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Texas Medical Board Investigating Abuses at Abortion Centers

[State](#) Steven Ertelt Apr 5, 2011 | 3:54PM Washington, DC

The Texas Medical Board has notified Operation Rescue that it is conducting an investigation into the wide ranging abuses the pro-life organization found when it conducted an undercover probe of several abortion businesses in the state.



The complaints were filed after a [three-month undercover investigation](#) of abortion clinics across Texas revealed numerous violations, including illegal dumping of private patient medical records and biohazardous waste, a disregard for informed consent and 24-hour waiting period laws, mishandling of drugs and prescription forms, and a willingness to [help minors evade parental notification laws](#).

“This represents a mammoth investigation of the abortion industry in Texas,” Troy Newman, the head of the group, told LifeNews.com today.

“Based on our investigation, we have no doubt that these abortionists are playing fast and loose with the health, safety, and privacy of women and that makes them a danger to the public. We pray that the Medical Board looks carefully into these serious allegations and takes appropriate disciplinary action,” he said.

The Texas Medical Board indicated in letters to Newman dated March 31 that cases have been placed with a senior investigator and that Operation Rescue will be sent a status letter on each case every 90 days.

The abortion practitioners currently under investigation include Jasbir Ahlwalia, Arthur John Brock, Robert Hanson, Margaret Kini, Pedro Kowalyszyn, Sherwood C. Lynn, Jr., Lester Minto, Alan Molson, Robert L. Prince, Lamar Robinson, Franz Theard, and William West. Complaints were also filed against abortion practitioners Douglas A. Karpen and Brook Randal, but there has so far been no word on whether the Texas Medical Board will add them to the massive investigation.

Among the worst offenders was Whole Women's Health, which operates five abortion facilities in Texas. The McAllen, Texas discoveries were particularly disturbing and dumped in the trash were the bloody refuse of several abortions along with the names of patients and other private information.

Patient logs and other records were discovered on Whole Women's Health forms and the bloody remains of abortions came in bags with other documents bearing Whole Women's Health's name. Operation Rescue has made examples of this evidence public.

During one conference call recorded on January 10, 2011, abortionist William West of Whole Women's Health can be heard mocking the information he is required by law to tell women. After he says that he is required to say that abortion presents a risk for breast cancer, he launches into a mocking rebuttal of the information he just told them.

The anti-abortion folks have waged this fear campaign for years now, um, making numerous false charges about the quote dangers of abortion, and uh, one completely fictitious this is drummed up spread all around is that there is an increased risk of breast cancer and interference with future childbearing and so forth. None of these are true. It's their attempt to scare you out of having an abortion.

"If this does not violate the letter of the law, it certainly undermines the intent of the legislature, which determined that women should have certain information on which to make an informed decision," said Newman. "It is his remarks that are grossly untrue, and he should be held accountable for misleading women about abortion risks."

Later in that same call, one woman expresses concern that her appointment is not 24 hours from the time of the conference call, as required by law.

Caller: Hello?

West: Yes.

Caller: My appointment is tomorrow morning and if I called now, is this enough time? It's less than 24 hours.

West: Yes.

Caller: And that'll be okay?

West: Um-hm.

Caller: Thank you.

"This investigation shows that violations of the law at abortion clinics are a widespread crisis of epidemic proportions," said Newman.

“The evidence we uncovered of illegal activity reveals a systemic problem throughout Texas that is not confined to one particular clinic or group of clinics,” he explained. “These violations endanger the health of women, violate the rights of women to be informed and have their medical records protected, and present health hazards to the general public.”

“We also found disturbing evidence of attempts to evade parental consent laws and child sex abuse reporting laws. This illegal activity endangers the safety and welfare of children throughout Texas,” Newman said.

“Our investigation focused on what the average woman would experience if she sought an abortion in Texas, and how the abortion clinics appeared and operated on an everyday basis,” said Newman. “From what we found, women are subjected to a variety of abortion abuses as a matter of routine. Violating the law is standard operating procedure for abortion clinics in Texas.”

One undercover conversation with a receptionist named “Lupa” at Franz Theard’s clinic, Hill Top Reproductive, in El Paso was particularly disturbing. The caller posed as a 17-year old minor who wanted an abortion. The receptionist quickly scheduled an abortion for her for the following Saturday at 9:00 am and told her to bring an I.D. and \$460. That is when the call took a disconcerting turn.

Caller: Can I get a note for the doctor? Um...

Lupa: Why?

Caller: For school?

Lupa: [Unintelligible]—school?

Caller: ‘Cuz I’m still in high school.

Lupa: How old are you?

Caller: Seventeen.

Lupa: If you’re 17, your parent needs to come with you.

Caller: Oh, uh, I don’t want the—

Lupa: Do they know you’re pregnant?

Caller: No. No.

Lupa: We have another clinic. It’s in Sunland Park in Santa Teresa—

Caller: Santa Theresa where?

Lupa: Uh-huh. There you don’t need an appointment and you don’t need your parents. You could go on Tuesday.

Caller: On Tuesday? Oh.

Lupa: Yes, and it will be at 1:30.

Caller: 1:30? With the same doctor?

Lupa: Yes, ma’am.

Caller: Okay. So on Tuesday, in Santa Teresa I can go—?

Lupa: —address?

Caller: I need the address.

Lupa: It’s 5290 McNutt Road.

Lupa then assures the caller that she will see Dr. Theard and that she does not need to tell her parents.

Santa Teresa is a community across state lines from El Paso in New Mexico, where abortion laws are essentially non-existent. It has become obvious that Theard keeps this clinic open for the purpose of circumventing Texas abortion laws that require minors must have the consent of their parents before abortions can be done.

“If encouraging a minor to cross state lines to evade the laws of her home state isn’t illegal, it ought to be,” said Newman. “Those laws were enacted to protect young girls and to protect the integrity of the family and parental rights. Theard is openly defying the intent of the Texas legislature and trampling the rights of parents while profiting off the vulnerability of their underage daughters. It’s really quite despicable.”