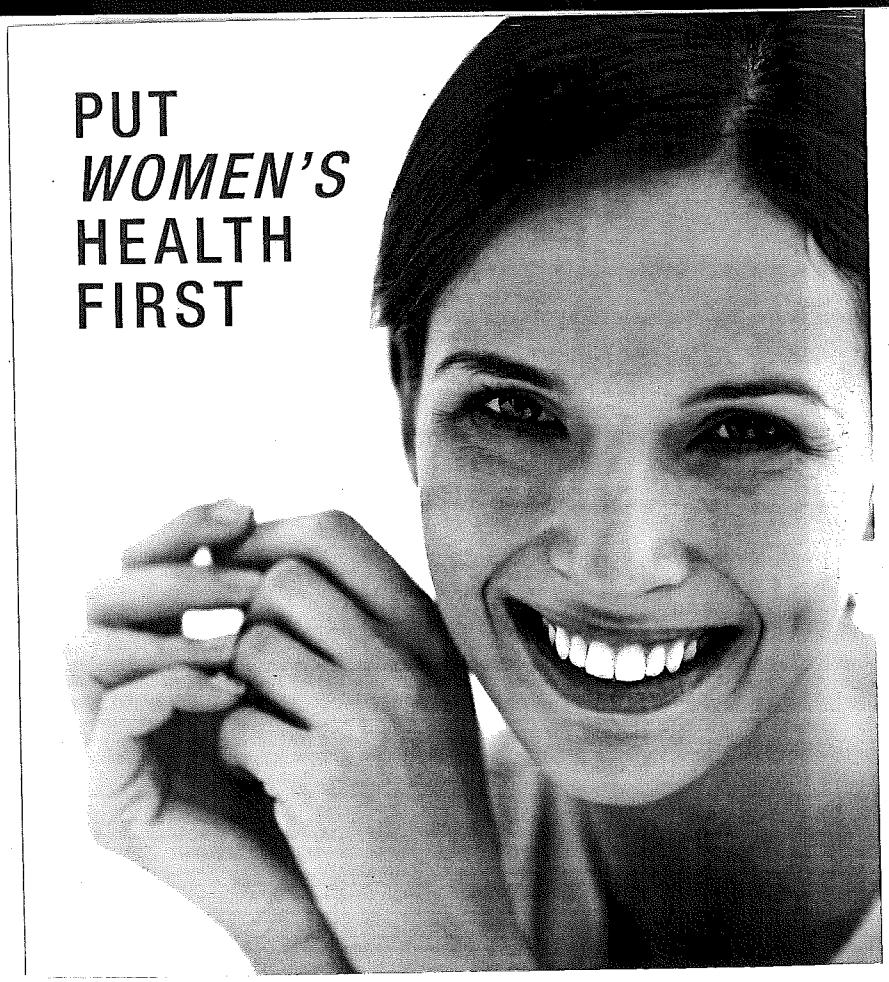

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Name Qurat Khan

E-mail address qkhan@unca.edu

ZIP Code 28804

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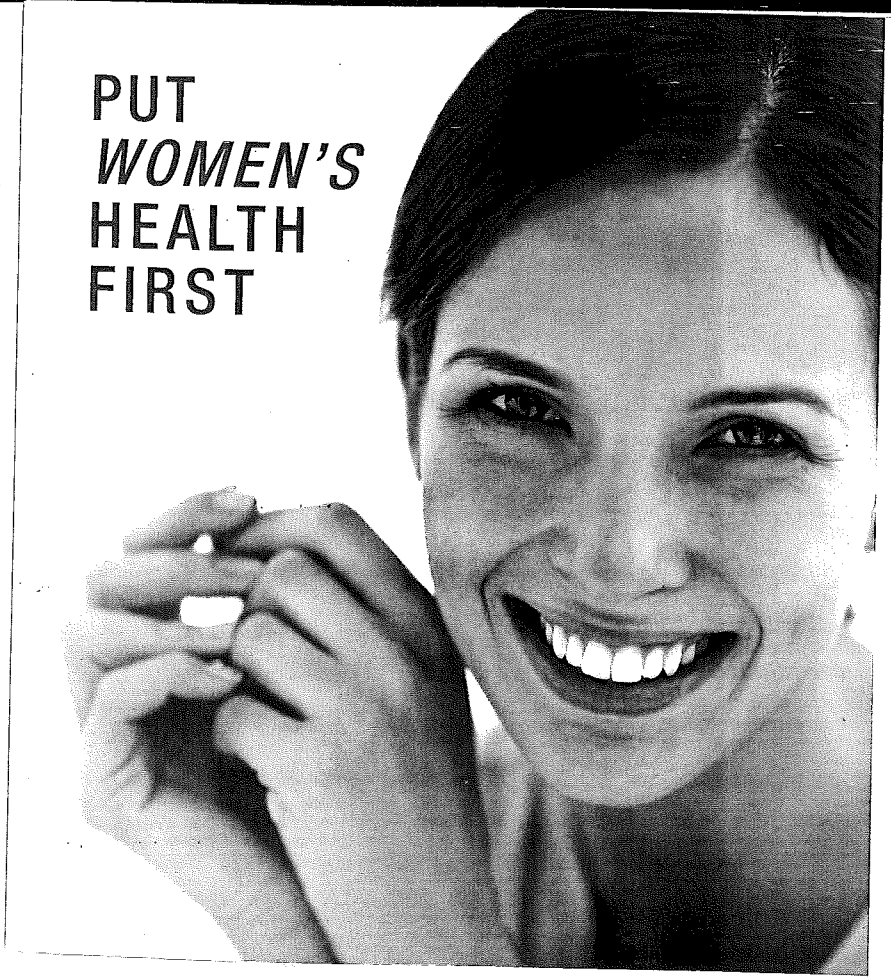

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Name GAURI KHANNA

E-mail address GAURISK@GMAIL.COM

ZIP Code 27713

Additional Comments:

