

DATE: January 2, 2019

TO: Executive Board
Indiana State Department of Health

FROM: Matt Foster *MWF*
Assistant Commissioner
Consumer Service & Health Care Regulation Commission

RE: Adoption of Emergency Rules for Surgical Abortion Clinic Licensure and Drug Induced Abortion Clinic Licensure

ISDH is requesting the Executive Board, at its January 9, 2019 meeting, to adopt emergency rules concerning the licensure of abortion clinics. In 2018, the Indiana General Assembly passed SEA 340 which required ISDH to pass emergency rules for abortion clinic licensure to implement several legislative changes from 2017 and 2018. In 2017, the Indiana General Assembly passed SEA 404 which required ISDH to include rule updates to:

- Separate rules for clinics offering surgical and abortion inducing drugs
- Add procedures to monitor patients after the administration of anesthesia
- Add procedures for follow-up care for patient complications
- Add a requirement for the provision of informed consent brochures
- Add a requirement for the provision of a hotline telephone number for cases of suspected coerced of abortion or sex trafficking
- Require training of clinic staff by law enforcement to help identify and assist women who are coerced into abortion or victims of sex trafficking
- Require documentation requiring patient signature to be documented in patient medical records
- Establish procedures for implementing a plan of correction by the clinic and for ISDH if the clinic fails to follow the plan of correction

In 2018, the Indiana Legislature required ISDH to make additional changes. They are:

- Updating information required to be provided in an application for licensure
- For drug induced abortions, to have physicians provide manufacturers instruction sheets and patient agreement forms to patients for signature with the provider retaining a copy

There are two separate rule documents to be adopted reflecting the separation of drug induced abortion clinics from surgical abortion clinics.