

IN RE COMPREHENSIVE HEALTH OF)
PLANNED PARENTHOOD GREAT)
PLAINS)
)
Serve: S & B CORPORATE SERVICES)
4600 Madison, 600 Plz W Bg.)
Kansas City, MO 64112)

CEASE AND DESIST ORDER, § 407.095, RSMO

March 12, 2025

You are hereby ordered under penalty of law not to perform any chemical abortions in Missouri. Violation of this order is a felony offense. § 407.095.3.

An investigation has revealed that you are not in compliance with § 188.021.2, which requires you to have a valid plan to treat complications from chemically induced abortions. As the FDA has recognized, up to 4.6% of women who receive chemical abortions are forced to seek emergency medical attention. MIFEPREX FDA Label, tbl. 2.* Missouri law requires you to adopt an approved plan to treat complications when using any chemical “in which more than one percent of those administered the drug or chemical required surgical intervention after its administration.” § 188.021.2. You do not have an approved plan in place.

On March 10, your organization submitted a response to the notice sent to you last week about the possibility of this order. You responded that there is “no reason to believe” Planned Parenthood will violate the law because, in your view “Comp Health will continue to follow the law, as it always has.” That is demonstrably false. In fact, physicians at Planned Parenthood organizations in Missouri have recently conceded—under oath—to violating the law and have been found by investigators and tribunals to have violated Missouri’s laws many times in recent years. These violations include repeated and knowing failures to comply with reporting requirements, to comply with informed-consent laws, and to sterilize instruments:

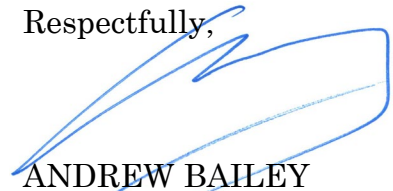
- In 2018, Colleen McNicholas (who worked at both Planned Parenthood entities) admitted under oath that Planned Parenthood failed to comply with the requirement to file complication reports. *Comprehensive Health v. Williams*, No. 2:17-cv-04207, Doc. 115, at 267-268 (W.D. Mo. 2018); § 188.052, RSMo (“An individual complication report for any post-abortion care performed upon a woman shall be completed by the physician providing such post-abortion care.”).

* https://www.accessdata.fda.gov/drugsatfda_docs/label/2016/020687s020lbl.pdf

- Similarly, David Eisenberg, who was then the medical director at a Planned Parenthood entity in Missouri, admitted in a deposition that—for 15 years—he and others at Planned Parenthood facilities in Missouri refused to file these reports even though Planned Parenthood knew about the state law requiring the reports. He admitted Planned Parenthood refused because it did not expect the State to enforce the law. Ex. 115, Eisenberg Dep., *Comprehensive Health v. Hawley*, No. 2:16-cv-04313, Doc. 141-4, at 12 (W.D. Mo. 2018).
- In 2019, the Administrative Hearing Commission found that McNicholas continued violating this requirement even after 2017. Decision of Administrative Hearing Commission, *Reproductive Health Servs. v. Dep’t of Health & Senior Servs.*, No. 19-0879, at 79 (May 29, 2020); *see also id.* at 93 (“Planned Parenthood failed to file a complication report for Patient 1 as required by § 188.052.2, 19 CSR 10-15.020, and 19 CSR 30-30.060(3)(H).”).
- The AHC also documented several instances where a physician disclosed the risks of abortion to the woman but then instructed a different individual to perform the abortion, contrary to the requirement in § 188.027.5 that the physician who meets with the woman before the abortion to discuss the risks of abortions be the same physician to perform the abortion. Decision of Administrative Hearing Commission, ¶¶ 102–03, 168–69.
- In 2018, health inspectors forcibly shut down a Planned Parenthood facility in Columbia for using moldy abortion equipment on women for months. They found equipment containing a “blackish gray substance” identified as “mold” as well as another substance that the clinic staff identified as “most likely bodily fluid.” Ex. 117, Statement of Deficiencies, *Comprehensive Health v. Hawley*, No. 2:16-cv-04313, Doc. 141-1, at 6–7 (W.D. Mo. 2018). Planned Parenthood clinic staff admitted that they had “identified the problem” of mold “a couple of months previously” but that the physician, McNicholas, had “continued to use the machine on patients after they identified the issue.” *Id.* at 7–8 (parenthetical omitted). *See picture on next page.*

Especially in light of Planned Parenthood’s recent, pervasive, and knowing violations of Missouri law, it is necessary to issue this Temporary Restraining Order to prohibit future violations.

Respectfully,



ANDREW BAILEY
Missouri Attorney General



Case 2:16-cv-04313-BCW Document 144-1 Filed 09/30/18 Page 6 of 13