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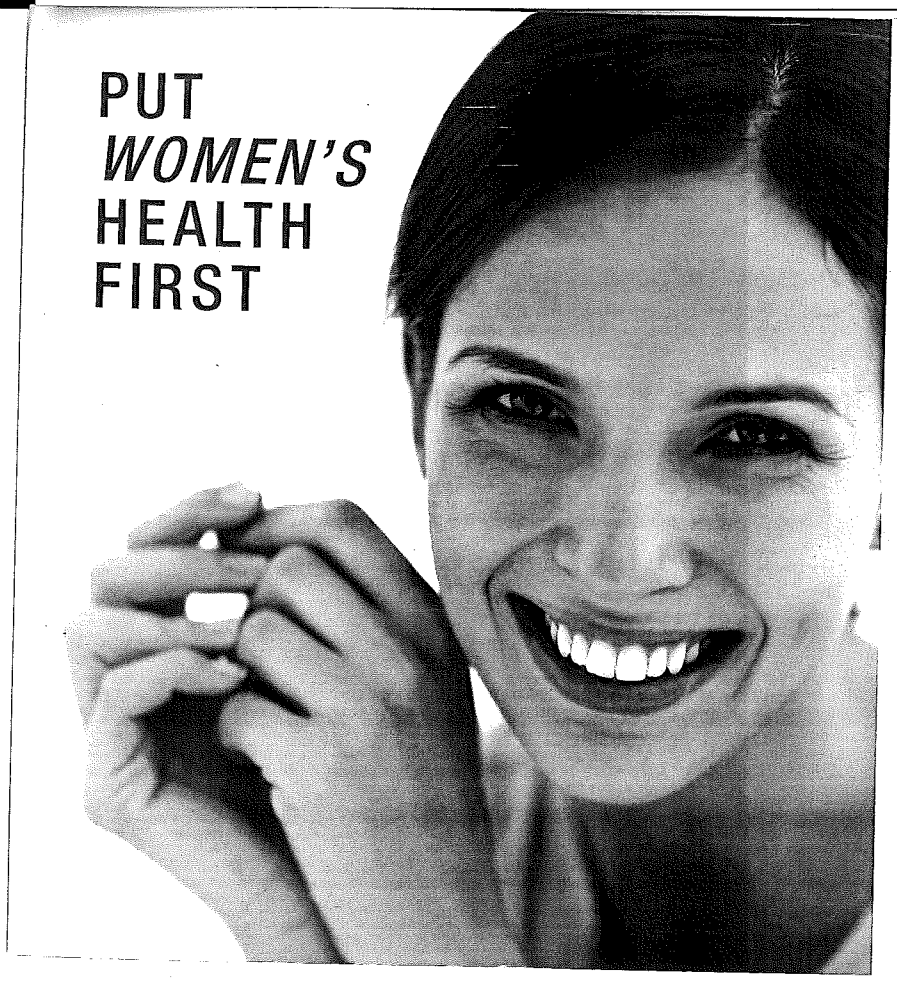

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FIRST NAME: Mary **LAST NAME:** Kincaid

EMAIL: **ZIP:** 27514

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name PAT KINCHELOE

E-mail address patkincheloe7@gmail.com

ZIP Code 27604

Additional Comments:

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FIRST NAME: Stephanie **LAST NAME:** Knetz

EMAIL: SKnetz@email.unc.edu **ZIP:** 27607

Optional Comment field:

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Name Beverly King

E-mail address no email

ZIP Code 27545

Additional Comments:

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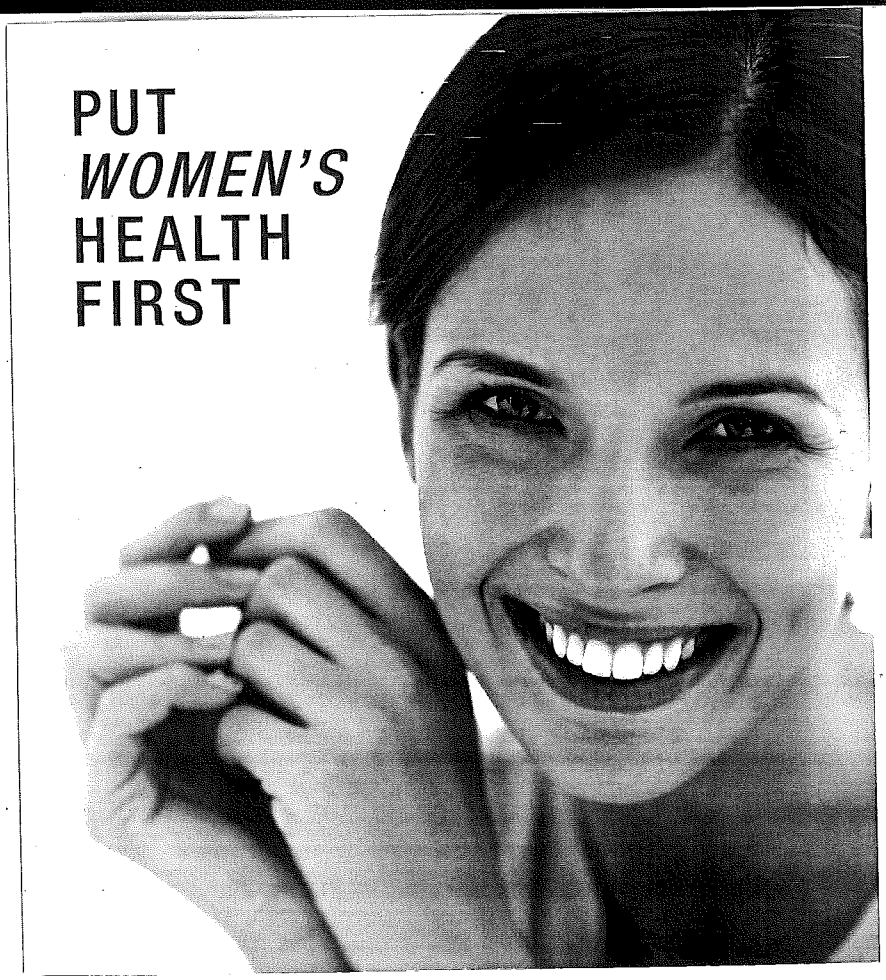

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Name Sarah Kinney

E-mail address avlgal@yahoo.com

ZIP Code 28701

Additional Comments:

