

HB 1478 -- PROTECTION OF WOMEN'S HEALTH CARE

SPONSOR: Swan

The bill requires the Department of Health and Senior Services to inspect abortion facilities no less than four times a year and permits the department to additionally inspect and investigate abortion facilities as the department deems necessary. The bill specifies that information obtained through file reports, inspection, and other actions authorized in the provisions of the bill must not be disclosed publicly in a manner that would cause identification of individual patients but does permit the exchange of such information with other state agencies for the investigation of professional or business practices in an abortion facility.

The bill requires every abortion facility to be open at all reasonable times to an inspection authorized in writing by the Director of the department. The department is not required to provide notice to the facility prior to an inspection.

If an inspection of an abortion facility reveals that the continued operation of the facility constitutes an immediate and serious risk of harm to the health or safety of the facility's patients, the inspector is authorized to immediately close the facility. Once the facility has been closed, the personnel employed by the facility must cease any activity related to the patients, unless continued treatment of any given patient is necessary to protect her physical health or life. A written order stating the reasons for the closure must be served on the licensee within 24 hours after the facility is closed. Any director of an abortion facility that has been closed may, within 10 days of facility closure under the provisions of the bill, request in writing that the Director of the department conduct a hearing and a reinspection. If a subsequent inspection reveals that the violations have been remedied, the Director of the department must cancel the order of closing and permit patients to be treated within the facility.