



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Office of Health Care Quality

Spring Grove Center • Bland Bryant Building

55 Wade Avenue • Catonsville, Maryland 21228-4663

Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

TRANSMITTAL

TO: Directors, Surgical Abortion Centers

**FROM: Nancy Grimm, Director,
Office of Health Care Quality**

RE: Surgical Abortion Regulations

DATE: June 22, 2012

This transmittal is to inform you of a new State regulation regarding the licensure of all Surgical Abortion Facilities. Health-General Article 20-209, Annotated Code of Maryland, requires that all Surgical Abortion Facilities shall be licensed by the Department of Health and Mental Hygiene, Office of Health Care Quality (OHCQ) by November 23, 2012. The oversight of Surgical Abortion Facilities will be the responsibility of the OHCQ. The regulations will be available online on the OHCQ website or State Documents. You will find included in this transmittal, general information regarding the upcoming licensing requirements.

Although the regulations will be effective July 23, 2012, the OHCQ will provide a provisional period of one hundred and twenty (120) days from the effective date to allow OHCQ to complete the licensure survey process as required under the regulations.

A Surgical Abortion Facility means an outpatient facility that provides surgical termination of pregnancy as a regular service except if the facility is regulated by the Department under: (a) Health General Article, Title 19, Subtitle 2, Annotated Code of Maryland; (b) Health General Article, Title 19, Subtitle 3A, Annotated Code of Maryland; or (c) Health General Article, Title 19, Subtitle 3B, Annotated Code of Maryland. Surgical Abortion Facilities may be required to perform and submit their own complaint investigations. OHCQ may conduct an on-site investigation after considering the following: whether the complainant had first-hand

knowledge of the alleged incident; the facility's regulatory history; whether the facility was recently inspected; and the nature of the complaint, including degree of potential serious harm to patients. Surgical Abortion Facilities shall ensure that the Administrator is experienced and can demonstrate competency to ensure that the appropriate standards of care, including proper infection control procedures, are met. There are additional requirements for the Medical Director that includes developing protocols for management of surgical patients and emergency situations.

The OHCQ has included an Application for Surgical Abortion Facility Licensure with this transmittal. If your center needs to apply for a Surgical Abortion Facility license please fill out and return the application form to the OHCQ. The application should be sent to the following address:

Maryland Department of Health and Mental Hygiene
Office of Health Care Quality
Surgical Abortion Facilities
Spring Grove Center, BB Building
55 Wade Avenue
Catonsville, MD 21228

You may also access this transmittal and the licensure application on the OHCQ website at www.dhmh.maryland.gov/ohcq/AC/docs/ascabortionapplication040612.pdf. Upon receipt of a completed application, the OHCQ will review and determine if the center is subject to survey prior to licensure or the center may be granted licensure based on their approved application.

Please contact Barbara Fagan, the Program Manager for Surgical Abortion Facilities, at 410.402.8040 if you have any questions. We appreciate your attention to this matter.