

ALABAMA DEPARTMENT OF PUBLIC HEALTH

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NEWS RELEASE

Alabama Department of Public Health investigates allegations of unlicensed operation of
Birmingham Abortion/Reproductive Health Center

FOR IMMEDIATE RELEASE

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The Alabama Department of Public Health is conducting an ongoing investigation into whether an unlicensed abortion/reproductive health center is being operated at 1001 17th St. S. in Birmingham.

A licensed abortion/reproductive health center—New Woman All Women Health Care (“NWA”) was formerly operated at this location. In March 2012, ADPH initiated license revocation proceedings against NWA based upon serious violations of the State Board of Health’s Rules for Abortion or Reproductive Health Centers, Chapter 420-5-1, *Alabama Administrative Code*.

Formal revocation proceedings were avoided by NWA’s owner, Diane Derzis, entering into consent agreement with ADPH in which NWA agreed to close and surrender its license on May 18, 2012. Since that time, ADPH has denied two applications for license to operate an abortion/reproductive health center at the 1001 17th St. S. facility submitted by Marianne Kelley Rain-Water.

The first denial was appealed to an administrative hearing officer and the hearing officer recommended upholding the denial to the state health officer on Aug. 27, 2012. The state health officer issued a final order denying the first application on Sept. 17, 2012. The second denial of application was not appealed.

ADPH does not comment on the status of open investigations.

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