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(Administration)  
P.O. Box 2105  
Napa, California 94558  
(707) 224-6675

**Southern California**

P.O. Box 1313  
Ojai, California 93024  
(805) 640-1940

**LLDF.org**

October 14, 2013

Alabama Department of Public Health

**ATTN: Brian Hale**

201 Monroe Street, Suite 1540

Montgomery, Alabama 36104

334-206-5873 (voice)

334-206-5874 (fax)

[brian.hale@adph.state.al.us](mailto:brian.hale@adph.state.al.us)

*Sent via email*

***RE: New Woman All Women/Women's Center Inspection Request***

To Mr. Hale:

As you are aware, Judge Boohaker has ruled that Bruce Norman's facility, located at 1001 17th Street S, Birmingham, AL, is an abortion center under both the numerical definitional criteria set forth in Ala. Admin. Code Rule 420-5-1.01(2)(b)(1) and, as set forth, in Ala. Admin. Code Rule 420-5-1.05(2)(b)(2), with regard to the facility holding itself out to the public as an abortion provider.

The Alabama Department of Public Health (ADPH) is responsible for inspecting abortion centers and ensuring compliance with local, state and national laws regulating such facilities pursuant to Ala. Admin. Code Rule 420-5-1.01(1). If Norman continues to operate an abortion center without first obtaining a license, then ADPH is obligated to pursue civil and criminal sanctions against Norman for performing illegal abortions. Additionally, if Norman continues to perform abortions and maintain that he is not an abortion center, it is incumbent upon the ADPH to inspect the facility and their business records to ensure that Norman is complying with both the law and with Judge Boohaker's court order.

We are calling on the ADPH to do its job and commence inspections immediately. The safety and medical well being of the women and children of Birmingham is at stake.

Bruce Norman is no stranger to medical mishaps. On January 21, 2012, fire trucks and ambulances responded to the New Woman All Women (NWA)W) abortion clinic and transported two women to local hospitals. Norman was the abortionist on duty when the women were injured. Thereafter, an investigation by your agency resulted in a 76-page deficiency report, dated March 30, 2012, finding numerous health concerns and medical errors at the facility.

On August 7, 2013, a woman was rushed by ambulance to a local hospital from the Jackson Women's Health Clinic in Jackson, Mississippi. This clinic is owned and operated by Diane Derzis and Bruce Norman performs abortions at

this facility. This is the exact type of medical malfeasance that will continue to occur in Birmingham at the New Woman All Women/Women's Center abortion center if Norman and Derzis' operations continue to go unchecked. Each day that the ADPH allows Norman and Derzis to operate their abortion center without a license and without oversight and inspection, it is endangering the safety and welfare of Alabama's women.

Not only is Norman prohibited from operating an abortion center without a license under the law, the consent agreement entered into between Derzis and ADPH on April 2, 2012, strictly prohibits Norman from performing any abortions at the facility regardless of who owns and operates the facility. ADPH has the authority to enforce the consent agreement and to immediately close the facility.

Furthermore, your agency conducted an inspection of the facility on April 20, 2012, in response to an application for licensure by Mary Ann Rainwater. A non-exhaustive list of items that were identified as noncompliant with the applicable plans, rules, and codes was prepared by you, and sent to James S. Ward, counsel for the new license applicant on May 8, 2012. To date, no person has provided proof of correction of any of the non-compliant items. Accordingly, ADPH should immediately inspect the property for proof of the required corrections. If these corrections have not been made, it is incumbent upon ADPH, for the safety of women seeking medical services at the facility, to close the facility until they can provide proof of correction of **all** of the noncompliant items.

We implore your agency to conduct a full investigation into Norman's business practices and to hold Norman accountable in a court of law for any and all violations. Norman's business practices not only violate the law and Judge Boohaker's court order, but also continue to endanger the lives of Alabama's women.

Thank you for your time and consideration of these matters. We look forward to discussing your response to our concerns and we hope to hear from you no later than October 28, 2013 regarding this urgent matter.

Very truly yours,



Allison K. Aranda  
Senior Staff Counsel  
PO Box 890685  
Temecula, CA 92589  
Phone: 951-296-2835  
Fax: 951-541-2711

On behalf of:

Fr. Terry Gensemer, Director  
Sarah Howell, Assistant  
*CEC For Life*

Troy Newman, President  
Cheryl Sullenger  
*Operation Rescue*