

From Dayton Daily News...

“Activists pack license hearing for Ohio abortion clinic”

By JULIE CARR SMYTH

The Associated Press

COLUMBUS, Ohio —



Dozens of people attend a hearing about an Ohio abortion clinic's license on Tuesday, April 26, 2016, in Columbus, Ohio. Anti-abortion activists packed a hearing to determine the fate of the clinic's license, as the facility's operators argued they are meeting emergency requirements laid out in a 2013 law that has contributed to clinic closures around the state. (AP Photo/Julie Carr Smyth)



This photo shows chalk messages written by anti-abortion activists on a sidewalk near a hearing about an Ohio abortion clinic's license on Tuesday, April 26, 2016, in Columbus, Ohio. Anti-abortion activists packed a hearing to determine the fate of the clinic's license, as the facility's operators argued they are meeting emergency requirements laid out in a 2013 law that has contributed to clinic closures around the state. (AP Photo/Julie Carr Smyth)



Activists set up anti-abortion signs and wrote chalk messages on a sidewalk outside a hearing about an Ohio abortion clinic's license on Tuesday, April 26, 2016, in Columbus, Ohio. Anti-abortion activists packed a hearing to determine the fate of the clinic's license, as the facility's operators argued they are meeting emergency requirements laid out in a 2013 law that has contributed to clinic closures around the state. (AP Photo/Julie Carr Smyth)

Anti-abortion activists packed a hearing to determine the fate of an Ohio abortion clinic's license on Tuesday as the facility's operators argued they are meeting emergency requirements laid out in a 2013 law that has contributed to clinic closures around the state.

Women's Medical Center of Dayton has been grappling with Ohio's evolving licensing requirements for abortion providers for more than a decade. Attorney Jennifer Branch said the clinic planned to argue it has a plan for transferring patients when emergencies occur that is safe and complies with Ohio law.

State Health Director Rick Hodges twice last year denied the facility's applications for an exception to a state law requiring it to have a patient-transfer agreement with an area hospital for emergencies. The first request identified two backup doctors for such cases; the amended request identified three. Hodges' rejection of Women's Med's variance requests followed a series of operating restrictions on ambulatory surgical facilities, which include abortion clinics, that were added to the 2013 budget bill.

Among other things, the provisions required an emergency-transfer agreement with a hospital, prevented public hospitals from joining those agreements and strengthened the state health director's authority to refuse exceptions. The combination has contributed to clinic closures or near-closures in several Ohio cities.

A federal judge has ruled that the clinic can continue to operate while it fights to obtain its license.

"The written transfer agreement is a piece of paper with a hospital," Branch said. "It's just not a necessity to protect a patient's health and the clinic has been operating just fine without one for the last 14 years."

Protesters from the group Created Equal, which campaigned against ob/gyn doctors in the Dayton area signing onto Women's Med's backup plan, set up placards with pictures of fetal parts on the sidewalk in front of the Ohio Department of Health.

Margie Christie, [assistant] executive director of Dayton Right to Life, was among dozens of abortion opponents who turned out for the hearing. It involves a clinic operated by physician Martin Haskell, a figure reviled by Ohio abortion foes.

"Basically, from the get-go, we just want the law to be followed," Christie said. "He needs to operate like any other ambulatory surgical facility in the state. That's all we're asking, is that the rules get followed and that he's included in those rules."

An Associated Press investigation last year found aides to Republican [Gov. John Kasich](#), who is running for president, helped hone some of that language of the 2013 provisions about 18 months before they emerged publicly, despite Kasich never attaching his administration to the proposals during the budget process.

Mt. Vernon attorney William Kepko, the independent hearing examiner, said he expected questioning to last two days. He said he will work to

get his recommendation in the case to Hodges as soon as possible after that.

Health Department spokeswoman Melanie Amato said there is no deadline for the examiner's report to be sent to Hodges, who will make the final determination.

Copyright The Associated Press