

Protect Women's Health

OPPOSE Hospital Licensing Requirements for Abortion Providers HB 894 Delegate Lohr and SB 437 Senator Vogel

HB 894 and SB 437 require any medical facility providing 25 or more abortions a year to be licensed as an ambulatory surgery center and comply with regulations designed for a hospital setting.

Abortion care is provided safely in accordance with standards set by state and federal regulatory agencies.

- First trimester abortions are among the safest of all surgical procedures. The complication rate is less than 3% and the serious complication rate is less than ½ of 1%.¹ Virginia state code already requires that second- and third-trimester abortions be performed in hospitals.
- The architectural, procedural, staffing and equipment requirements of ambulatory surgery centers are unrelated to the safety of first trimester abortions provided in medical offices.
- Medical offices that provide abortion services are regulated as other physician's offices:
 - Licensing and regulation: Physicians providing abortion care in Virginia must be licensed by the Virginia Board of Medicine for Medicine and Surgery. If the Board determines that a physician has violated a law or regulation governing the practice of medicine in Virginia, his/her license may be revoked, in addition to other penalties.
 - Certification: Medical offices operating a lab for the purposes of performing laboratory examinations or procedures must maintain CLIA (Clinical Laboratory Improvement Amendments) certification through the Centers for Medicare & Medicaid Services.
 - Inspection: The Virginia Department of Health conducts inspections of medical offices operating a lab every two years for compliance with CLIA standards.
 - Other regulations: zoning ordinances, fire and safety codes, and OSHA bloodborne pathogens regulations.

The real impact of this bill would be to dramatically decrease access to safe abortion services.

- Outlawing abortion at the state or federal level is unconstitutional. Instead of criminalizing the provision of abortion, opponents seek to impose unnecessary and unreasonable requirements on providers to restrict access.
- Compliance with these unnecessary requirements would make abortions prohibitively expensive to provide and unavailable for the vast majority of women.
- This law would force nearly twenty providers of first trimester abortion services in Virginia to stop providing abortion care or close due to the cost of complying with these regulations.

¹ Tietze, C. and Henshaw S.K. Induced Abortion: A worldwide review, 1986. Third edition. New York: Guttmacher Institute, 1996.

Virginia Pro-Choice Coalition

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