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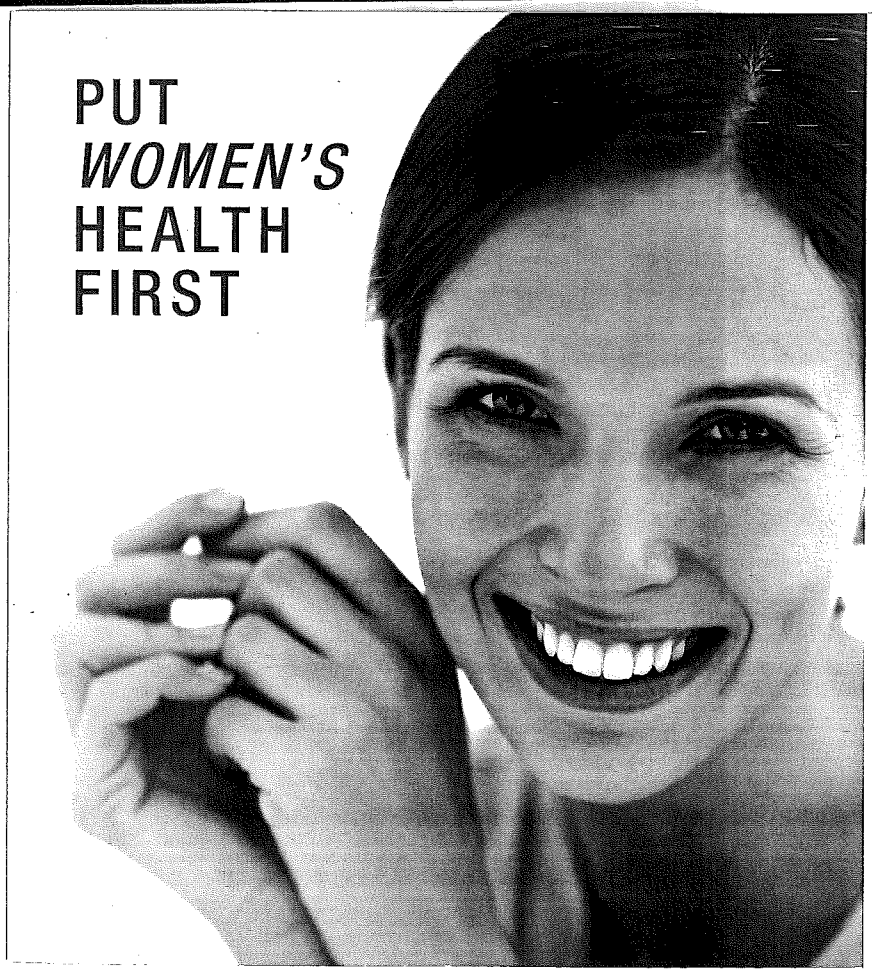

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Name Andriette Kinsela

E-mail address andrietteke@bellsouth.net

ZIP Code 28778

Additional Comments:

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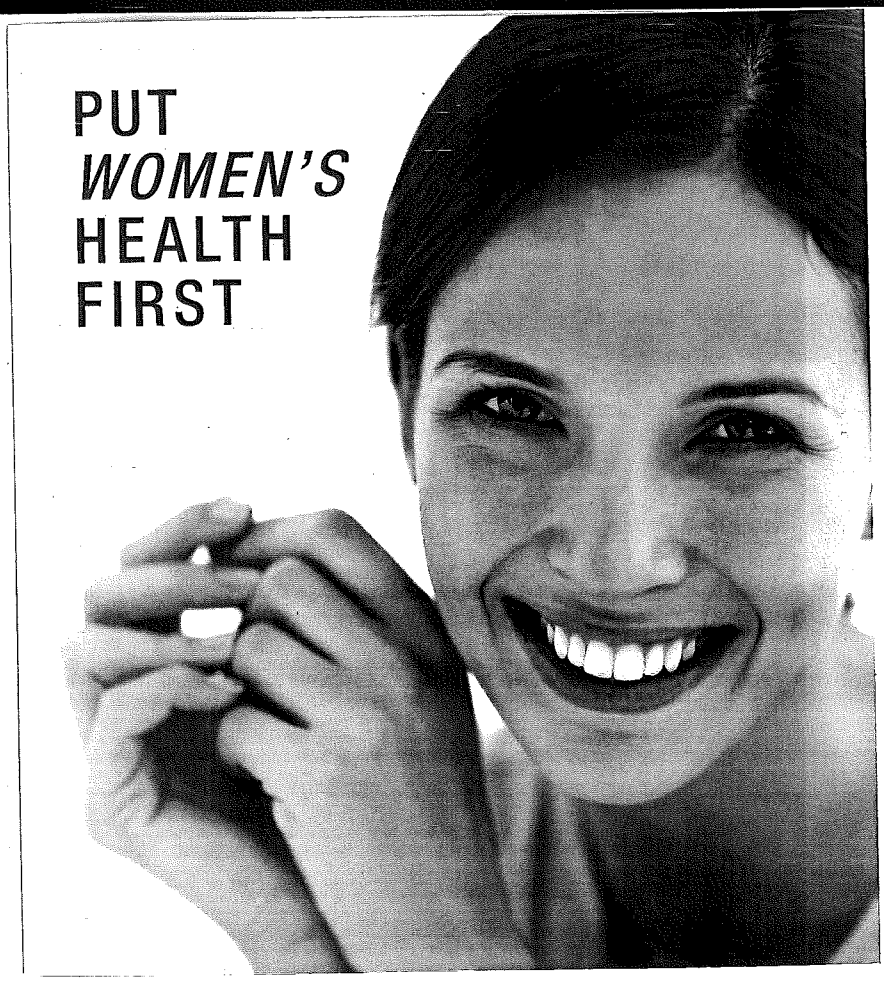

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FIRST NAME: Terrell **LAST NAME:** Kirby

EMAIL: Hkirby0106@gmail.com **ZIP:** 28304

Optional Comment field:

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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FIRST NAME: Charles **LAST NAME:** Kirk

EMAIL: MiekirK1932@yahoo.com **ZIP:** 28310

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Eve Kirkendall

E-mail address ekirkend@uncc.edu

ZIP Code 44284

Additional Comments:

