



ALLIANCE FOR PROGRESSIVE VALUES
GIVING YOUR VALUES A VOICE!

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Mr. Bruce Edwards
Chairman, Virginia Board of Health
Virginia Department of Health
109 Governor Street
Richmond, Virginia 23219

Chairman Edwards:

The Alliance for Progressive Values strongly opposes the draft regulations governing licensure of abortion facilities, issued by the Virginia Department of Health.

On Friday, August 27, the Virginia Department of Health issued new and highly restrictive draft regulations pertaining to clinics that perform more than five (5) abortive procedures in the course of any single month. These regulations ignore clear scientific evidence that shows that abortions are among the safest procedures women can undergo in an out-patient clinic setting and seek instead to de facto categorize abortion alongside such serious surgical procedures as open heart surgery which are normally preformed in a hospital. In fact the draft regulations seem to be designed specifically to limit a woman's right to these legal procedures by imposing onerous and costly new requirements on women's health and abortion providers. If implemented, these regulations would make Virginia one of the least accessible states for women seeking abortion services in the nation.

The new TRAP (Targeted Regulations Against Abortion Providers) regulations require Virginia women's health clinics to adhere to structural and design protocols formally only associated with hospitals: for instance requiring substantial architectural changes such as significantly larger hallways and examination rooms be standard. These new rules will make it nearly impossible for existing clinics to remain in operation. Of the twenty one (21) clinics now providing first trimester abortions in Virginia it is estimated that no more than four (4) could remain open under the new regulations.

It should be stressed that first trimester abortions are routine, safe and legal in Virginia. Currently abortion providers are covered under the same regulations as physician practices that perform certain other, and in some cases statistically more dangerous invasive procedures, including dental, ocular and plastic surgery (none of which are covered by the new regulations). There is no evidence that there is any need for a change. Worse still, if anti-choice advocates have their way, the prescribing of emergency contraceptives would be treated as a form of abortion and doctors who proscribed the legal and safe prophylactic in their offices would also fall under these new restrictions.

Specifically, the draft regulations require women's clinics to adhere to standards found in the 2010 Guidelines for Design and Construction of Health Care Facilities. In particular the Guidelines for Outpatient Surgical Facilities, otherwise called ambulatory surgical facilities. It is important to note that these guidelines were not intended for existing structures but meant to govern the construction of new facilities, especially hospitals. By arbitrarily linking women's clinics and doctors' out-patient surgical services that provide abortions with regulations designed for large hospital settings, the Department of Health, with the backing of the Governor and Attorney General, is launching a concerted, targeted attack on women's reproductive choice in Virginia under the guise of innocuous structural mandates.

This is not only dishonest, but it is also potentially dangerous. These regulations will significantly limit women's access to safe and legal abortions in Virginia and could lead to women being forced into difficult medical situations such as carrying a life threatening pregnancy to term.

Clearly the legislation that forced this new rule making, including the "emergency" designation that has needlessly rushed the new regulations into effect is the culmination of years of effort on the part of those who would seek to further restrict or eliminate a woman's reproductive rights in general. The new, arbitrary architectural requirements are simply the latest in a series of actions meant to restrict access not only to abortion but to any and all forms of reproductive choice including contraceptives and sex education.

It should also not be lost in the highly emotional debate over abortion, that many of the clinics that will be forced to close as a result of the new TRAP regulations also provide other, much needed services to women around the state including PAP smears, STI testing, HPV inoculation and other routine but necessary treatments, often at low cost.

The Alliance for Progressive Values strongly opposes the new Department of Health regulations and asks they be rejected or seriously reevaluated and studied further so that the consequences of their implementation to women's health in Virginia can be better understood. As presently constituted, these regulations set women's health in Virginia back decades and add unnecessary risks and costs for no medically sustainable reason. These regulations have nothing to do with protecting women's health and everything to do with proscribing women's reproductive choices.

Sincerely,
Scott Price.