

Notice to Licensed Outpatient Abortion Facilities

Update: Act 620 of the 2014 Regular Session

NOTICE OF PROCEDURE TO VERIFY ADMITTING PRIVILEGES UNDER ACT 620

In anticipation of Act 620 becoming effective, the Louisiana Department of Health, Health Standards Section (hereinafter “Department” or “LDH HSS”) issues this notice to licensed outpatient abortion facilities as to the process that the Department will utilize to verify that a physician performing or inducing an abortion at a licensed outpatient abortion facility has admitting privileges that meet the requirements of Act 620:

- 1. Upon the effective implementation date of Act 620, the Department will issue a separate written notice to each licensed outpatient abortion facility, with instructions and/or a form for providing information to the Department. The licensed outpatient abortion facility will have forty-five (45) days to submit the completed form, information, and/or documentation to the Department, demonstrating that the physicians performing abortion procedures at the licensed outpatient abortion facility have active admitting privileges at a local hospital pursuant to the requirements of Act 620.**
- 2. Upon receipt of the form, information and/or documentation from the licensed outpatient abortion facility, the Department will verify the admitting privileges of the physicians.**
- 3. The Department anticipates that verifying admitting privileges may entail individualized determinations as to whether a given physician’s privileges meet the requirements of Act 620. The Department will resolve any such questions on a case-by-case basis pursuant to applicable law. The Department will work with each licensed outpatient abortion facility, physician, or hospital, as necessary, to resolve questions as to whether particular admitting privileges satisfy the requirements of Act 620.**
- 4. Should the licensed outpatient abortion facility fail to respond within forty-five (45) days to the written notice referenced in Item 1 above, or should the Department be unable to verify the admitting privileges based on the form, information, and/or documentation provided, then the Department will issue a statement of deficiencies to the licensed outpatient abortion facility.**
 - a. The facility will be required to submit a plan of correction for the deficiencies; this plan of correction is subject to review and approval by the Department.**
 - b. The Department will then conduct a survey to verify that the deficiencies have been corrected.**
 - c. The Department may issue appropriate sanctions for deficiencies cited.**
 - d. Appropriate sanctions may include, but are not limited to, civil monetary penalties and license revocation action.**
 - i. Any license revocation action issued by the Department is appealable to the Division of Administrative Law (“DAL”).**
 - ii. An appeal of a license revocation action is a suspensive appeal.**