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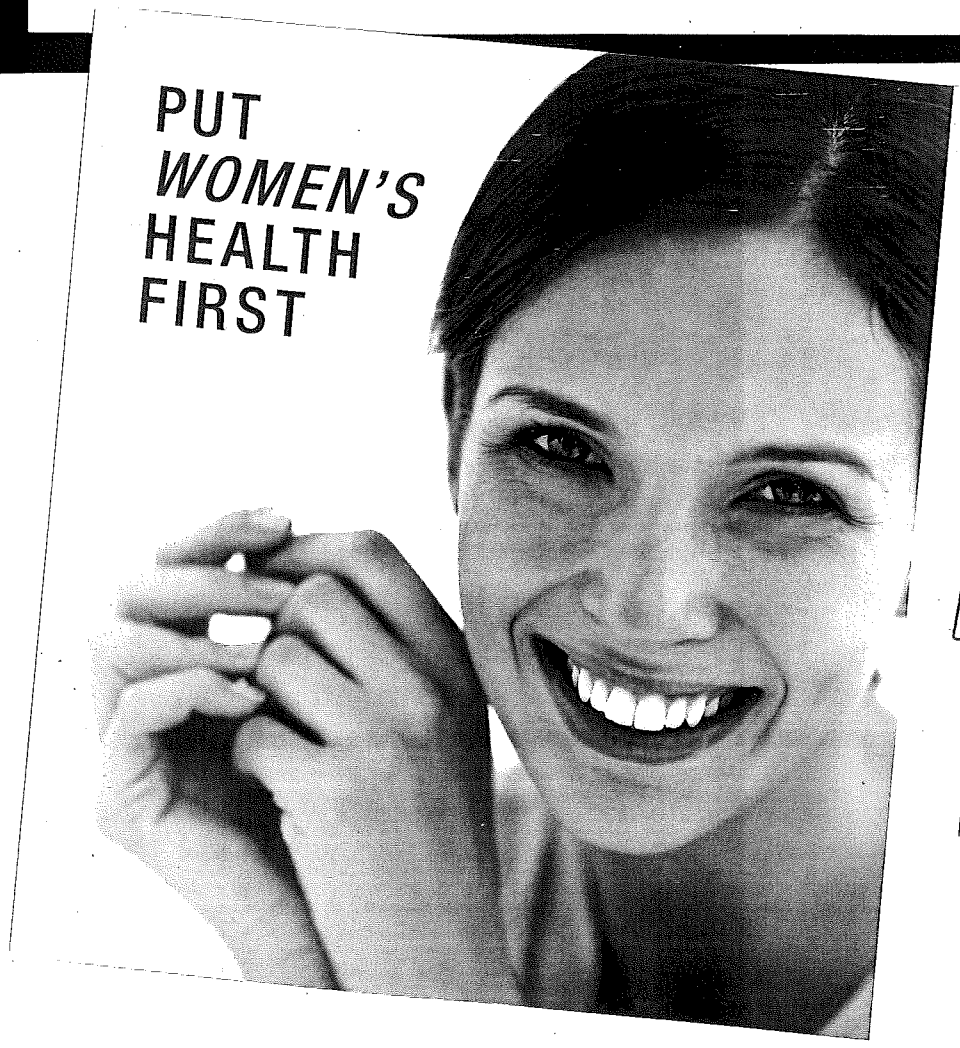

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Name Mariah Kirkwood

E-mail address Kirkwood.mariah@gmail.com

ZIP Code 28340

Additional Comments:

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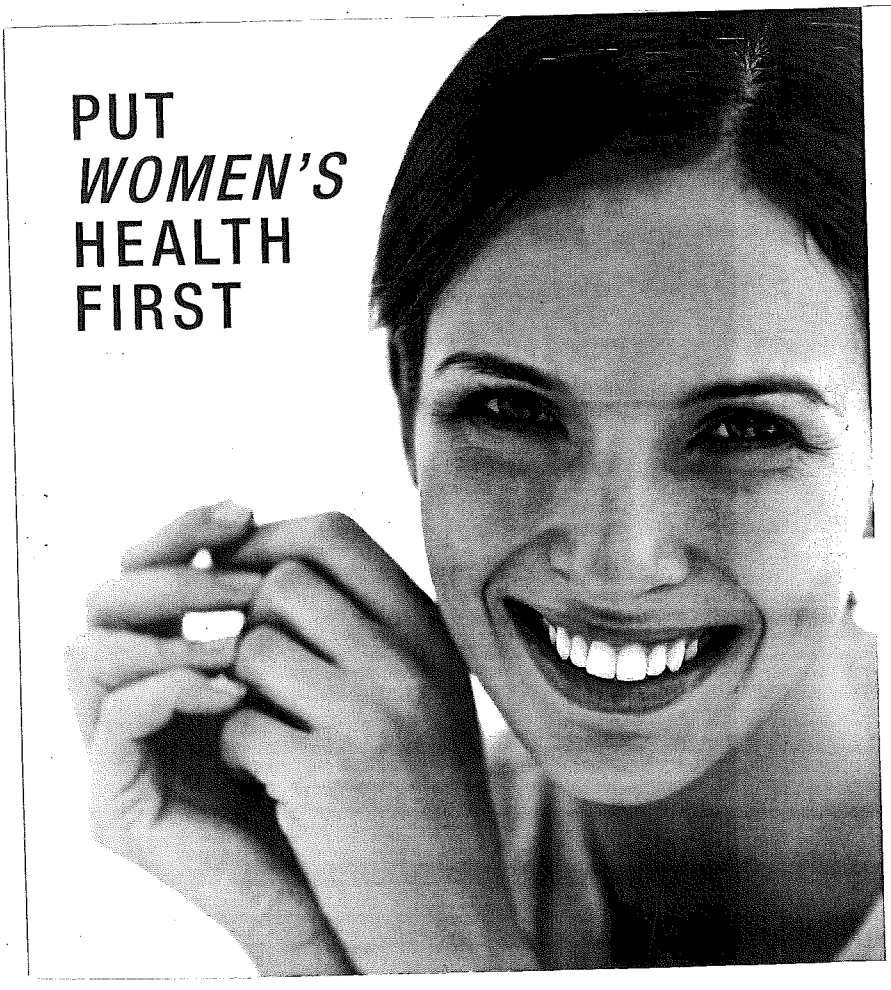

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Name Dr. C Kyle

E-mail address dkiyita@uncaedu

ZIP Code 27307

Additional Comments:

