Exhibit F

QUESTIONNAIRE FOR FILING PROPOSED RULES WITH THE ARKANSAS LEGISLATIVE COUNCIL

DEPARTMENT/AGENCY Arkansas Department of Health
DIVISION Health Facility Services
DIVISION DIRECTOR Connie Melton, Branch Chief
CONTACT PERSON Becky Bennett, Section Chief
ADDRESS Freeway Medical Building, 5800 W. 10th Street, Suite 400, Little Rock, AR 72204
PHONE NO. (501) 661-2201 **FAX NO.** (501) 661-2165 **E-MAIL** rebecca.bennett@arkansas.gov
NAME OF PRESENTER AT COMMITTEE MEETING Laura Shue, General Counsel
PRESENTER E-MAIL Laura.shue@arkansas.gov

INSTRUCTIONS

A. Please make copies of this form for future use.
B. Please answer each question completely using layman terms. You may use additional sheets if necessary.
C. If you have a method of indexing your rules, please give the proposed citation after "Short Title of this
D. Rule" below.
E. Submit two (2) copies of the Questionnaire and Financial Impact Statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

Jessica C. Sutton
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
One Capitol Mall, 5th Floor
Little Rock, AR 72201

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1. **What is the short title of this rule?** Rules for Abortion Facilities

2. **What is the subject of the proposed rule?** Standards for Abortion Facilities in Arkansas

3. **Is this rule required to comply with a federal statute, rule, or regulation? Yes ☐ No ☑**

   If yes, please provide the federal rule, regulation, and/or statute citation.

4. **Was this rule filed under the emergency provisions of the Administrative Procedure Act?**

   Yes ☐ No ☑

   If yes, what is the effective date of the emergency rule? _____

   When does the emergency rule expire? _____

   Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes ☐ No ☐

5. **Is this a new rule? Yes☐ No☑ If yes, please provide a brief summary explaining the rule.**

Does this repeal an existing rule? Yes☐ No☑ If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule? Yes☑ No☐ If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."

In addition to striking "regulations" throughout, proposed amendments comply with 2019 legislation to amend the rules to add language about reversal of abortion-inducing drugs, right to know, reporting complications, and information about perinatal palliative care.

6. **Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation.**

Ark. Code Ann. §§20-9-302, and Acts 315, 522, 620, 801, and 953 of 2019.

7. **What is the purpose of this proposed rule? Why is it necessary?**

Mandated by 2019 Acts of Arkansas: Act 315 (strike "regulation"); and 522, 620, 801, 953 reversal, right to know, report complications, perinatal palliative care).

8. **Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b).**

www.healthy.arkansas.gov

9. **Will a public hearing be held on this proposed rule? Yes** ☑ **No** ☐ **If yes, please complete the following:**

Date: 09/03/2020

Time: 11:00am

Place: Freeway Medical Tower, Suite 801, 5800 W. 10th St., Little Rock, AR, 72204

10. **When does the public comment period expire for permanent promulgation? (Must provide a date.)**

09/03/2020

11. **What is the proposed effective date of this proposed rule? (Must provide a date.)**

11/01/2020

12. **Please provide a copy of the notice required under Ark. Code Ann. § 25-15-204(a), and proof of the publication of said notice.** _____

13. **Please provide proof of filing the rule with the Secretary of State as required pursuant to Ark. Code Ann. § 25-15-204(e).** _____

14. **Please give the names of persons, groups, or organizations that you expect to comment on these rules? Please provide their position (for or against) if known.**

Public Hearing and Public Comment period dates TBD upon approval.

