

**STATE OF INDIANA**  
**HOUSE OF REPRESENTATIVES**  
THIRD FLOOR STATE HOUSE  
INDIANAPOLIS, INDIANA 46204

Benjamin Smaltz  
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Indianapolis, IN 46204  
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317-232-9620

December 30, 2021

Governor Eric Holcomb  
200 West Washington Street  
Indianapolis, IN 46204-2728

Dear Governor Holcomb,

All human life, including the preborn, is sacred and deserves our respect. We must be the voice of those unable to speak for themselves. To that end, my colleagues and I are requesting clarification, action, and resolution on matters regarding the Indiana Department of Health (IDOH), the South Bend Women's Health Clinic (SBWHC), and other problematic issues.

The SBWHC still operates on a provisional 90-day license issued in August of 2019 due to court order and during this time has not been required to follow all of the statutory requirements because of a technicality in IDOH rules. For over two years, this clinic operates outside of regular and necessary IDOH inspections. As long as this clinic operates under a court order, it should be reviewed and inspected under the same laws and regulations as all other state clinics of this nature so they are not able to operate with certain measures of impunity. We request an immediate change to remedy this situation in order to correct this egregious error and prevent the recurrence of such oversights in the future.

Additionally, despite laws requiring fetal remains be laid to rest in a dignified manner, we have found no records of funeral homes transporting deceased babies from the SBWHC, or for that matter, any other state abortion clinic. We request an investigation into how the fetal remains law is monitored, and if it is not, then why not?

While investigating the above noted problems, it came to light that due to a computer error, identified by IDOH and Planned Parenthood executives in June 2018, records do not show when abortions performed on underage girls were reported to the Indiana Department of Child Services (DCS) as is required by law to happen within 72 hours of that action. This affects the ability to check upon the mother's well-being and renders the Terminated Pregnancy Reports unreliable. We request immediate action to fix this issue and seek an explanation as to why it has taken so long to fix.

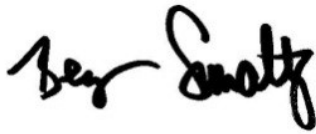
By digging deeper, it appears common practice that the state and county of the mother's residences are redacted from the Terminated Pregnancy Reports. While personal information is confidential, it is imperative to monitor the number of underage girls coming to Indiana for this procedure from neighboring states. It's equally important to know what agency receives the report, and when that agency receives it. Is it DCS or the minor's state equivalent? We request clarification and action based on the findings.

There have been several troubling cases where the IDOH and the medical licensing board have failed to come to a resolution. One involved a maternal death in May 2020, and two others involved surgical abortions performed at non-authorized facilities. We request an update on all open cases relating to abortion clinics, an investigation into why complaints—especially ones of this nature—are not examined and resolved for those families.

Finally, in previous years, Indiana clinics have seen thousands of violations. However, this year there is a peculiar lack of reported violations. Have the clinics suddenly reformed their protocols, or is there another reason violations are not being recorded? We request an immediate review of the code violations and enforcement protocols to determine why there is such a decline in reported violations.

Thank you for your attention in this matter. We respectfully request a response by January 24, 2022.


Sincerely,



Ben Smaltz  
State Representative  
House District 52



Beau Baird  
State Representative  
House District 44



Bruce Borders  
State Representative  
House District 45



Dave Abbott  
State Representative  
House District 82



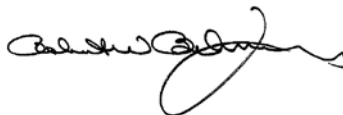
Steve Bartels  
State Representative  
House District 74



Martin Carbaugh  
State Representative  
House District 81



Michael Aylesworth  
State Representative  
House District 11



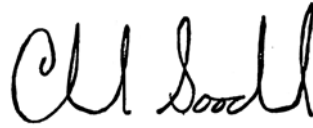
Robert Behning  
State Representative  
House District 91



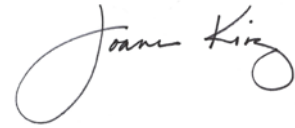
Bob Cherry  
State Representative  
House District 53



Tony Cook  
State Representative  
House District 32



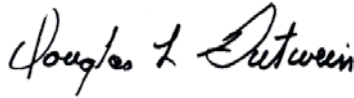
Chuck Goodrich  
State Representative  
House District 29



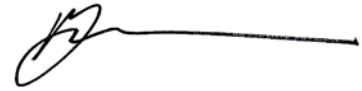
Joanna King  
State Representative  
House District 49



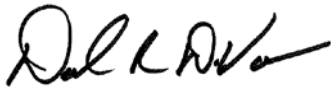
Michelle Davis  
State Representative  
House District 58



Doug Gutwein  
State Representative  
House District 16



Ryan Lauer  
State Representative  
House District 59



Dale DeVon  
State Representative  
House District 5



Robert Heaton  
State Representative  
House District 46



Cindy Ledbetter  
State Representative  
House District 75



Jeff Ellington  
State Representative  
House District 62



Dave Heine  
State Representative  
House District 85



Don Lehe  
State Representative  
House District 25



Karen Engleman  
State Representative  
House District 70



Matt Hostettler  
State Representative  
House District 64



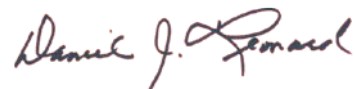
Matt Lehman  
State Representative  
House District 79



Randy Frye  
State Representative  
House District 67



Chris Judy  
State Representative  
House District 83



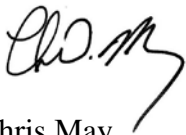
Dan Leonard  
State Representative  
House District 50



Shane Lindauer  
State Representative  
House District 63



Jim Lucas  
State Representative  
House District 69



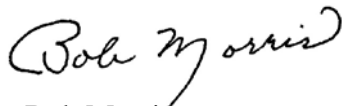
Chris May  
State Representative  
House District 65



Peggy Mayfield  
State Representative  
House District 60



Doug Miller  
State Representative  
House District 48



Bob Morris  
State Representative  
House District 84



Curt Nisly  
State Representative  
House District 22



Julie Olthoff  
State Representative  
House District 19



Zach Payne  
State Representative  
House District 66



J.D. Prescott  
State Representative  
House District 33



Jim Pressel  
State Representative  
House District 20



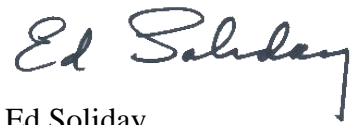
Elizabeth Roway  
State Representative  
House District 35



Hal Slager  
State Representative  
House District 15



Craig Snow  
State Representative  
House District 18



Ed Soliday  
State Representative  
House District 4




Mike Speedy  
State Representative  
House District 90



Jake Teshka  
State Representative  
House District 7



Jeff Thompson  
State Representative  
House District 28



Heath VanNatter  
State Representative  
House District 38



Ann Vermilion  
State Representative  
House District 31



Tim Wesco  
State Representative  
House District 21

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A handwritten signature in black ink, appearing to read "John Young". The signature is fluid and cursive, with the first name "John" and last name "Young" clearly distinguishable.

John Young  
State Representative  
House District 47

A handwritten signature in black ink, appearing to read "Denny Zent". The signature is fluid and cursive, with the first name "Denny" and last name "Zent" clearly distinguishable.

Denny Zent  
State Representative  
House District 51