

CAPITOL OFFICE
STATE CAPITOL, ROOM 416
201 W. CAPITOL AVE.
JEFFERSON CITY, MO 65101
TELEPHONE (573) 751-3931
FAX (573) 751-4320
KURT.SCHAEFER@SENATE.MO.GOV



MISSOURI SENATE
JEFFERSON CITY

KURT SCHAEFER
19TH DISTRICT

COMMITTEES
APPROPRIATIONS, CHAIRMAN
JUDICIARY & CIVIL & CRIMINAL JURISPRUDENCE
GUBERNATORIAL APPOINTMENTS
JOINT COMMITTEE ON GOVERNMENTAL
ACCOUNTABILITY, CHAIRMAN
JOINT COMMITTEE ON LEGISLATIVE RESEARCH-
OVERSIGHT SUBCOMMITTEE, CHAIRMAN

July 29, 2015

Director Gail Vasterling
Missouri Department of Health and Senior Services
912 Wildwood
PO Box 570
Jefferson City, MO 65102-0570

Dear Director Vasterling:

As you are aware, the Senate Interim Committee on the Sanctity of Life held a hearing on July 27th for the purpose of investigating Planned Parenthood activity in Missouri. Among the issues before the Committee were the Department's decision to issue a license to the Columbia Planned Parenthood facility for abortion services and whether said facility meets the legal requirements for such a license under the 2010 Settlement Agreement and applicable statutes and regulations. Prior to the hearing, the Committee requested that a representative from the Department with knowledge of the license issuance be present to answer the Committee's questions, but the Department failed to produce such a representative. Rather, the Department produced its legislative liaison who was unable to supply the Committee with any relevant information.

Subsequent to the hearing, I have reviewed the documents in the Department's file for the Columbia facility license. It appears to me that at a minimum:

- 1) There is not sufficient documentation that the Department inspected and independently determined that the facility is in compliance with Sections 197.200-197.240, RSMo., or corresponding regulations, or that the facility is in compliance with the 2010 Settlement Agreement;
- 2) Despite specific prohibitions on transferability of the permit contained in Section 197.215, RSMo., the name of the licensee has changed; and

Director Gail Vasterling

July 29, 2015

Page Two

3) The license appears to actually recognize noncompliance with Sections 197.200-197.240, RSMo., in the areas of physical and equipment requirements for the facility as well as physician privileges at a hospital in the community, and, therefore, is issued conditionally for medical abortions only. However, the law does not appear to allow any license issuance without full compliance and does not give the Department discretion to issue conditional licenses.

Because the Department failed to provide representative with any knowledge of the Columbia Planned Parenthood licensing process at the July 27th hearing, and because of the issues raised above relating to the license itself, I request that you exercise your discretion under Section 197.220 to temporarily suspend Columbia Planned Parenthood's license pending sufficient investigation into the issues raised above, in order to determine whether the facility is in compliance with Missouri's licensing and operating conditions for such a facility and to satisfy the public that the Department has, in fact, exercised due diligence in ensuring all legal conditions for the issuance of the license have been met.

Respectfully

A handwritten signature in black ink, appearing to read "K. Schaefer", written in a cursive style.

Kurt Schaefer

Chairman – Senate Interim Committee on Sanctity of Life

KS:lmb

C: Senator Dempsey
Representative Richardson
Committee Members Senate Interim Committee on Sanctity of Life