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Arkansas Department of Health
DIVISION Health Facility Services
PERSON COMPLETING THIS STATEMENT Becky Bennett, Section Chief
TELEPHONE NO. (501) 661-2201 **FAX NO.** (501) 661-2165 **EMAIL:** rebecca.bennett@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two (2) copies with the Questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Rules for Abortion Facilities

1. **Does this proposed, amended, or repealed rule have a financial impact? Yes☐ No☑**

2. **Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?**
   Yes☑ No☐

3. **In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes☑ No☐**
   If an agency is proposing a more costly rule, please state the following:
   a) **How the additional benefits of the more costly rule justify its additional cost;**
   b) **The reason for adoption of the more costly rule;**
   c) **Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and**
   d) **Whether the reason is within the scope of the agency's statutory authority, and if so, please explain.**

4. **If the purpose of this rule is to implement a federal rule or regulation, please state the following:**

   a) **What is the cost to implement the federal rule or regulation?**

Current Fiscal Year		Next Fiscal Year	
General Revenue		General Revenue	
Federal Funds		Federal Funds	
Cash Funds		Cash Funds	
Special Revenue		Special Revenue	
Other (Identify)		Other (Identify)	
Total	$ 0.00	Total	$ 0.00

   b) **What is the additional cost of the state rule?**

Current Fiscal Year		Next Fiscal Year	
General Revenue		General Revenue	
Federal Funds		Federal Funds	
Cash Funds		Cash Funds	
Special Revenue		Special Revenue	
Other (Identify)		Other (Identify)	
Total	$ 0.00	Total	$ 0.00

5. **What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.**

Current Fiscal Year	Next Fiscal Year
$	$

6. **What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.**

Current Fiscal Year	Next Fiscal Year
$	$

7. **With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars ($100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?**
Yes ☐ No ☐

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously with the financial impact statement and shall include, without limitation, the following:

(1) a statement of the rule's basis and purpose;

(2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;

(3) a description of the factual evidence that:
(a) justifies the agency's need for the proposed rule; and
(b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;

(4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;

(5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;

(6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and

(7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
(a) the rule is achieving the statutory objectives;
(b) the benefits of the rule continue to justify its costs; and
(c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

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Strike "regulations" throughout document	Act 315 of 2019
§3 Definitions	
3(A)(1 & 2) "Abortion" definition – update to most recent legislative definition p. 3-1	Act 953 of 2019, Perinatal Palliative Care Information Act; p. 2, L. 21-25
3(B) add "Abortion Complication" definition p.3-1	Act 620 of 2019, Reporting Abortion Complications p.1, L.31 Proposed as 20-16-605(a)(1)(A-B)
3(C) "Abortion Facility" definition – update ~~Each~~ to "in any" p. 3-1	Act 383 of 2017, p. 2, L. 9 – Various laws 10 in any month; suspension & revocation procedures
3(D) add "Abortion-Inducing Drug" definition p. 3-1	Act 577 of 2015, Drugs Safety Act; 20-16-1503(2)(A-D) Act 1086 of 2015, p. 3, L. 36 & p. 4, L. 1-13 Act to Repeal and Replace Woman's Right to Know Act of 2001 20-16-1702(2)(A-D)
3(G) add "Adverse Event" definition p. 3-2	Act 577 of 2015, p. 5, L. 17-35 Abortion Inducing Drugs Safety Act of 2015 20-16-1503(3) Act 1086 of 2015, p. 4, L. 14-32 Act to Repeal and Replace Woman's Right to Know Act of 2001 20-16-1702(3)
3(H) add "Born-alive infant" definition; p. 3-2	Act 392 of 2017, p. 2, L. 19 Born Alive Infant Protection of 2017 20-16-604(a)(2)
3(H) modified definition of "Consent" p. 3-2,	Act 934 of 2015, p. 7, L. 6-14 Parental Involvement Enhancement Act of 2015 20-16-803(4)

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3(O) add "Emancipated minor" definition p. 3-3	Act 934 of 2015, p. 7, L. 15-16 Parental Involvement Enhancement Act of 2015 20-16-803(4)
3(P) add "External member of the human body" definition p. 3-3	Act 535 of 2015 p. 3, L. 3 Amend Laws regarding Disposition of Human and Fetal Tissue 20-17-801(b)(2)(B)
3(Q) add "Fertilization" definition 3-3	Act 171 of 2013 Pain Capable Unborn Child Protection Act of 2013 20-16-1402(3)
3(R) add "Final printed labeling" definition p. 3-3	Act 577 of 2015, p. 5, L. 36, & p. 6, L. 1-4 Abortion Inducing Drugs Safety Act 20-16-1503(4) (FPL administration requirements & K enjoined, appealed, moot) PP v. Jegley; reversed 8th circ. Panel; motion for stay 10.3.17 K. Baker
3(U) "Gestational Age" definition added in 2015 p. 3-4 p. 3-4	Act 577 of 2015, p. 6, L. 5-6 Abortion Inducing Drugs Safety Act 20-16-1503(5);
3(V) add "Human tissue" definition in 2015 p. 3-4	Added in 2015, then updated in 2017 Act 535 of 2015 p. 3, L. 8 added definition of Human Tissue Amend Laws regarding Disposition of Human and Fetal Tissue 20-17-801(b)(2)(C)

