

Abortion Clinic Standards

When the sense of God is lost, there is also a tendency to lose the sense of man, of his dignity and his life; in turn, the systematic violation of the moral law, especially in the serious matter of respect for human life and its dignity, produces a kind of progressive darkening of the capacity to discern God's living and saving presence. (*Pope John Paul II, The Gospel of Life*)

Church teaching

- ★ [Abortion] in particular is a horrendous crime and constitutes a particularly serious moral disorder; far from being a right, it is a sad phenomenon that contributes seriously to spreading a mentality against life, representing a dangerous threat to a just and democratic social coexistence. (*Compendium of the Social Doctrine of the Church, 233*)
- ★ The first right of the human person is his life. He has other goods and some are more precious, but this one is fundamental - the condition of all the others. Hence it must be protected above all others. It does not belong to society, nor does it belong to public authority in any form to recognize this right for some and not for others: all discrimination is evil, whether it be founded on race, sex, color or religion. It is not recognition by another that constitutes this right. This right is antecedent to its recognition; it demands recognition and it is strictly unjust to refuse it. (*Congregation for the Doctrine of the Faith, Declaration on Procured Abortion*)
- ★ When it is not possible to overturn or completely abrogate a pro-abortion law, an elected official, whose absolute personal opposition to procured abortion was well known, could licitly support proposals aimed at limiting the harm done by such a law and at lessening its negative consequences at the level of general opinion and public morality. This does not in fact represent an illicit cooperation with an unjust law, but rather a legitimate and proper attempt to limit its evil aspects. (*Pope John Paul II, The Gospel of Life*)

Resources

- ★ **Texas Catholic Conference** Abortion page (www.TXcatholic.org/abortion.asp)
- ★ **US Conference of Catholic Bishops** Abortion page (www.USCCB.org/prolife/issues/abortion/)
- ★ **Second Look Project** (www.SecondLookProject.org)
- ★ **National Catholic Bioethics Center** The NCBC conducts research, consultation, publishing and education to promote human dignity in health care and the life sciences, and derives its message directly from the teachings of the Catholic Church (www.NCBCenter.org)
- ★ **Pontifical Academy for Life** The Pontifical Academy for Life was established to study and to provide information and training about the principal problems of law and biomedicine pertaining to the promotion and protection of life, especially in the direct relationship they have with Christian morality and the directives of the Church's Magisterium (www.AcademiaVita.org)
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In the Texas Health and Safety Code, Ambulatory surgical centers are defined as facilities that operate “primarily to provide surgical services to patients who do not require overnight hospital care.” Standards regulating ambulatory surgical centers are much higher than those regulating abortion facilities. The Texas Catholic Conference supports requiring all surgical abortion clinics to meet ambulatory surgical center standards to ensure that quality safety standards are met, in conjunction with our efforts to reduce the number of abortions. See underlined items in for standards we support adding to abortion clinic standards, and strikethrough items for standards we support erasing from abortion clinic standards. Items in bold are those copied from the ambulatory center standards.

Suggested Changes to Abortion Facility Standards	Ambulatory Surgical Center Standards
<p>§ 245.006. INSPECTIONS. (a) The department may inspect an abortion facility is subject to an on-site licensing inspection under this chapter once every three years while the center maintains the certification. at reasonable times as necessary to ensure compliance with this chapter.</p>	<p>§ 243.006. INSPECTIONS. (b) An ambulatory surgical center licensed by the department and certified under Title XVIII of the Social Security Act (42 U.S.C. Section 1395 et seq.) is subject to an on-site licensing inspection under this chapter once every three years while the center maintains the certification.</p>
<p>§ 245.010. MINIMUM STANDARDS. (a) The rules must contain minimum standards to protect the health and safety of a patient of an abortion facility and, must contain provisions requiring compliance with the requirements of Subchapter B, Chapter 171, contain standards regarding the construction and design, including plumbing, heating, lighting, ventilation, and other design standards necessary to ensure the health and safety of patients; and have a quality assurance program for patient care.</p>	<p>§ 243.010. MINIMUM STANDARDS. (a) The rules must contain minimum standards applicable to an ambulatory surgical center and for: (1) the construction and design, including plumbing, heating, lighting, ventilation, and other design standards necessary to ensure the health and safety of patients; (2) the qualifications of the professional staff and other personnel; (3) the equipment essential to the health and welfare of the patients; (4) the sanitary and hygienic conditions within the center and its surroundings; and (5) a quality assurance program for patient care.</p>
<p>§ 245.014. CRIMINAL PENALTY. (a) A person commits an offense if the person violates Section 245.003(a). (b) An offense under this section is a Class AC misdemeanor.</p>	<p>§ 243.013. CRIMINAL PENALTY. (a) A person commits an offense if the person violates Section 243.003(a). (b) An offense under this section is a Class C misdemeanor.</p>
<p>§ 245.016. <u>EMERGENCY SUSPENSION. The department may issue an emergency order to suspend a license issued under this chapter if the department has reasonable cause to believe that the conduct of a license holder creates an immediate danger to the public health and safety. An emergency suspension is effective immediately without a hearing on notice to the license holder.</u> —ABORTION IN UNLICENSED ABORTION FACILITY TO PREVENT DEATH OR SERIOUS IMPAIRMENT. This chapter does not remove the responsibility or limit the ability of a physician to perform an abortion in an unlicensed abortion facility if, at the commencement of the abortion, the physician reasonably believes that the abortion is necessary to prevent the death of the patient or to prevent serious impairment of the patient's physical health.</p>	<p>§ 243.0115. EMERGENCY SUSPENSION. The department may issue an emergency order to suspend a license issued under this chapter if the department has reasonable cause to believe that the conduct of a license holder creates an immediate danger to the public health and safety. An emergency suspension is effective immediately without a hearing on notice to the license holder.</p>