



# DAVE YOST

OHIO ATTORNEY GENERAL

Administration  
Office 614-644-8901

March 21, 2020

Preterm  
12000 Shaker Boulevard  
Cleveland, OH 44120

Via Email - [info@preterm.org](mailto:info@preterm.org)

Re: March 17, 2020, Ohio Dept. of Health Order

Dear Preterm,

On March 17, 2020, the Ohio Department of Health issued an order pursuant to the Department's powers under R.C. 3701.13. That order (attached) cancelled all non-essential or elective surgeries and procedures utilizing personal protective equipment ("PPE") as of 5:00 p.m. on March 18, 2020. The order was issued, in part, to preserve PPE for health care providers who are battling the COVID-19 pandemic that is spreading in our state and also to preserve critical hospital capacity and resources.

The Ohio Department of Health has received a complaint that your facility has been performing or continues to offer to perform surgical abortions, which necessarily involve the use of PPE. On behalf of the Department, you and your facility are ordered to immediately stop performing non-essential and elective surgical abortions. Non-essential surgical abortions are those that can be delayed without undue risk to the current or future health of a patient. The Department of Health has outlined criteria to consider when determining whether a procedure is essential (see attached order). If you or your facility do not immediately stop performing non-essential or elective surgical abortions in compliance with the attached order, the Department of Health will take all appropriate measures.

This is an unprecedented time in the state's history and everyone must do their part to help stop the spread of this disease. We look forward to receiving your confirmation that you and your facility are complying with the attached order. You may contact me by email at [jonathan.fulkerson@ohioattorneygeneral.gov](mailto:jonathan.fulkerson@ohioattorneygeneral.gov)

Sincerely,

*/s/ Jonathan Fulkerson*

Jonathan Fulkerson  
Deputy Attorney General