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3(X) Add definition of "Lethal fetal anomaly"	Act 953 of 2019, Perinatal Palliative Care Information Act p.2, L. 33-35 (term is used in §6(M)(31) p.6-3)
3(CC) add definition of "Minor" in 2015 p. 3-4	Act 934 of 2015, p. 7, L. 24-25 Parental Involvement Enhancement Act 29-16-803
3(EE) added "Parent" definition p. 3-4	Act 934 of 2015, p. 7, L. 26 Parental Involvement Enhancement Act 20-16-803(8)
3(FF) modify definition of "patient" to include born-alive infants p. 3-4	HFS addition – based on Born-alive Patient Act Act 392 of 2017, p. 2, L. 19 Born Alive Infant Protection of 2017 20-16-604(a)(2)
3(HH) add "Post-fertilization age" definition p. 3-4	Act 171 of 2013, p.2, L.36 Pain Capable Unborn Child Protection Act of 2013 20-16-1402(6)
	LRFPS et al v. Rutledge et al. 4:19-cv-449-BRW/4:19-cv-KGB USDC Eastern District, Western Division Complaint for injunction filed 6/26/19 Judge Wilson
3(JJ) add "Probable post-fertilization age of the unborn child" definition p. 3-5	Act 171 of 2013, p. 3, L. 2 Pain Capable Unborn Child Protection Act of 2013 20-16-1402(7)

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3(KK) add "Reasonable medical judgment" definition p. 3-5	Act 171 of 2013; p. 3, L. 6 Pain Capable Unborn Child Protection Act of 2013 20-16-1402(8)
3(LL) add "Respectful and proper manner" definition p. 3-5	Act 535 of 2015 p. 3, L. 11 Amend Laws regarding Disposition of Human and Fetal Tissue 20-17-801(b)(2)(D)
p.3-5	
§4 Licensing	
4(K) not new - denial, suspension and revocation paragraph moved here p. 4-2	Moved from §8 Program Requirements, p. 8-3 More appropriate placement in Licensing section
4(C) "within 30 ~~minutes~~ miles (access to hospital with gyn or surgical services)	Act 801 of 2019, p.2, L.14
§5 Governing Body	
§6 General Administration	
6(E) in emergency contacts list, replace ~~red cross~~ with blood services provider p. 6-1	Red Cross no longer provides blood bank services.
6(G) and prevention & control to infection control p. 6-1	ADH suggestion - epidemiology

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6(J)(1) add "signed and witnessed" to written consent signature requirement p. 6-1	Public comment and consent forms
6(J)(2) add notarized, written consent for minors and women under legal guardianship p. 6-1	Act 934 of 2015, p. 8, L. 18 Parental Involvement Enhancement Act of 2015 20-16-805(a)(1-2), (b)(1-4)
6(M)(6)(a,b) emergency transfers and medical record forms for emergency transfers p. 6-2	Act 801 of 2019, p. 2, L. 10-13 Multi-titled Proposed as 20-9-302
6(M)(14) infection <u>prevention and</u> control p. 6-1,2	Added underlined language – current industry standard term; eliminate post-abortion surveillance (covered in §10 Infection Prevention and Control)
6(M)(20)(a-b) delineate two categories of patients: woman and born-alive infant p. 6-3	HFS addition – based on Born-alive Patient Act Act 392 of 2017, p. 2, L. 19 Born Alive Infant Protection of 2017 20-16-604(a)(2)
6(M)(23) follow-up appointments for medical abortion patients 12-18 days, or as recommended in the final printed labeling, after abortion services, p. 6-3	Act 139 of 2015, p. 2, L. 24-25 ("12-18 days") To Regulate Certain Abortion Drugs & to Provide for Disciplinary Proceedings 20-16-603(b)(2) Act 577 of 2015, p. 7, L. 30 Abortion Inducing Drugs Safety Act of 2015 ("approximately 14 days") 20-16-1504(e)(1) Final printed labeling: "7-14 days"
6(M)(24)(a) patient receipt of USFDA label for abortion-inducing drugs	Act 577 of 2015, p. 7, L. 10-12 Abortion Inducing Drugs Safety Act of 2015

