

Oppose HB 393

Hospital Licensing Requirements for Abortion Providers

HB 393 requires any medical facility providing 25 or more abortions a year to be licensed as an ambulatory surgery center and comply with regulations designed for a hospital setting.

Abortion care is already provided safely in accordance with standards set by state and federal regulatory agencies.

- First-trimester abortions are among the safest surgical procedures performed in the United States. Less than 0.5% of women obtaining abortions experience a complication, and the risk of death associated with abortion is about one-tenth that associated with childbirth.¹ Virginia state code already requires that second- and third-trimester abortions be performed in hospitals.²
- The architectural, procedural, staffing and equipment requirements of ambulatory surgery centers are unrelated to the safety of first-trimester abortions provided in medical offices.
- Medical offices that provide abortion services are regulated as other physicians' offices:
 - **Licensing and regulation:** Physicians providing abortion care in Virginia must be licensed by the Virginia Board of Medicine for Medicine and Surgery. If the Board determines that a physician has violated a law or regulation governing the practice of medicine in Virginia, his/her license may be revoked, in addition to other penalties.
 - **Certification:** Medical offices operating a lab for the purposes of performing laboratory examinations or procedures must maintain CLIA (Clinical Laboratory Improvement Amendments) certification through the Centers for Medicare & Medicaid Services.
 - **Inspection:** The Virginia Department of Health conducts inspections of medical offices operating a lab every two years for compliance with CLIA standards.
 - **Other regulations:** zoning ordinances, fire and safety codes, and OSHA blood borne pathogens regulations.

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The real impact of this bill would be to dramatically decrease access to safe abortion services in Virginia.

- Outlawing abortion at the state or federal level is unconstitutional. Prevented from criminalizing the provision of abortion, opponents seek to impose unnecessary and unreasonable requirements on providers to restrict access.
- Compliance with these unnecessary requirements would make abortions prohibitively expensive to provide and thus unavailable for many women in Virginia.
- This law would force many providers of first-trimester abortion services in Virginia to stop providing abortion care or close due to the cost of complying with these regulations.

¹ Guttmacher, State Facts about Abortion, 1996-2008. <http://www.guttmacher.org/pubs/sfaa/virginia.html> ² Code of Virginia, 18.2-73-74

