



Michael R. Pence
Governor

Jerome M. Adams, MD, MPH
State Health Commissioner

EXHIBIT 2
to 10-22-15
Bishop's Letter

June 26, 2015

REGARDING THE APPLICATION FOR LICENSE TO OPERATE AN ABORTION CLINIC:

Women's Pavilion
2010 Ironwood Circle
South Bend, IN 46635

NOTICE OF DENIAL OF LICENSE

To: Dr. Ulrich Klopfer, DO
Women's Pavilion
2010 Ironwood Circle
South Bend, IN 46635

The Director of the Division of Acute Care, Indiana State Department of Health (hereinafter referred to as "Director"), upon review and recommendation of the Abortion Clinic Licensing Program ("Program"), hereby issues this Notice of Denial of License ("Notice").

At the time of this Notice, the applicant's current licensure is pending revocation following a complaint survey conducted on June 03, 2015. During the complaint survey deficiencies demonstrating non-compliance were cited. The program believes these deficiencies provide further evidence of the clinic's inability to comply with and follow existing state law and that such behavior is an intentional and willful act.

TLC
Advocates

Based on the clinic's survey history of non-compliance, ongoing non-compliance, untimely and unacceptable plans of correction and pending license revocation, the application for licensure for the above-referenced abortion clinic (seeking licensure following the expiration of the current license on June 30, 2015) has been denied.

If you wish to seek administrative review of this action pursuant to Indiana Code § 4-21.5-3-5, you must file a petition for review within eighteen (18) days after the date of this Notice.

A petition for review 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 is not filed timely, this action becomes a FINAL ORDER.



2 North Meridian Street • Indianapolis, IN 46204
317.233.1325 tdd 317.233.5577
www.statehealth.in.gov

To promote and provide
essential public health services.

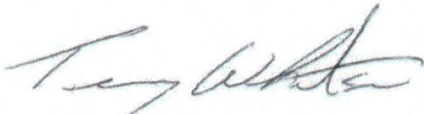
Any petition for review should be submitted in writing to:

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

Upon receipt of a timely filed petition for review, an administrative proceeding will be conducted by an Administrative Law Judge appointed by the Indiana State Department of Health.

This action does not prohibit the applicant from re-applying for licensure in the future.

Respectfully,

A handwritten signature in black ink, appearing to read "Terry L. Whitson". The signature is fluid and cursive, with a large initial "T" and "W".

Terry L. Whitson
Assistant Commissioner
Health Care Quality and Regulatory Commission



Michael R. Pence
Governor

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State Health Commissioner

June 26, 2015

4A-07
Alyson Cox
16620 Holly Oak Dr
Westfield, IN 46074

RE: Complaint Allegation #: IN00170828

Dear Alyson Cox:

An investigation of your complaint filed with the Acute Care Division was completed on June 3, 2015 and found that your complaint was substantiated. This means the allegation(s) of your complaint was confirmed. The enclosed document is the survey report written as the result of the investigation.

When a complaint is investigated, surveyors typically interview a variety of people, review records and other documents, and make observations. Each concern of your complaint was investigated. The evidence obtained by the surveyors identified there was a violation of state requirements. These violations (deficiencies) are listed on the left-hand portion of the survey report included with this letter. The Division will review the survey findings and recommend an appropriate enforcement action.

This complaint is now closed. Should you have any questions about the report of the investigation, do not hesitate to contact us. You will need the Complaint Allegation Number identified above.

Thank you for your concern regarding the care provided to the patients in Indiana and your desire to ensure patients receive the quality care required by state regulations.

Sincerely,

John Lee, RN, MBA
Nurse Surveyor Supervisor
Program Director, Hospitals, ASC's
317/233-7487



Michael R. Pence
Governor

Jerome M. Adams, MD, MPH
State Health Commissioner

June 29, 2015

4A-07
Jennifer Borek
South Bend, IN
By Email

RE: Complaint Allegation #: IN00165426

Dear Jennifer Borek:

An investigation of your complaint filed with the Acute Care Division was completed on June 3, 2015 and found that your complaint was substantiated. This means the allegation(s) of your complaint was confirmed. The enclosed document is the survey report written as the result of the investigation.

When a complaint is investigated, surveyors typically interview a variety of people, review records and other documents, and make observations. Each concern of your complaint was investigated. The evidence obtained by the surveyors identified there was a violation of state requirements. These violations (deficiencies) are listed on the left-hand portion of the survey report included with this letter. The Division will review the survey findings and recommend an appropriate enforcement action.

This complaint is now closed. Should you have any questions about the report of the investigation, do not hesitate to contact us. You will need the Complaint Allegation Number identified above.

Thank you for your concern regarding the care provided to the patients in Indiana and your desire to ensure patients receive the quality care required by state and/or federal regulations.

Sincerely,

John Lee, RN, MBA
Nurse Surveyor Supervisor
Program Director, Hospitals, ASC's
317/233-7487

NOTE THAT THE TWO SURVEY REPORTS, THAT WERE ATTACHED TO EACH OF THE COVER LETTERS ABOVE, WERE NOT INCLUDED IN THIS EXHIBIT 2 TO THE 10-22-15 Bishop's Letter