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ɔ. 6-3	20-16-1504(c)
5(M)(24)(b) patient receipt of written notice of reversing abortion-inducing drugs for patients receiving such drugs as required by Act 522 of 2019 p. 6-3	Act 522 of 2019 p.1, L.29-36 Amend Right to Know and Provide Info on Reversing Abortion-Inducing Drugs proposed as amending 20-16-1703(b)
6(M)(25) abdominal ultrasound for heartbeat detection p. 6-3	Act 301 of 2013, p. 2, L.30-36 Arkansas Human Heartbeat Protection Act 20-16-1303(a),(b)(1) Upheld Susan Wright Edwards v. Beck
6(M)(26) consent to include items specified in §9(B)(2)(a-e) [informed consent] p. 6-3	Section 9 – Health information services, ¶B(2)(a-e) "informed consent" p. 9-2
6(M)(27) reporting child maltreatment/abuse p. 6-3	Act 749 of 2009 Child Maltreatment Act 12-18-401 et seq.
6(M)(28) provide printed materials & answer questions in language patient can understand p. 6-3	Act 1086 of 2015, p. 8, L. 24-29 Act to Repeal and Replace Woman's Right to Know Act of 2001 20-16-1703(b)(4)(B) Wording change for clarity
6(M)(31) process for providing perinatal palliative care information for diagnosis of fetal anomaly p. 6-3	Act 953 of 2019, p. 3, L. 20-35 Perinatal Palliative Care Information Act Proposed 20-16-2004

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6(N)(1) moved STD reporting to this section p. 6-4	Moved to organize reporting requirements together – previously located in §8(A)(2) on p. 8-1
6(N)(2) moved Induced Terminations of Pregnancy reporting to this section and shortened description for clarity p. 6-4	Moved to organize reporting requirements together - previously located in §8(F) on p. 8-2 Providers use ADH Vital Records Form VR-29 to submit required data. Reports are made for each abortion patient and are submitted monthly to Health Statistics.
6(N)(3) add adverse drug event report re: adverse events associated with abortion-inducing drugs p. 6-4	Act 577 of 2015, p. 8, L. 5-12 Abortion-Inducing Drugs Safety Act 20-16-1505
6(N)(4) add requirement to report abortion complications p. 6-4	Act 620 of 2019, p. 2, L.26 Require Additional Reporting for Abortion Complications Proposed as 20-16-605 Act 801 0f 2019 Born-alive Infant Protection p. 2, L.35
(6)(P) add ~~48~~ 72 hour reflection period within which money may not be collected p. 6-5	Act 383 of 2017, p. 5, L.3 20-16-1703(d) Act 801 of 2019, p.8, L.33-34 Amending Woman's Right-to-Know Act 20-16-1703(d)
§7 Patient Care Services	
	———
7(F)(1) provide for follow-up appointment 12-18 days, or as recommended in the final printed labeling, following abortion services p. 7-2	Act 139 of 2015, p. 2, L. 24-25 ("12-18 days") To Regulate Certain Abortion Drugs & to Provide for Disciplinary Proceedings 20-16-603(b)(2); and

