

EXHIBIT A-E

EXHIBIT E



Muniz, Richard <richard.muniz@ppfa.org>

FW: LTR to DHSS from Hatfield re RHS Investigation.DOCX

Hatfield, Charles <chuck.hatfield@stinson.com>
To: "Salgado, Diana" <diana.salgado@ppfa.org>, "Muniz, Richard" <richard.muniz@ppfa.org>
Cc: "Cossette, Alixandra S." <alixandra.cossette@stinson.com>

Wed, Apr 24, 2019 at 9:30 AM

From: "Hatfield, Charles" <chuck.hatfield@stinson.com<mailto:chuck.hatfield@stinson.com>>
Subject: Re: LTR to DHSS from Hatfield re RHS Investigation.DOCX
Date: 24 April 2019 08:29
To: "Wille, Josh" <Josh.Wille@health.mo.gov<mailto:Josh.Wille@health.mo.gov>>
Cc: "Moore, Richard" <Richard.Moore@health.mo.gov<mailto:Richard.Moore@health.mo.gov>>, "Koebel, William" <William.Koebel@health.mo.gov<mailto:William.Koebel@health.mo.gov>>

Thanks, Josh, as previously discussed we have a disagreement on this. We will voluntarily produce the witness today, but we fully reserve all are right to object to this and any future interviews. We do not agree that the department may take any disciplinary action as a result of us refusing to make individuals available for interviews.

On: 22 April 2019 11:38,
"Wille, Josh" <Josh.Wille@health.mo.gov<mailto:Josh.Wille@health.mo.gov>> wrote:

External Email – Use Caution

Hi, Chuck. In your April 16 letter you requested that the Department provide the basis for its authority to proceed with the interviews and the penalty for noncompliance. I needed to be out of the office on short notice later last week and didn't get a chance to provide this information to you before I needed to leave. I also note your email from today requesting this information again.

The basis for the authority to proceed with the interviews is the Department's general authority under section 197.230.1 RSMo, which obligates the Department to "make, or cause to be made, such inspections and investigations as it deems necessary." The Department's position is that such inspections and investigations would include witness interviews deemed necessary by the Department to determine whether statutory and regulatory requirements applicable to abortion facilities were being met. In addition to this general authority, 19 CSR 30-30.060(7)(C) obligates the Department to investigate complaints regarding abortion facilities.

The consequences for noncompliance with the laws applicable to abortion facilities are provided in sections 197.220 and 197.293 RSMo, and 19 CSR 30-30.050(2)(I). Under section 197.220 RSMo, the Department may deny, suspend or revoke a license in any case in which the Department finds that there has been a substantial failure to comply with the requirements of sections 197.200 to 197.240, or where the Department finds that the licensure status or record of the applicant indicates that granting a license to the applicant would be detrimental to the interests of the public. In addition to section 197.220 RSMo's powers, section 197.293 RSMo obligates the Department generally to use standards of progressive discipline (generally beginning with a plan of correction) when a deficiency in meeting regulatory standards is found. And under 19 CSR 30-30.050(2)(I), the Department is prohibited from issuing or renewing a license until the Department has inspected the facility and determined that the facility is in compliance with all statutory and regulatory requirements.

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