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New abortion clinic applies for license in South Bend

By Margaret Fosmoe South Bend Tribune Oct 14, 2017 Updated Oct 25, 2017



The Austin, Texas-based Whole Woman's Health Alliance has applied for a license to open a family planning clinic that provide non-surgical abortions at 3511 Lincoln Way West in South Bend. The area has not had an abortion-services provider since 2015. Tribune Photo/BOB BLAKE

SOUTH BEND — A new Austin, Texas-based family planning clinic that would provide non-surgical abortions has applied for a license with the Indiana State Department of Health to open a location here.

The firm Whole Woman's Health Alliance would base its clinic at 3511 Lincoln Way W., a short distance west of Bendix Drive. The building formerly housed a chiropractic clinic.

The nonprofit has asked the state to waive certain abortion-licensing requirements because surgical abortions would not be provided.

The organization already operates women's health and abortion clinics in eight cities, according to its website: Austin, Ft. Worth, San Antonio and McAllen, Texas; Peoria, Ill.; Baltimore, Md.; Charlottesville, Va.; and Minneapolis. It provides medication abortion to women who are up to 10 weeks pregnant.

According to a copy of the clinic's application, which the South Bend Tribune obtained via a public records request, patients seeking abortions at Whole Woman's Health in South Bend would take the abortion-inducing medication Mifepristone in the presence of a physician. One to two days later, they would take another medication at home. After that, they would return to the clinic for a follow-up appointment to confirm their pregnancy was terminated.

Jennifer O'Malley, director of the office of public affairs with the state health department, said the clinic's application is being reviewed.

This area has been without a provider of abortion services since November 2015. That's when Dr. Ulrich "George" Klopfer dropped his appeal of the state revoking his medical license amid allegations of violations of state laws and regulations. Klopfer had also operated clinics in Fort Wayne and Gary that were shut down.

Currently, the closest abortion services providers are in Merrillville, Ind., Chicago; Indianapolis; and Kalamazoo, Mich.

On the application, Liam Morley is listed as the proposed clinic's administrator. She was an employee for several years at the clinic Klopfer ran and in August 2016 identified herself to a Tribune reporter as director of the Pro Choice South Bend group.

Morley said at the time that Pro Choice South Bend, which provides community outreach for women seeking abortions, was not directly involved in efforts to launch another clinic.

The Tribune on Friday placed numerous phone calls and e-mails and left messages seeking comment from Pro Choice South Bend, but no one from the group responded. Morley could not be reached for comment.

On the application, the proposed clinic's medical director is listed as Jeffrey D. Glazer, M.D., an obstetrician-gynecologist who is licensed to practice in Kentucky, Indiana and Ohio.

Under Indiana law, any physician providing abortion services (whether surgical or via medication) must have admitting privileges at a hospital in the county where abortions are provided or in a contiguous county, or must have entered into an agreement with a physician who has admitting privileges at one of those hospitals. The measure was approved by the General Assembly in 2016 and signed into law by then-Gov. Mike Pence.

The ISDH provided The Tribune with a copy of Glazer's agreement with a local physician who has hospital admitting privileges, but O'Malley said state law requires the department to redact identifying information from the document, including the physician's name.

Members of the St. Joseph County Right to Life and Indiana Right to Life groups are encouraging supporters to voice their opposition to the proposed clinic. The groups have created an online petition that notifies state and local government officials of opposition to the clinic proposal.

"If there is a chance for us to stop this clinic from opening, we will do everything in our power to do that," Antonio Marchi, program director for St. Joseph County Right to Life, said Friday. And if the clinic opens, Right to Life members will make sure women who visit the clinic can get all the help they need without going through with an abortion, he said.

The Tribune on Friday contacted Whole Woman's Health Alliance and requested an interview with Amy Hagstrom Miller, the organization's chief executive officer and founder.

She declined the interview request. In an emailed statement attributed to her, she wrote, in part: "It is our commitment to go into places that are underserved and where women have suffered because so many clinics have shuttered due to continued political interference. South Bend women and families deserve access to high quality abortion care services..."

Whole Woman's Health was involved in a landmark case decided by the U.S. Supreme Court in June 2016. The court strengthened constitutional protections for abortion rights, striking down parts of a Texas law signed by then-Gov. Rick Perry that could have drastically reduced the number of abortion clinics in the state, leaving them only in the largest metropolitan areas. The court ruled that Texas cannot place restrictions on the delivery of abortion services that create an undue burden for women seeking an abortion.

The court found that Texas' restrictions — requiring doctors to have admitting privileges at nearby hospitals and clinics to meet the standards of ambulatory surgical centers — violated a prohibition on placing an "undue burden" on a woman's ability to obtain an abortion, the New York Times reported.

The Whole Woman's Health clinic in Austin, founded in 2003, was forced to close in 2014 as a result of the Texas law, but reopened in April 2017 after the Supreme Court ruling.

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