	Act 577 of 2015, p.7, L. 30 Abortion-Inducing Drugs Safety Act ("approx. 14 days") 20-16-1504(e)(1)
7(F)(2) make reasonable effort to ensure patient 'eturns for follow-up ɔ. 7-2	Act 139 of 2015, p. 2, L. 24-25 ("12-18 days") To Regulate Certain Abortion Drugs & to Provide for Disciplinary Proceedings 20-16-603(b)(2); and Act 577 of 2015, p.7, L. 30 Abortion-Inducing Drugs Safety Act ("approx. 14 days") 20-16-1504(e)(1)
7(H)(1): 72 hour pre-abortion counseling time-frame; ADH printed material and DVD on ADH website; and patient gets copy of most current ADH printed materials and DVD p. 7-2	Act 1086 of 2015, p. 6, L 34; p.7, L. 27; p. 8, L. 21; p. 8, L. 30; p. 9, L.31 Repeal and Replace Right to Know Act of 2001; Provide for Voluntary and Informed Consent 20-16-1703(b) Act 801 of 2019, amending informed consent under Woman's Right to Know Act, 20-16-1703(b) – increased 48 to 72 hours
7(H)(3) Patient shall meet individually and in private room with physician, referring physician, or qualified person p. 7-2	Act 1086 of 2015, p. 8; l 13-17; p. 9, L. 31 20-16-1703(b)(3)(a)
7(I) prohibit abortions by telemedicine p. 7-2,	Act 887 of 2015, p. 3, L. 32-32 Telemedicine Act 17-80-118(b)(3)
7(J) specify that initial administration of abortion-inducing drugs occurs in same room and physical presence of physician who prescribed p. 7-3	Act 139 of 2015, p. 2, L. 17-21 To Regulate Certain Abortion Drugs & to Provide for Disciplinary Proceedings 20-16-603(b)(1)
7(K) add requirement for patient receipt & acknowledgment of USFDA label(s) for abortion-inducing drugs p. 7-3	Act 577 of 2015, p. 7, L. 10-12 Abortion-Inducing Drugs Safety Act 20-16-1504(c)(1,2)
§8 Program requirements	
8(A)(2) move STD reporting requirements to "Administrative Reports" §6(N)(1) p. 6-3	Consolidate and organize
8(A)(2)(a) add requirement to determine gestational age and location of pregnancy prior to medical abortion p. 8-1	Act 577 of 2015, p. 7, L.2-9 Abortion-Inducing Drugs Safety Act 20-16-1504(b)(1,2)

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8(A)(3) add requirement for abdominal ultrasound to determine fetal heartbeat p. 8-1	Act 301 of 2013, p. 2, L.35-36 Arkansas Human Heartbeat Protection Act 20-16-1303
8(A)(4) patient to keep most current ADH printed materials & DVD p. 8-1	Act 1086 of 2015, p.7, L. 32,33; p. 8, L. 21-23. 20-16-1703(b)(2)(a-e)
8(B) moved to 6(M)(6), p. 6-2	With other policy and procedure requirements
8(D)(1) change to statutory language	Act 801 of 2019 Born-alive infant protection p.2, L.17-19 20-9-302 Also note: follow manufacturer's guidelines – 8(G), p. 8-3
~~8(E) Report of Induced Termination.~~ Paragraph moved to Administrative Reports, §6 p. 8-2	Moved to more appropriate section "Administrative Reports" §6(N)(2), p. 6-3
~~8(F) Denial, suspension, revocation~~ p.8-2	Moved to §4, LICENSING – more appropriate location p. 4-2
_____ _____	Added in 2015, then updated in 2017 Act 535 of 2015 p. 3, L. 19-22 Re: disposition of human and fetal tissue 20-17-802(a)
8(F)(3) respectful and proper manner p. 8-3	Act 535 p. 1, L. 32-33 Re: disposition of human and fetal tissue

