

DISCLOSE ACT based on clinic poor performance

A. Mandated "home page" live link to KDHE-WRTK

The court challenge was lost on this provision and yet it's not fully implemented as intended

http://www.kslegislature.org/li_2016/b2015_16/statute/065_000_0000_chapter/065_067_0000_article/065_067_0009_section/065_067_0009_k/

(l) Any private office, freestanding surgical outpatient clinic or other facility or clinic in which abortions are performed that has a website shall publish an **easily identifiable link on the homepage** of such website that directly links to the department of health and environment's website that provides informed consent materials under the woman's-right-to-know act. Such link shall read:

"The Kansas Department of Health and Environment maintains a website containing information about the development of the unborn child, as well as video of sonogram images of the unborn child at various stages of development. The Kansas Department of Health and Environment's website can be reached by clicking here."

1. **MISSING ON HOME PAGE:** HODES-NAUSER Center for Women's Health in Overland Park

NOT on the OFFICE homepage <http://www.hodesnauser.com/>

Nor on <http://www.hodesnauser.com/first-visit>

<http://www.hodesnauser.com/patient-resources>

<http://www.hodesnauser.com/services/procedures-services/pregnancy-termination-abortion>

Several steps into the website,
at this above page, in the middle of much copy,
and not using the correct, specified wording
is live link in grey ink:

ACCORDING TO KANSAS LAW:

A. INFORMATIONAL MATERIALS are available in printed form and online at www.womansrighttoknow.org and www.kansaswomansrighttoknow.org, describing the unborn child and listing agencies which offer alternatives to abortion with a special section listing adoption services, and a list of providers of free ultrasound services.

and <http://www.hodesnauser.com/forms/surgical-abortion-package.html>

in miniscule type in the middle of much copy:

INFORMATIONAL MATERIALS are available in printed form and online at [womansrighttoknow.org](http://www.womansrighttoknow.org) and [kansaswomansrighttoknow.org](http://www.kansaswomansrighttoknow.org), describing the fetus and listing agencies which offer alternatives to abortion with a special section listing adoption services, national perinatal assistance, and a list providers of free ultrasound service and free perinatal assistance.

2. **MINIMIZED SIZE & GREY INK ON GREY BACKGROUND**

SOUTH WIND Women's Center in Wichita <http://www.southwindwomenscenter.org/>

3. **MINIMIZED SIZE & GREY INK**

PLANNED PARENTHOOD Comprehensive Health in Overland Park & Wichita

<https://www.plannedparenthood.org/planned-parenthood-comprehensive-health-great-plains>

B. State-required statements undermined/contradicted

1. HODES-NAUSER MISSTATES & CONTRADICTS RISKS IN WRTK BOOKLET AS NON-SCIENTIFIC

6 _ “**RISKS** with terminating a pregnancy vs. carrying a pregnancy to term. Health risks are low with either decision. There is approximately 1 death for every **200,000** women who have a legal abortion. These rare deaths are usually of adverse reactions to anesthesia, heart attacks, or uncontrollable bleeding. The death rate for a woman carrying a pregnancy to term is about **20-30 times higher**. **There is NO credible scientific evidence that abortion causes breast cancer or pre-term birth in subsequent pregnancies.**” <http://www.hodesnauser.com/forms/surgical-abortion-package.html>

2. HODES-NAUSER COMPLAINS IN BOLD FACE ABOUT PAIN CAPABILITY (SCREENSHOT):

G. The State of Kansas requires us to make the following statements, which we believe to be medically inappropriate, misleading, and ideologically motivated. We are currently challenging the validity of this requirement in court: “By no later than 20 weeks from fertilization, the unborn child has the physical structures necessary to experience pain. There is evidence that by 20 weeks from fertilization unborn children seek to evade certain stimuli in a manner that in an infant or an adult would be interpreted to be a response to pain. Anesthesia is routinely administered to unborn children who are 20 weeks from fertilization or older who undergo prenatal surgery.”

<http://www.hodesnauser.com/forms/surgical-abortion-package.html>

3. SOUTH WIND MINIMIZES IN SIZE & ADDS DISCLAIMER ON PAIN CAPABILITY (SCREENSHOT):

G) The following statement is mandated by the State of Kansas: “by no later than 20 weeks from fertilization, the unborn child has the physical structures necessary to experience pain. There is evidence that by 20 weeks from fertilization unborn children seek to evade certain stimuli in a manner that in an infant or an adult would be interpreted to be a response to pain. Anesthesia is routinely administered to unborn children who are 20 weeks from fertilization or older who undergo prenatal surgery.” However, physicians at Wichita Medical Practice and the American Medical Association (AMA) and the American College of Obstetricians and Gynecologists (ACOG) dispute the above statement required by the State of Kansas. ACOG specifically states, “No credible scientific evidence exists of fetal pain perception pre-viability. The medical profession produced a rigorous scientific review of evidence on fetal pain in the Journal of the American Medical Association (JAMA), 2005. Fetal perception of pain is not confirmed prior to the 3rd trimester. Perception of pain is only confirmed after viability.”

<http://www.southwindwomenscenter.org/wp-content/uploads/2013/08/24-Hour-Consent-Full.pdf>

C. Cite not found in reg or statute

HODES-NAUSER NO EVIDENCE IN KANSAS HEALING BOARD REGS OR STATUTE FOUND FOR THIS CLAIM:

“If you live more than a 45 minute drive from the office, **Kansas Law requires** that patients needing a 2-day procedure must stay overnight at a hotel or motel within 10 miles of the office. A printed receipt proving you have paid for the night stay is required before any portion of the appointment can begin. You must have a driver.

<http://www.hodesnauser.com/services/procedures-services/pregnancy-termination-abortion>

D. Wrong data

HODES-NAUSER SERVICES LISTED THAT HAVE NOT EXISTED FOR MANY YEARS

COMMUNITY RESOURCES AVAILABLE TO ASSIST YOU, IF YOU DECIDE TO CONTINUE THE PREGNANCY KANSAS:

Christian Family Services (913) 491-6751

Right to Life of Eastern Kansas 299-9047

<http://www.hodesnauser.com/forms/surgical-abortion-package.html>