

NEIL ABERCROMBIE
GOVERNOR



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

In reply, please refer to
file:

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HI 96801-3378

May 17, 2013

The Honorable Fred Upton
Chairman
Committee on Energy and Commerce
Congress of the United States
House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515-6115

Dear Chairman Upton:

Thank you for your letter dated May 8, 2013, requesting information on how states regulate and monitor abortion clinics. The following information is provided as requested:

1. The Hawaii Department of Health (DOH) does not license abortion clinics. Abortions can safely be performed in physicians' offices or clinics which do not require state licensure. In addition abortions do not normally require to be performed as an inpatient at a hospital. However, the DOH does license hospitals and freestanding surgical outpatient facilities which may perform abortions in addition to performing other medical or surgical procedures. Refer to Attachment 1 and Attachment 2 for copies of hospital licensing requirements and freestanding surgical outpatient facilities licensing requirements, respectively.
2. State licensure is not required therefore no licenses have been suspended or revoked.
3. The DOH does not inspect abortion clinics but does inspect and license facilities that may perform abortions, i.e., hospitals and freestanding surgical outpatient facilities. Hawaii has licensed a total of 17 freestanding surgical outpatient facilities which include specialty facilities for eye procedures, orthopedic procedures or plastic or cosmetic surgery. Hawaii has also licensed a total of 27 hospitals which include specialty facilities that provide psychiatric or physical rehabilitation services or hospitals that do not perform surgeries of any kind.
4. The DOH investigates complaints or adverse health events reported on or at hospitals or freestanding surgical outpatient facilities. Complaints or adverse health events are investigated by a professional registered nurse to determine whether the facility performed services in compliance with the requirements of their state license. Hawaii has no record of receiving complaints or adverse health events relating to abortions from 2008 to 2013.

5. Hawaii has no record of initiating any disciplinary action on facilities relating to abortions from 2008 to 2013.
6. Refer to Attachment 1 (Chapter 93, Broad Service Hospitals) and Attachment 2 (Chapter 95, Freestanding Surgical Outpatient Facilities). These rules and regulations are enforced by the Hawaii Department of Health, Office of Health Care Assurance (OHCA). OHCA is the state survey agency which conducts state licensing inspections and Medicare certification inspections on behalf of the U.S. Centers for Medicare and Medicaid Services (CMS).
7. The Child Abuse Prevention and Treatment Act (CAPTA) program is administered by the State's Department of Human Services (DHS), not the state Department of Health. You may wish to contact them directly for more details by contacting Patricia McManaman, Director, Hawaii Department of Human Services, P.O. Box 339, Honolulu, Hawaii 96809.

Should you have any questions feel free to contact Keith R. Ridley, Chief, Office of Health Care Assurance, at (808) 692-7227 or at keith.ridley@doh.hawaii.gov or by mail at Hawaii Department of Health, Office of Health Care Assurance, 601 Kamokila Blvd., Room 337, Kapolei, Hawaii 96707.

Sincerely,



Loretta J. Fuddy, ACSW, MPH
Director of Health

Promoting Lifelong Health & Wellness

Attachments