	20-17-801(a)(1)(A)
~~3(G) Denial, Suspension, etc. p. 802~~	Move to section 4(K), Licensure p. 4-2 – consolidate and organize
3(G) follow MFG Guidelines for facility equipment & biologicals o. 8-3	De-specified emergency equipment requirements in §8(D). Language mirrors CMS facility requirements
§9 Health Information Services	
9(B)(2)(a) Informed Consent Checklist form AS-4010 p. 9-2	Act 1086 of 2015, p. 13, L. 14 Act to Repeal and Replace Woman's Right to Know Act of 2001 20-16-1704 *Informed Consent Checklist*, form ADH AS-4010
9(B)(2)(b) evidence statistical probability of term birth where heartbeat is detected p. 9-2	Act 301 of 2013, p.3, L.20 Human Heartbeat Protection Act 20-16-1303(d)
9(B)(2)(c) fetal pain checklist p. 9-2	Act 1086 of 2015, p. 8, L. 30 & p. 9, L. 1-15 Act to Repeal and Replace Woman's Right to Know Act of 2001 20-16-1703 *Fetal Pain Checklist* form ADH AS-4010-A
9(B)(2)(d) notarized parent/guardian or custodian consent for minors and women under guardianship or custodianship p. 9-2	Act 934 of 2015, p. 8, L. 4-8 Parental Involvement Enhancement Act of 2015 20-16-803(8)(c); 804; 805; 809(b); and 20-16-1704(b)(1)(B)(iv)(b) *Abortion Disclosure and Consent Form for Unemancipated Minors and Women under Legal Guardianship of Custodianship for Incompetency*, fo ADH AS-4011
9(B)(2)(e) medical emergency documentation exceptions p. 9-3	Unborn child pain prevention, Act 1696 of 2005, 20-16-1107 Human Heartbeat Protection, 301 0f 2013, 20-16-1305 Woman's Right to Know, 1086 of 2015, 20-16-1706
9(B)(4)(d) for medical abortions, gestational age p. 9-3	Act 577 of 2015, p. 7, L.2-9 Abortion-Inducing Drugs Safety Act 20-16-1504(b)(1)
9(B)(4)(e) add ultrasound image with: p. 9-3 1. Right to view evidence; and 2. Patient decision to view or not p. 9-3	Act 301 of 2013, p. 2, L.35-36 Arkansas Human Heartbeat Protection Act 20-16-1303 Partially enjoined – Edwards v. Beck

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9(B)(4)(f) testing for fetal heartbeat and acknowledgment form if HB detected p. 9-3	Act 301 of 2013, p. 3, L.15-17 Arkansas Human Heartbeat Protection Act 20-16-1303 Partially enjoined (info that abortion is illegal due to heartbeat)
9(B)(4)(g) for medical abortions, intrauterine location of pregnancy p. 9-3	Act 577 of 2015, p. 7, L.2-9 Abortion-Inducing Drugs Safety Act 20-16-1504(b)(2)
9(B)(6) add document any follow-up p. 9-3	577 of 2015, p. 7, L. 36, p. 8, L 3. Drug Safety Act 139 of 2015, p. 2, L.28-30 Drug regulation Act
9(B)(7) add consent for unemancipated minors and women under guardianship or custodianship and most current ADH printed materials and DVD p. 9-3	Act 934 of 2015, p. 8, L. 13-25 Parental Involvement Enhancement Act of 2015 20-16-805
9(B)(10)(a) add description of surgical instruments, techniques, findings, tissues, etc. p. 9-4	Needed for complete reporting - standard
9(B)(10)(b) add identifying info requirement to follow-up appointments for medical abortions p. 9-4	Act 139 of 2015, p. 2, L. 28 To Regulate Certain Abortion Drugs & to Provide for Disciplinary Proceedings 20-16-603(b)(3) 577 of 2015, p. 7, L. 36, p. 8, L 3. Drug Safety Act
9(B)(11)(a)(i-ii) add requirement for and type of proof of relationship for parents and guardians when consent is required p. 9-4	Act 934 of 2015 p. 8, L. 27-35 Parental Involvement Enhancement Act of 2015 20-16-806(a)
9(B)(11)(b) Specify record retention time for items required in 9(B)(11)(a) p. 9-4	Act 934 of 2015, p. 8, L. 36, p. 9, L. 2 Parental Involvement Enhancement Act of 2015 20-16-806(b)
9(12) add physician affidavit when minor or incompetent woman p. 9-4	Act 934 of 2015, p. 9, L. 3-10 Parental Enhancement Involvement Act of 2015 Ark. Code Ann. §20-16-806(c)