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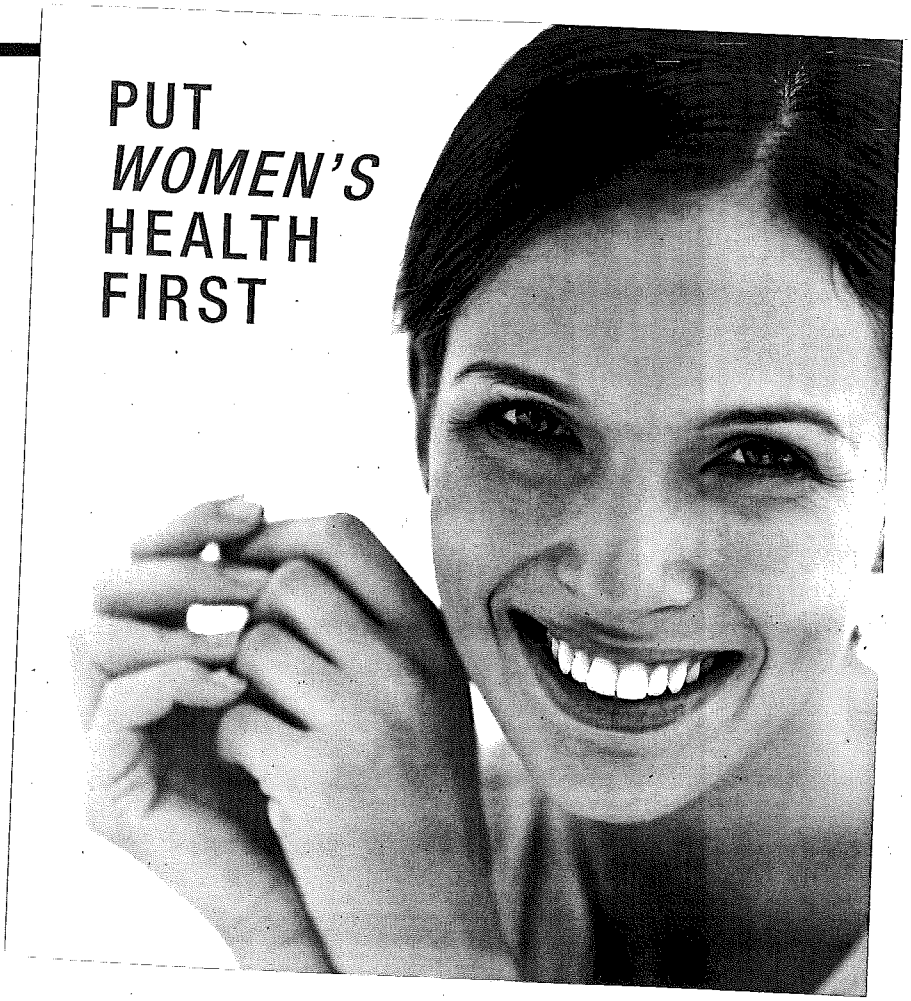

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Name Debra Kjos

E-mail address d.kjos@frontier.com

ZIP Code 28734

Additional Comments:

It is very important that women's health and safety be the most important consideration in supporting the drafted regulations. These facilities are critical in providing services to support this.

☐ Yes, I would like to receive updates from organizations supporting this comment:

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FIRST NAME: Laura **LAST NAME:** Klauke

EMAIL: **ZIP:** 27511

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Jonah Klaver

E-mail address ~~Jonahklaver~~ jonah2@uhca.edu

ZIP Code 27243

Additional Comments:

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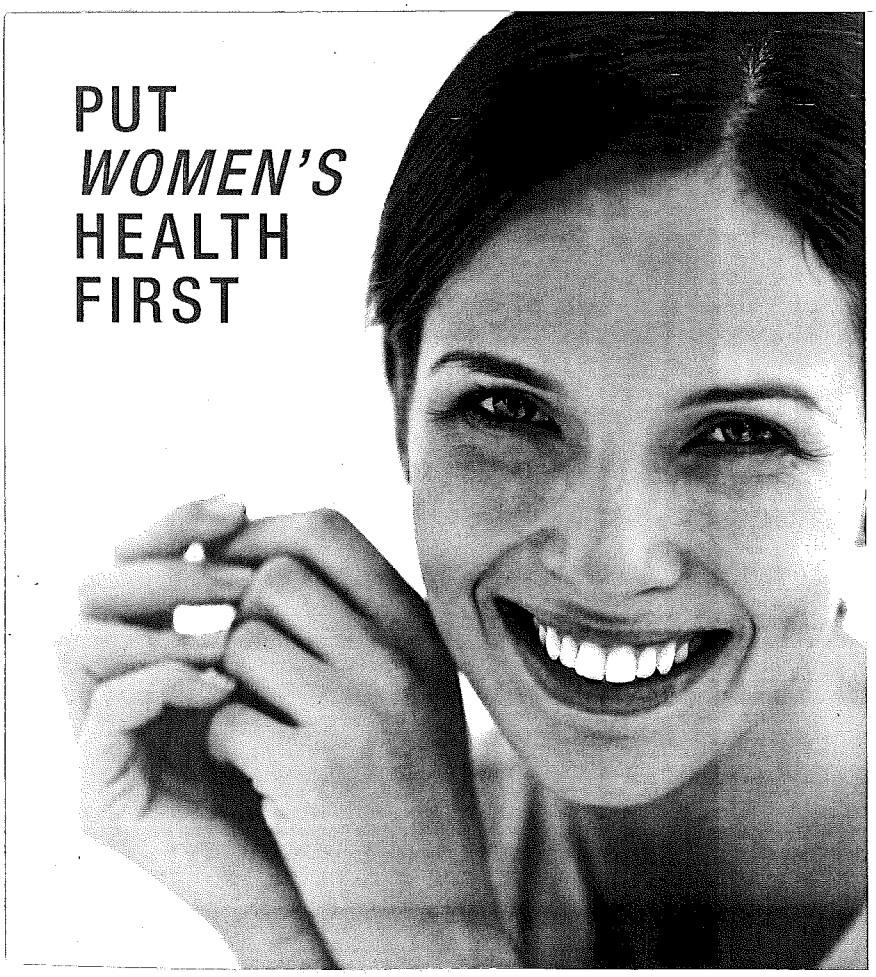

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FIRST NAME: Hardee

LAST NAME: Klitzman

EMAIL: bum2bum@nc.rr.com

ZIP: 27705

Optional Comment field:

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Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Debbi Knaus

E-mail address DEBBILH@Yahoo..

ZIP Code 27601

Additional Comments:
Put women's health, not religious zealots, first. Its cheaper to detect and treat cancers with regular screenings than to force women to wait until they are symptomatic.

☐ Yes, I would like to receive updates from organizations supporting this comment:

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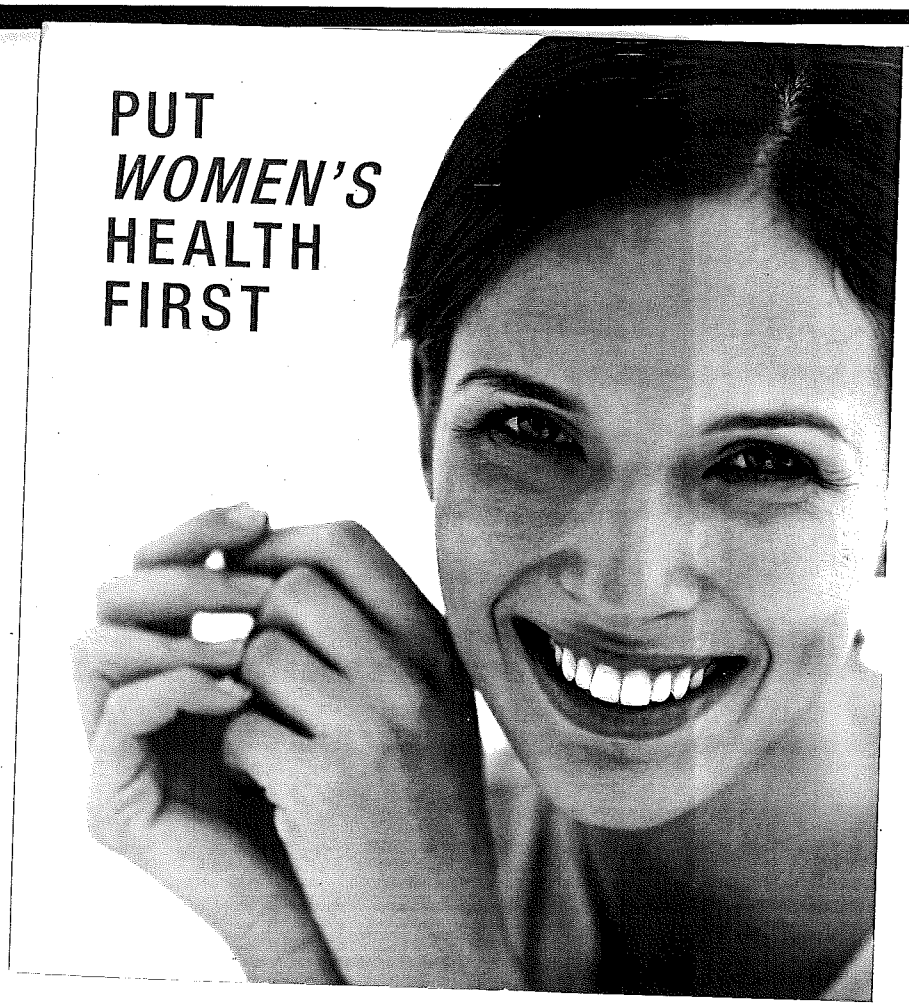

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Name Sally Kneidel

E-mail address sally.kneidel@gmail.com

ZIP Code 28211

Additional Comments:

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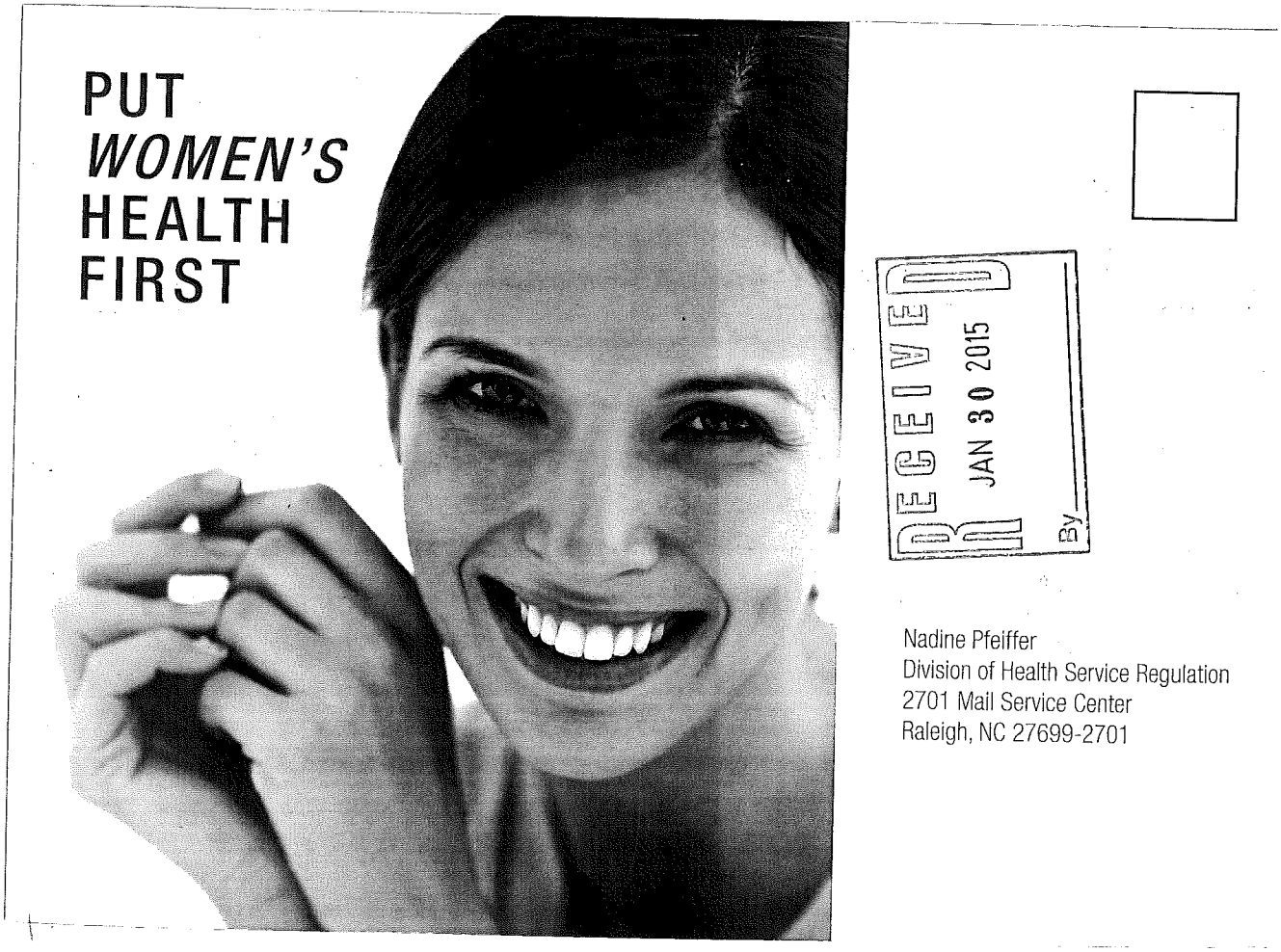

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FIRST NAME: Tom **LAST NAME:** Kocienba

EMAIL: tom@nwdjourney.com **ZIP:** 28803

Optional Comment field:
Don't Regulate men or women bodies, My wife daughters & granddaughters can manage their own lives.

