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Alabama Department of Public Health

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*Sent via email*

**RE: West Alabama Women's Center**

Dear Mr. Hale:

I am in receipt of ADPH's response to my initial requests for inspection of the West Alabama Women's Center (WAWC) and to suspend, if not revoke, their abortion license issued by your department.

In your response, you state that your department has no evidence of the death of a woman immediately following her receipt of services at the WAWC. On August 5, 2020, Dr. Patricia Gensemer requested "autopsy reports for any females over 14 years of age and under 40 years of age with a date of death for May 7, 2020 in Tuscaloosa County. On August 5, 2020, it was confirmed that files matching this request were now available. Subsequently, on August 27, 2020, the Alabama Department of Forensic Sciences (ADFS) confirmed, "District Attorney Hays Webb notified the ADFS that the case remain[ed] under criminal investigation."

It is the non-discretionary duty of the ADPH to investigate the death of a woman related to services she obtained at an abortion facility, particularly, in the case here where the death is under criminal investigation. Therefore, we are demanding, once again, that the ADPH fulfill its lawful responsibility to conduct a thorough inspection and investigation of the West Alabama Women's Center, located on 535 Jack Warner Pkwy, Tuscaloosa, AL, 35404 and the death that occurred on May 7, 2020.

Ala. Code Section 22-21-25 states that the State Board of Health may suspend or revoke a license on any of the following grounds: 1) violation of any of the provisions of this article or the rules and regulations issued

pursuant thereto, 2) permitting, aiding or abetting the commission of any illegal act in the institution, or 3) conduct or practices deemed by the State Board of Health to be detrimental to the welfare of the patients of the institution.

In this case, it is imperative that ADPH suspend, if not revoke, the licenses of WAWC for employing a physician who failed to provide the medically required standard of care to his patients. Such medical malfeasance is detrimental to the welfare of the women of Alabama and must be corrected at once.

Secondly, you claim that no new license is required because the WAWC remains the owner and operator of the abortion clinic located at 535 Jack Warner Parkway in Tuscaloosa, AL. Respectfully, the law and the facts of the change in ownership are contrary to your assertion.

Alabama Administrative Code Rule 420-5-1-.01 (4)(e) requires a new license be applied for and issued when there is 1) a change in facility ownership or operating entity, 2) change in facility name, or 3) relocation.

In 1993, the WAWC was incorporated and located at 535 River Rd NE Ste 12, Tuscaloosa, AL 35405, with an entity ID number of 157-952. The agent for service of process was listed as Gloria Gray. In 1999, the WAWC moved locations to 535 Jack Warner Pkwy NE Ste I, Tuscaloosa, AL 35404. The entity number remained the same and the agent for service of process was listed as Gloria Gray.

Although the ADPH claims that the WAWC has not had a change in facility ownership or operating entity, in March 2020, Gloria Gray sold the WAWC to the Yellowhammer Fund according to Yellowhammer's president, Amanda Reyes. While the abortion facility remains the WAWC, the owner of the WAWC is no longer Gloria Gray. Rather, the entity that operates the WAWC is Yellowhammer Fund and their president, Amanda Reyes.

Under Alabama law, ANY change in facility ownership or operating entity, requires a new license application and approval. Both the operating entity of the WAWC (now Yellowhammer Fund) and the owner (Amanda Reyes) have changed hands and thus, a new license application and approval is required. To date, there is no evidence that Ms. Reyes or the Yellowhammer Fund applied for or was issued a license to operate the WAWC. Accordingly, the ADPH must suspend and revoke the WAWC's current license until a new license can be obtained, as required by law.

Lastly, as you may recall Amanda Reyes, president of the Yellowhammer Fund, hired a new abortionist, Leah Torres. It has recently come to our attention that the Alabama Board of Medical Examiners has suspended Torres' medical license based on fraud. (See attached letter from the AL BME). The *new owner/operator* of the WAWC, Amanda

Reyes, hired Leah Torres, as the Medical Director and chief abortionist for the facility. The fact that Ms. Reyes employed an abortionist who fraudulently obtained a license to practice medicine in Alabama is grounds for the ADPH to suspend, if not revoke, the WAWC's abortion license. (Ala. Code Section 22-21-25). There is no doubt that hiring an abortionist, who has committed the heinous acts that Ms. Torres is alleged to have committed, is grounds for revocation. Ms. Torres has purportedly violated the provisions, rules, and regulations of the ADPH, Ms. Reyes has permitted the commission of the illegal acts, and lastly, their combined conduct and practices are detrimental to the welfare of the citizens of Alabama. Accordingly, the ADPH must act immediately to suspend, if not revoke, the abortion license issued to the WAWC, to ensure the safety 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 September 23, 2020 regarding this urgent matter.

Very truly yours,



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