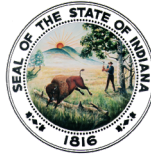




**Indiana**  
Department  
of  
**Health**



Eric J. Holcomb  
Governor

Kristina M. Box, MD, FACOG  
State Health Commissioner

**NOTICE: Previously enjoined rules regarding physical plant requirements for licensed abortion clinics are now in effect.**

July 19, 2022

Dear Providers:

As a result of recent action by the Seventh Circuit U.S. Court of Appeals (*Whole Woman's Health Alliance v. Rokita*), an injunction preventing the enforcement of certain state licensure rules pertaining to physical plant requirements for abortion clinics was vacated on July 11, 2022 and these provisions are now enforceable.

Within 90 days of July 11, clinics operating under a medication only (drug induced) or surgical license must either attain full compliance or demonstrate reasonable efforts to achieve compliance with the following requirements:

**Medication Only License Requirement:**

- At least one housekeeping room with a service sink and adequate storage for housekeeping supplies and equipment

**Surgical License Requirements:**

- Maintain 120-square-foot procedure rooms
- Maintain scrub facilities for procedure rooms
- 44-inch corridors

For reference, these requirements can be found under *410 IAC 26-17-2 (surgical rules)* and *410 IAC 26.5-17-2 (drug induced rules)*

**410 IAC 26-17-2**

(d) Requirements for clinical facilities are as follows:

(1) Procedure rooms shall be segregated and removed from general traffic flow and be a minimum of:

**(A) one hundred twenty (120) square feet, exclusive of vestibules, toilets, and closets for procedures requiring only local analgesia or nitrous oxide;**  
and

**(B) two hundred fifty (250) square feet, exclusive of vestibules, toilets, or closets for procedures that require conscious sedation.**

To **promote**, **protect**, and **improve** the health and safety of all Hoosiers.



...

**(4) Scrub facilities:**

- (A) shall be provided near the entrance of procedure rooms;**
- (B) may provide service to multiple procedure rooms if needed; and**
- (C) shall be arranged to minimize splatter on nearby personnel or supply carts.**

...

(e) Requirements for design standards are as follows:

...

**(5) The minimum corridor width shall be forty-four (44) inches.** Items such as drinking fountains, telephones, or vending machines shall not:

- (A) restrict corridor traffic; or
- (B) reduce the corridor width below the required minimum.

410 IAC 26.5-17-2

(e) Requirements for design standards are as follows:

**(1) At least one (1) housekeeping room with:**

- (A) a service sink; and**
  - (B) adequate storage for housekeeping supplies and equipment;**
- shall be provided.**