

1 10A NCAC 14E .0101 is proposed for amendment under emergency procedures as follows:

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3 **SUBCHAPTER 14E - CERTIFICATIONS OF CLINICS FOR ABORTION LICENSURE OF SUITABLE**
4 **FACILITIES FOR THE PERFORMANCE OF SURGICAL ABORTIONS**

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6 **SECTION .0100 – CERTIFICATION LICENSURE PROCEDURE**

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8 **10A NCAC 14E .0101 DEFINITIONS**

9 The following definitions will apply throughout this Subchapter:

- 10 (1) "Abortion" means the termination of a pregnancy as defined in G.S. ~~90-21.81(1)~~, 90-21.81(1c).
- 11 (2) "Clinic" means a freestanding facility (a facility neither physically attached nor operated by a
12 licensed hospital) for the performance of abortions completed during the first ~~20~~ 12 weeks of
13 pregnancy.
- 14 (3) "Complication" includes but is not limited to hemorrhage, infection, uterine perforation, cervical
15 laceration, or retained products of conception.
- 16 (4) "Division" means the Division of Health Service Regulation of the North Carolina Department of
17 Health and Human Services.
- 18 (5) "Gestational age" means the length of pregnancy as indicated by the date of the first day of the last
19 normal monthly menstrual period, if known, or as determined by ultrasound.
- 20 (6) "Governing authority" means the individual, agency, group, or corporation appointed, elected or
21 otherwise designated, in which the ultimate responsibility and authority for the conduct of the
22 abortion clinic is vested pursuant to Rule .0302 of this Subchapter.
- 23 (7) "Health Screening" means an evaluation of an employee or contractual employee, including
24 tuberculosis testing, to identify any underlying conditions that may affect the person's ability to
25 work in the clinic.
- 26 (8) "New clinic" means one that is not certified as an abortion clinic by the Division as of July 1, ~~2014~~,
27 2023, and has not been certified or licensed within the previous six months of the application for
28 ~~certification~~, licensure.
- 29 (9) "Qualified Physician" means a licensed physician who advises, procures, or causes a miscarriage or
30 abortion as defined in G.S. ~~14-45.1(g)~~, 90-21.81(7a).
- 31 (10) "Registered Nurse" means a person who holds a valid license issued by the North Carolina Board
32 of Nursing to practice professional nursing in accordance with the Nursing Practice Act, G.S. 90,
33 Article 9A.

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35 *History Note: Authority G.S. 14-45.1(a); 14-45.1(g); 143B-10; S.L. 2013-366, s. 4(e); S.L. 2023-14, s. 2.4;*
36 *Eff. February 1, 1976;*
37 *Readopted Eff. December 19, 1977;*

1 *Amended Eff. October 1, 2015; July 1, 1994; December 1, 1989; June 30, 1980;*
2 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 24,*
3 *~~2019.~~ 2019.*
4 *Emergency Amendment Eff.*