



RICK SCOTT  
GOVERNOR

ELIZABETH DUDEK  
SECRETARY

August 18, 2015

Ms. Julie Gallagher  
Grossman, Furlow, & Bayo, LLC  
2022 Raymond Diehl Rd # 2  
Tallahassee, FL 32308-3881

Dear Julie:

I am counsel for the Agency for Health Care Administration in the matter of *Planned Parenthood of Southwest and Central Florida, Inc. v. AHCA*, Case No. 2015 CA 001919, presently pending in the Circuit Court of the Second Judicial Circuit, Leon County, Florida (the "Civil Suit").

As we have discussed, contrary to your client's allegations in the Civil Suit, AHCA has not changed its interpretation of its currently promulgated rule defining the meaning of "second trimester". The Agency for Health Care Administration's (AHCA) Rule 59A-9.019, Florida Administrative Code, states in pertinent part:

- (14) "Trimester" means a 12-week period of pregnancy.
- (a) First Trimester. The first 12 weeks of pregnancy (the first 14 completed weeks from the last normal menstrual period).
- (b) Second Trimester. That portion of a pregnancy following the 12th week and extending through the 24th week of gestation.
- (c) Third Trimester. That portion of pregnancy beginning with the 25th week of gestation.

Rule 59A-9.019(14), F.A.C.

AHCA does now, and has since at least 2006 when Rule 59A-9.019 was last amended, consider abortions performed during the first 14 completed weeks from the last normal menstrual period (LNMP) to constitute a first trimester abortion. Second trimester abortions are those performed after the 14<sup>th</sup> completed week from the LNMP (i.e., following the 12<sup>th</sup> week of pregnancy/gestation) and extending through the 26<sup>th</sup> week from the LNMP (i.e. the 24<sup>th</sup> week of pregnancy/gestation).

Thus, consistent with above, the Planned Parenthood of SW & Central Florida, the Planned Parenthood of Southwest and Central Florida, Inc., and the Planned Parenthood of Collier County, Inc., are authorized within the scope of their current licenses to continue providing



terminations of pregnancy during the first 14 completed weeks from the last normal menstrual period (i.e., during the first 12 weeks of pregnancy/gestation).

It should be noted that the term "gestation" is used by the Agency in Rule 59A-9.019 (consistent with its plain and ordinary meaning) to mean "pregnancy". Thus, reports submitted to the Agency indicating the weeks of gestation at which an abortion is performed must indicate weeks of pregnancy, not weeks from the LNMP.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stuart F. Williams', with a long horizontal flourish extending to the right.

Stuart F. Williams  
General Counsel

SFW/mgt