	ADH form AS-4011 "Abortion Disclosure and Consent form for Unemancipated Minors and Women under Legal Guardianship or Custodianship for Incompetency"
§10 Infection Prevention and Control	Section title & ¶ 10(4)(d) changed to current terminology
10(A)(1) Change nosocomial to "Healthcare Associated Infections" p. 10-1	change to current terminology Also: 10(A)(4)(a)
10(A)(2) facility to follow national guidelines and manufacturer's instructions. p. 10-1	Remove CDC and replace with "national"; manufacturer's instructions fo chemical cleaners and disinfectants
10(A)(3) add designated infection control and prevention officer p. 10-1	Required for other licensed facilities
10(A)(4) Update infection prevention and control policies and procedures p. 10-1	Fairly comprehensive update and reorganization in infection prevention and control requirements
10(A)(4)(a) change nosocomial to "Healthcare Associated Infections" p. 10-1	change to current terminology
10(A)(4)(b) add "abortion" to maintaining reports of infections in patients p. 10-1 10(A)(4)(c)& (d) same as above (a) and (b); p. 10-1	Patients that do not have abortions are not required to be monitored Change to current terminology and only abortion-receiving patients & health care workers to be assessed for risk of HAI
10(A)(4)(i) add "sterile technique" p. 10-1	Commonly used alternative language
10(A)(4)(j) Sterilization policies – added the following: p. 10-1	Comprehensive update of sterilization policies and procedures
10(A)(4)(j)(1) evaluate effectiveness of sterilization p. 10-1	Assure ongoing sterilization quality
10(A)(4)(j)(2) receiving, decontaminating, cleaning, preparing, disinfecting and sterilizing reusable items p. 10-2	Assure items are properly prepared for sterilization
10(A)(4)(j)(3) specifications for cold-liquid sterilization and gas sterilization (if used) p. 10-2	Process for alternate sterilization outlined
10(A)(4)(j)(4) sterilization techniques other than steam (plasma, ethylene oxide, chemical, etc.) shall follow the manufacturer's directions and meet all state and federal regulations p. 10-2	Ensure proper use of less familiar types of sterilization

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10(A)(4)(j)(5) assembling and wrapping of packs (to include the double-wrapped techniques) p. 10-2	Review for proper wrapping of sterile packs/instruments
10(A)(4)(j)(6) autoclaves to include: p. 10-2	Comprehensive update of autoclave (steam) sterilization policies and procedures
10(A)(4)(j)(6)(i) records shall be maintained of all autoclave loads, both routine and immediate use which shall include the date, time, lot number (on routine loads), the time at temperature (where a recorder is not available), item(s) sterilized and shall identify the person performing the task p. 10-2	Promote compliance and create tracking method for HAI epidemiology
10(A)(4)(j)(6)(ii) the efficacy of autoclaves, both for routine and immediate use shall be determined weekly through the use of biological spore monitors p. 10-2	Assure effectiveness of equipment
10(A)(4)(j)(6)(iii) the results of all biological spore monitoring shall be reported to the Infection Prevention Officer p. 10-2	Assure spore monitors results are evaluated
10(A)(4)(j)(6)(iv) failures of the biological spore test shall be brought to the attention of the Infection Prevention Officer or designee immediately so the appropriate surveillance measures can be initiated p. 10-2	Safety measure to identify individual patients at risk of HAI if autoclave fails spore testing
10(A)(4)(j)(6)(v) all materials sterilized from the date of the biological spore monitor failure to the last successful biological spore monitor shall be re-sterilized before use p. 10-2	Prevents use of equipment with failed sterilization occurrence
10(A)(4)(j)(6)(vi) autoclaves within the facility shall be maintained in accordance with the manufacturer's written directions. Records shall be maintained of all maintenance and repairs for the life of the equipment p. 10-2	Assure staff familiarity and equipment effectiveness
10(A)(4)(j)(6)(vii) chemical indicators for sterility shall be used with each cycle p. 10-2	Safety measure
10(A)(4)(j)(6)(viii) compliance and efficacy of the sterilization policies shall describe the mechanism	Identifies when to re-sterilize unused items