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Name Dana Koeber

E-mail address dkoeberle@nc.rr.com

ZIP Code 27705

Additional Comments:

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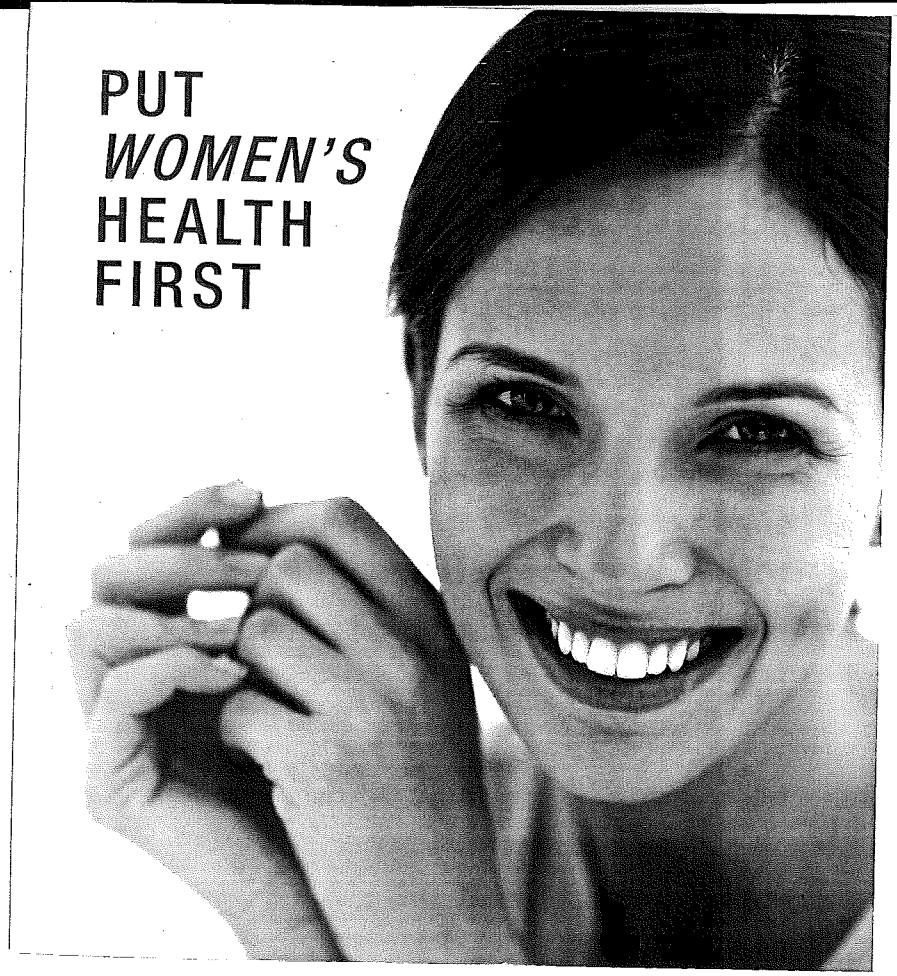

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FIRST NAME: Leigh

LAST NAME: Kolcenes

EMAIL: leighk23@earthlink.net

ZIP: 27615

Optional Comment field:

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FIRST NAME: Geoffrey **LAST NAME:** Koslow

EMAIL: Koslow.geoffrey@gmail.com **ZIP:** 28806

Optional Comment field:

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Name Michael Kosusko

E-mail address rmkosusko@aol.com

ZIP Code 27701

Additional Comments:

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FIRST NAME: Alyce **LAST NAME:** Kraflick

EMAIL: alycek5050@yahoo.com **ZIP:** 28804

Optional Comment field:

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Name Kraft

E-mail address gi:Herpuke@hellokitty.com

ZIP Code 27612

Additional Comments:

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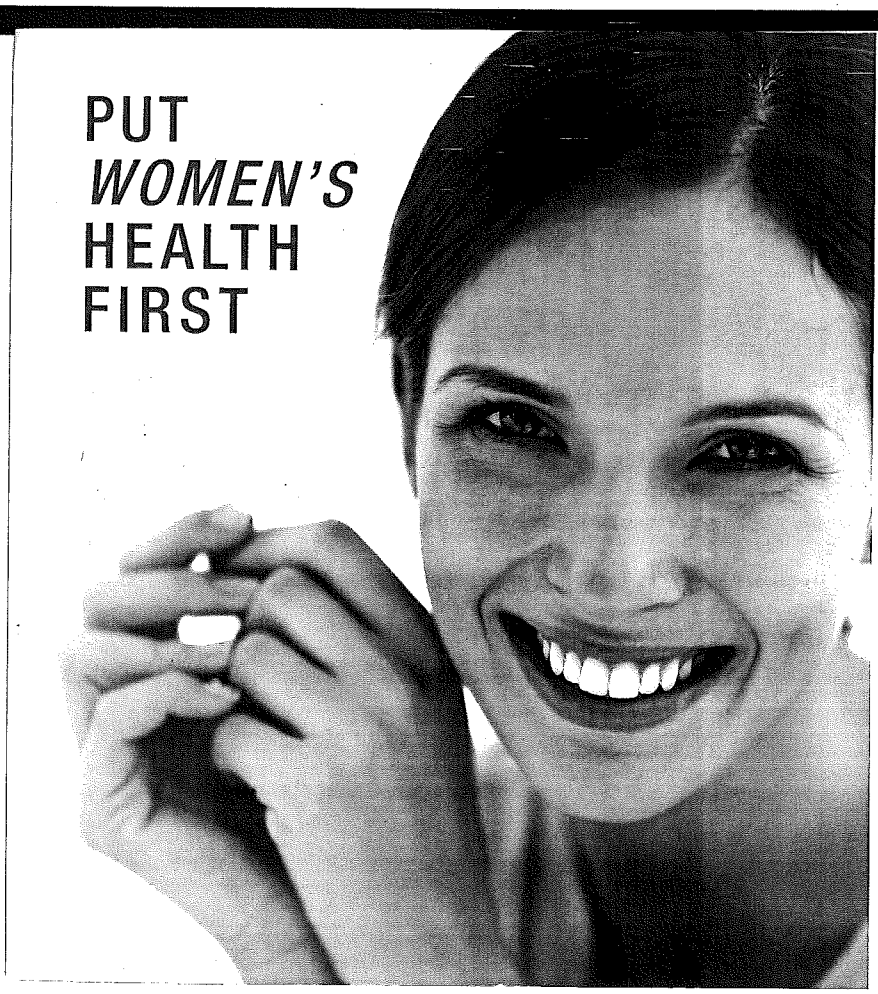

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I want to protect women's health and safety, and abortion care already is incredibly safe. The draft regulations proposed by the Department of Health and Human Services were written with extensive input from doctors, health care professionals and reproductive health experts, and they rely on evidence-based medicine. I urge the Department of Health and Human Services to continue to listen to medical experts and to support sensible regulations that put women's health first. The reproductive health centers affected by these draft regulations serve thousands of NC women and families and offer a wide range of essential reproductive health services, including family planning, cancer screenings and annual check-ups for reproductive health. The Department of Health and Human Services must put women's health and sound medical practices first when considering any changes to the draft regulations.

