



State of Louisiana
Department of Health and Hospitals
Office of the Secretary

January 8, 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7009 2250 0002 7125 1368

Melaney A. Linton
Planned Parenthood Center for Choice, Inc.
4600 Gulf Freeway, Suite 300
Houston, TX 77023

Re: Outpatient Abortion Facilities Facility Need Review

Outpatient Abortion Facilities Facility Need Review (FNR) Approval Application
Service Area DHH Administrative Region 1 and surrounding regions
Outpatient Abortion FNR Application # A-2014-01

Dear Mrs. Linton:

Pursuant to Louisiana Revised Statute 40:2116 and the regulations published in the *Louisiana Register*, Vol. 38, No. 08, August 20, 2012, the Department has received your application for facility need review (“FNR”) approval to apply for licensure as an outpatient abortion facility and has reviewed your application to determine if there is a need for an additional outpatient abortion facility in the service area for which your application was submitted.

Louisiana Administrative Code Title. 48, pt. 1, §12524 (2012), as published in the *Louisiana Register*, Volume 38, No. 08, August 20, 2012, provides that the department shall grant facility need review approval only if the application, the data contained in the application, and other evidence effectively establishes the probability of serious, adverse consequences to individuals’ ability to access outpatient abortion facility services, if the provider is not allowed to be licensed. §12524(C)(2).

Your application failed to establish the probability of serious, adverse consequences to recipients’ ability to access outpatient abortion services if you are not allowed to apply for licensure as an outpatient abortion facility. Additionally, in reviewing your application, the department considered:

- a. the number of other outpatient abortion facilities in the same geographic location, region, and service area servicing the same population; and
- b. allegations involving issues of access to outpatient abortion services.

Therefore, it is the department’s decision to deny your application for FNR approval to apply for licensure as an outpatient abortion facility.

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You may request an administrative appeal of this action. To request an appeal, you must send your request in writing via registered mail to the Division of Administrative Law, within thirty (30) days of receipt of this letter. The request for an administrative hearing must contain a statement setting forth the specific reasons for which you disagree with the Department's decision. A fee of \$500 payable to the Department of Health and Hospitals shall accompany this request, and should be sent to the following address:

Division of Administrative Law – HH section
P. O. Box 4189
Baton Rouge, La, 70821-4189

Sincerely,



Kathy H. Kliebert

cc: Courtney Phillips
Steve Russo
Kim Humbles
Cecile Castello
Dora Kane, Health Standards Section
James H. Taylor, Health Standards Section, Facility Need Review