



Eric J. Holcomb  
Governor

Kristina Box, MD, FACOG  
State Health Commissioner

CERTIFIED MAIL

Re: Licensure Application

NOTICE OF LICENSE APPLICATION DENIAL

Whole Woman's Health Alliance  
1812 Centre Creek Drive, Suite 205  
Austin, Texas 78754

To Whom It May Concern:

The Commissioner of the Indiana State Department of Health (hereinafter referred to as "Commissioner"), pursuant to Ind. Code § 16-21-2-11, Ind. Code § 4-21.5-3-5, and 410 IAC 26, hereby issues this *Notice of License Application Denial* to Whole Woman's Health Alliance ("WWHA" or "Applicant").

On August 11, 2017, the Indiana State Department of Health (the "Department") received an *Application for License to Operate an Abortion Clinic* from WWHA. On September 21, 2017, the Department requested additional information based on discrepancies noted in WWHA's application. On October 6, 2017, the Department received a revised application from WWHA. After reviewing the revised application, the Department requested additional information to determine compliance with 410 IAC 26. In response to the Department's request to list all of the abortion and health care facilities currently operated by WWHA, its parent, affiliate, and subsidiary organizations, WWHA failed to disclose, concealed, or omitted information related to additional clinics.

Based upon the Department's review, the Commissioner finds WWHA failed to meet the requirement that the Applicant is of reputable and responsible character and the supporting documentation provided inaccurate statements or information. *See* 410 IAC 26-2-5. You are hereby notified that the Commissioner has **DENIED** the license application of WWHA dated August 11, 2017 (supplemented on October 6, 2017 and December 8, 2017).

A person may not provide abortion services unless the person holds a license issued by the Indiana State Department of Health. A person who knowingly or intentionally operates or advertises the operation of an unlicensed abortion clinic commits a Class A misdemeanor. Ind. Code § 16-21-2-10. Ind. Code § 16-21-2-2.5.

If WWHA wishes to seek administrative review of the *Notice of License Application Denial* pursuant to Indiana Code 4-21.5-3-5, it must file a petition for review within eighteen (18) days after this *Notice of Licensure Application Denial* is served. The petition for review and petition of stay of effectiveness must be postmarked no later than **January 23, 2018**.



2 North Meridian Street • Indianapolis, IN 46204  
317.233.1325 tdd 317.233.5577  
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essential public health services.

The petition for review and petition of stay of effectiveness must be in writing and must include facts demonstrating that:

The petitioner is a person to whom the order is specifically directed;  
The petitioner is aggrieved or adversely affected by the order; or  
The petitioner is entitled to review under any law.

If the petition for review and petition for stay of effectiveness is not filed timely, this *Notice of License Application Denial* becomes a **FINAL ORDER**.


Any Petition for review should be submitted in writing to:

Court Administrator  
Office of Legal Affairs, #3H  
Indiana State Department of Health  
2 North Meridian Street  
Indianapolis, IN 46204-3006

So ordered this 3<sup>rd</sup> day of JANUARY, 2018.

Respectfully,

KRISTINA BOX, MD, FACOG  
STATE HEALTH COMMISSIONER

By:   
Terry L. Whitson  
Assistant Commissioner  
Health Care Quality & Regulatory Commission

CC: Preston Black, Office of Legal Affairs  
Bucy & Associates, PLLC c/o John Bucy, II  
File