used to determine the shelf life of sterilized packages p. 10-2	
10(A)(4)(j)(6)(ix) products used to contain or wrap nstrument sets/pans for sterilization shall follow manufacturers' directions or nationally recognized standards for use in determining the shelf life of the sterilize items(s) p. 10-2	Assure staff familiarity and equipment effectiveness
10(A)(4)(j)(6)(x) All items which are to be sterilized, whether for immediate use or to be stored, shall be cleaned and decontaminated before the sterilization process p. 10-3	Assure items are properly prepared for sterilization
10(A)(4)(j)(6)(xi) immediate use (autoclaving) shall be restricted to unplanned or emergency situations and never used as a convenience to compensate for inadequate inventories of instruments p. 10-3	Assure adequate inventory of instruments
10(A)(4)(j)(6)(xii) procedures for unloading and transporting immediate use sterilized items, which provide for the aseptic transfer within the physical constraints of the facility p. 10-3	Prevent carrying items through unsanitary areas
10(A)(4)(k~~5~~) disinfection to include: p. 10-3	Comprehensive update of disinfection policies and procedures
10(A)(4)(k)(1) cleaning of equipment p. 10-3	Promote systematic cleaning
10(A)(4)(k)(2) evaluating effectiveness of cleaning p. 10-3	Assure quality
10(A)(4)(k)(3) cleaning and disinfecting of surfaces, utensils, and equipment p. 10-3	Comprehensive approach
10(A)(4)(k)(4) receiving, decontaminating, cleaning, preparing, and disinfecting reusable items p. 10-3	System can be reviewed
10(A)(4)(k)(5) a requirement that disinfectants, antiseptics, and germicides are used in accordance with the manufacturer's directions p. 10-3	Safety and effectiveness
10(A)(4)(o~~9~~) policy for disposal of human and fetal tissue p. 10-3	Reviewable
10(A)(4)(p~~10~~) sharps ~~and needle disposal~~ safety	Needles already regarded as sharps

p. 10-3	
10(A)(4)(s)supplies and storage to include: p. 10-4	Comprehensive revision of policies and procedures related to supplies and storage
10(A)(4)(s)(1) storage and distribution of sterile equipment/medical supplies p. 10-4	Assurance of quality
10(A)(4)(s)(2) recalling and disposing of outdated sterile supplies p. 10-4	Assurance of quality
10(A)(4)(s)(3) collection and disposal of supplies recalled by the manufacturer p. 10-4	Method of checking for recalls
10(A)(4)(s)(4) precautions to prevent the mixing of sterile and unsterile supplies and equipment p. 10-4	Assurance of quality
10(A)(4)(s)(5) Items previously packaged, sterilized and issued but not used may be returned to the sterile storage area if the integrity of the packaging has not been compromised and there is no evidence of contamination p. 10-4	Assurance of quality
10(A)(4)(s)(6) Sterile materials shall be stored eight to ten inches from the floor and at least 18 inches from the ceiling and at least two inches from outside walls. Items shall be positioned so that packages are not crushed, bent compressed, or punctured and sterility is not compromised p. 10-4	Assurance of quality and allows for cleaning of storage area
10(B)(5) change TB language to ADH standard	Update all TB language in ADH regulated entities
10(C) move to "administrative reports"	Move to 6-4, administrative reports section
§12 Physical Facility requirements	
12(G) Add storage requirement for fetal remains p. 12-8	Act 535 of 2015, p. 2, L. 12 & 17 Act to Amend Laws regarding Disposition of Human and Fetal Tissue 20-17-801(b)(1)
12(I)(1-2) Signs posted to prevent forced abortions in each waiting room, patient consult room, and procedure room. Text specified. p. 12-8, 12-9	Act 1086 of 2015, p.13-14, L.36, 1-19 Woman's Right to Know Act 20-16-1705
§13 Forms	

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Added forms to Rules:	
1. Form ADH AS-4010 Informed Consent Checklist changed ~~48~~ to 72 hours and add time of consent pp. 1, 2	20-16-804, 20-16-810(a) Act 801 of 2019, amending Right to Know, p.4, L.31 20-16-1703
2. Form ADH AS-4010-A Fetal Pain Checklist changed ~~48~~ to 72 hours and add time of consent p. 1	Act 801 of 2019, amending Right to Know, p.4, L.31 20-16-1703
3. Abortion Disclosure and Consent for Unemancipated Minors and Women under Legal Guardianship or Custodianship for Incompetency ADH AS-4011	
§14 Add severability clause	