FIRST NAME: Kathy

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Optional Comment field:

☑ Yes, I would like to receive updates from organizations supporting this comment.

Supporting Organizations: Planned Parenthood South Atlantic, Progress NC, ACLU of NC, NARAL Pro-Choice NC

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Optional Comment field:

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TAKE ACTION!

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Name William Krupp

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Additional Comments:

☐ Yes, I would like to receive updates from organizations supporting this comment:

NARAL Pro-Choice North Carolina Foundation

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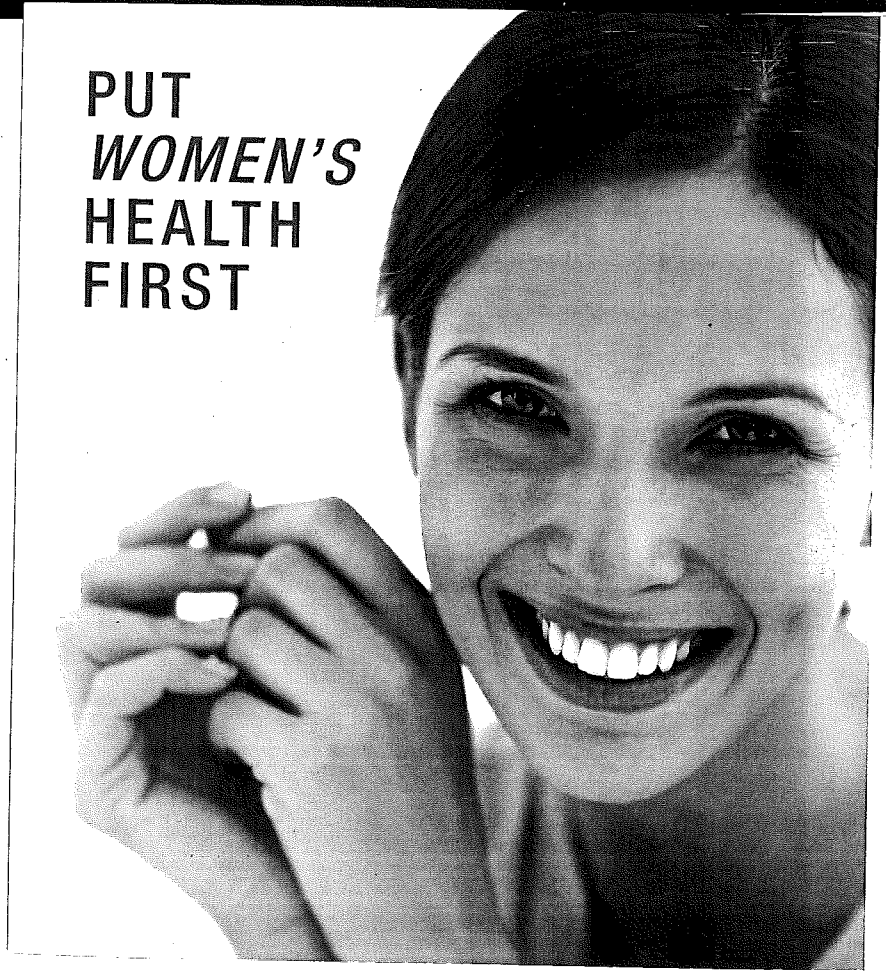

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Nadine Pfeiffer
Division of Health Service Regulation
2701 Mail Service Center
Raleigh, NC 27699-2701

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Additional Comments:

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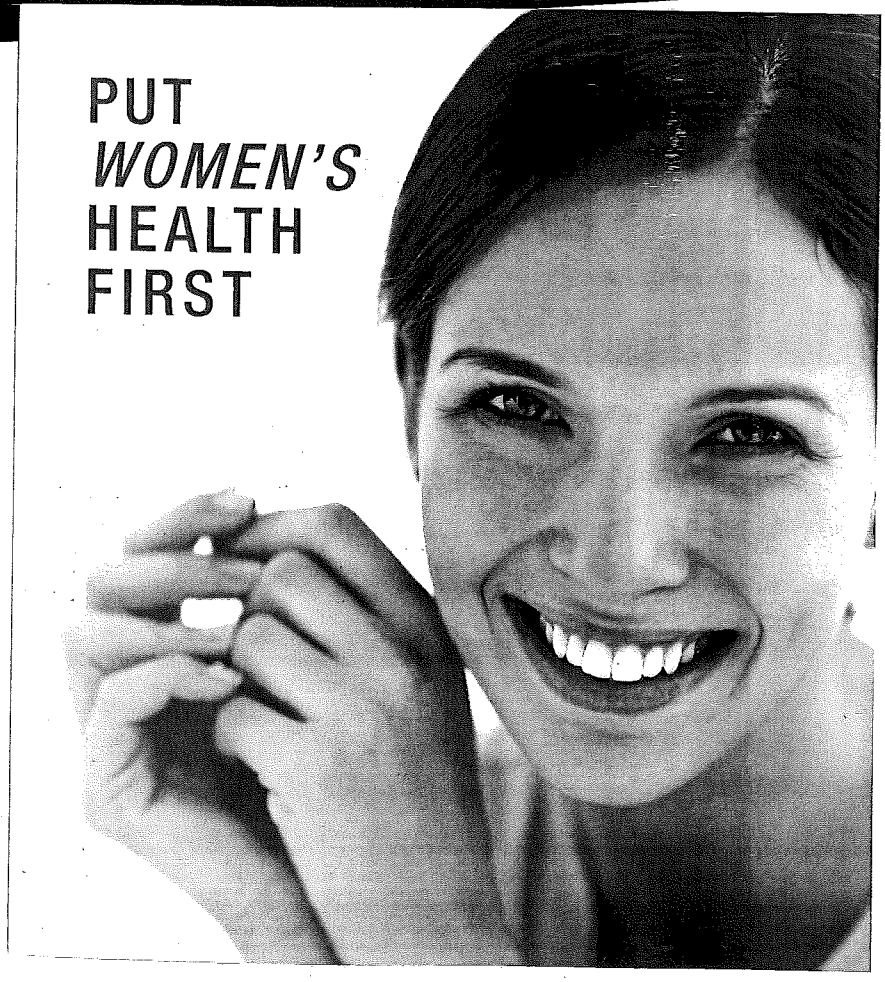

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