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## Bill alters licensing of abortion providers

BY TODD FERTIG

Eagle Topeka bureau

A bill before a state House committee would change the way abortion providers are licensed, setting in place new regulatory standards and mandating twice-a-year inspections.

Licensing of abortion clinics would shift from the Kansas Board of Healing Arts — which bill proponents said took an advisory approach rather than a regulatory one — to the Kansas Department of Health and Environment.

One doctor who performs abortions called the guidelines redundant and excessive.

Members of the House Committee on Federal and State Affairs questioned whether the bill would place a burden on abortion providers that exceeds that on other surgical facilities.

Proponents said the Board of Healing Arts does not inspect facilities unless it is following up on a complaint. Under House Bill 2067, every abortion provider would be subject to two inspections a year, one of which would be unannounced.

The bill gives the secretary of the KDHE the power to close a facility or impose fines. It also mandates that all abortions of fetuses after 22 weeks be done in a hospital or surgical center.

It also would require a doctor be present for abortions by pill, such as RU-486. A new practice of monitoring such abortions by remote camera has been used in recent years.

Committee chairman Rep. Steve Brunk, R-Wichita, said he expects a vote on the bill next week.

Traditionally, KDHE licenses facilities, while the Board of Healing Arts licenses individuals, Brunk said.

Planned Parenthood, one of the three providers of abortions in Kansas, is already licensed by KDHE.

The bill outlines in detail regulations the providers would be required to meet, including an application process, \$500 fee and provisions for annual license renewals.

Much of the legislation has been included in bills that passed one or both chambers in previous years. Legislation in 2003 and 2005 to move licensing of abortion providers under the KDHE met with resistance from then-Gov. Kathleen Sebelius, said Kathy Ostrowski, state director of Kansans for Life.

"The problem is that the board has a role to protect the public, but it also is to protect the practitioners," she said. "They have an interest in supporting the physicians and to retain physicians in Kansas."

She said the board's investigations are not subject to public accessibility regulations, while KDHE reports are public documents.

Herbert Hodes, a physician and provider of abortions in Overland Park, said the bill represents an attempt by lawmakers to overrule guidelines drawn up by physicians and surgeons.

"These medical practitioners knew what was appropriate for all physicians who perform office-based surgery," Hodes said, adding that the authors of the bill "assumed that abortion providers need additional rules to govern their practices."

Hodes fielded questions about malpractice, deaths and disclaimers used by abortion providers that could mislead patients about their right to litigation. He estimated that Kansas has seen "five deaths in the last five years" because of abortion procedures. He said the risk is no different than the risk for other surgeries.

He also said that the new licensing policy would cost the state far more than the \$1,500 it would gain from fees paid by each provider.