



September 20, 2021

Texas Medical Board
P.O. Box 2018
Austin, TX 78768-2018

RE: Complaint against Alan Braid, TX Medical License Number E3654

Ladies and Gentlemen:

This is a complaint against Texas physician **Alan Braid**, who is licensed to practice medicine in the State of Texas under Medical License Number E3654.

Braid is the operator of the **Alamo City Surgery Center**, located at 7402 John Smith Drive, #101, San Antonio, TX 78229. The Alamo City Surgery Center is an abortion facility licensed in Texas under Provider Identification Number 130238.

On September 1, 2021, a new Texas law known as **S.B. 8, or the Texas Heartbeat Act**¹, went into effect. This law prohibits abortions after the detection of a fetal heartbeat in the womb of a pregnant woman. Fetal heartbeats can easily be detected with routine and readily accessible detection methods, such as ultrasound examination.

In the evening of September 1, 2021, the **U.S. Supreme Court** denied² a request for an emergency injunction to block enforcement of the Texas Heartbeat Act with a vote of 5-4.

Braid admits publicly that he is party to the lawsuit that is attempting to challenge the Texas Heartbeat Act, and was party to the emergency request for an injunction against the new law that was rejected by the U.S. Supreme Court

In an **opinion article** written by Braid titled “Why I violated Texas’ extreme abortion ban” was published in the *Washington Post* on September 18, 2021. In that article, Braid states the following:

For the next 45 years - not including the two years I was away in the Air Force- I was a practicing OB/GYN in Texas, conducting Pap smears, pelvic exams and pregnancy check-ups; delivering more than 10,000 babies; and providing abortion care at clinics I opened in Houston and San Antonio, and another in Oklahoma.

Then, this month, everything changed. A new Texas law, known as S.B. 8, virtually banned any abortion beyond about the sixth week of pregnancy. It shut down about 80 percent of the abortion services we provide. Anyone who suspects I have violated the new law can sue me for at least \$10,000. They could also sue anybody who helps a person obtain an abortion past the new limit, including, apparently, the driver who brings a patient to my clinic.

For me, it is 1972 all over again.

And that is why, on the morning of Sept. 6, I provided an abortion to a woman who, though still in her first trimester, was beyond the state’s new limit. I acted because I had a duty of care to this patient, as do for all patients, and because she has a fundamental right to receive this care.

This published opinion article has received much public attention. It is his confession that he has **intentionally violated the Texas Heartbeat Act** because he does not agree with the law and believes that his patient, who he did not name or provide further information about, had a “fundamental right” to it.

However, in Texas, women do not have a “fundamental right” to abortion after the baby’s heartbeat can be detected because such abortions are now prohibited by state law and were prohibited when Braid conducted the illegal abortion on September 6, according to his own admission.

Babies in the womb whose heartbeats can be detected are in fact *protected* by state law. Intentionally taking the lives of these protected human beings is equivalent to any other murder of an individual human being, whose life is protected by law.

Braid admits he conducted the abortion in Texas “beyond the state’s new limit” as if his beliefs and opinions carry greater weight than the duly enacted laws of the State of Texas that are meant to protect innocent, growing human beings whose hearts are beating in testimony to the spark of life and humanity.

Because of Braid’s defiant attitude and his unlawful act, he has committed unprofessional conduct and poses a grave danger to innocent life that the Texas Heartbeat Act was enacted to protect.

I understand that the law provides an option for me to sue Braid for his illegal conduct in a civil court of law. I also understand that this is what he wants someone to do to help him continue making his political statement that he has punctuated with the shedding of innocent blood in violation of the law. He has in fact noted that he has retained attorneys to defend him in anticipation of such a suit.

However, there is also a financial incentive and motivation for Braid to invite a civil suit and/or continue doing abortions beyond the limits set forth in the Texas Heartbeat Act.

Braid stated that motivation in his opinion *Washington Post* article.

Then, this month, everything changed. A new Texas law, known as S.B. 8, virtually banned any abortion beyond about the sixth week of pregnancy. **It shut down about 80 percent of the abortion services we provide.** *[Emphasis added.]*

It is in Braid’s financial interests to defy the Texas Heartbeat Act and to perhaps do so repeatedly in to maintain the financial profits he receives from taking the lives of what are now legally protected human beings whose heartbeats can be detected in the womb of their mothers.

This places his financial interests above human lives and makes him a present danger to those lives, their mothers, and the public in general who are affected by his illegal acts.

The intentional taking the life of an innocent child whose life is under the protection of the law is a permanent and egregious loss that cannot be restored. It cannot be rectified. It cannot be undone. That human being is lost forever, and that loss represents a grievous crime that cannot be tolerated in the name of civil disobedience, political theater, or financial profit. It would certainly not be tolerated at any other stage of life in Texas.

Instead of providing the civil lawsuit he apparently craves, I have chosen instead to file this complaint against his medical license. I am requesting a full investigation into Alan Braid's illegal conduct as outlined in his self-aggrandizing *Washington Post* opinion article.

I am also seeking an emergency suspension of Texas medical license to prevent him from further violating Texas law at the cost of innocent and legally protected human life.

I further request that the Texas Medical Board take appropriate and permanent disciplinary action against Braid for his lawless conduct, up to and including permanent license revocation.

Please let me know if there is anything more that I can do to assist you.

Sincerely,



Cheryl Sullenger
Senior Vice President
Operation Rescue

Enclosures

Footnotes

1. S.B. 8, Texas Heartbeat Act Text: <https://legiscan.com/TX/text/SB8/id/2395961>
2. U.S. Supreme Court: <https://www.supremecourt.gov/opinions/relatingtoorders/20#list>
3. "Why I violated Texas' extreme abortion ban" by Alan Braid, Washington Post, September 18, 2021: <https://www.washingtonpost.com/opinions/2021/09/18/texas-abortion-provider-alan-braid/>