



North Carolina Department of Health and Human Services
Division of Health Service Regulation

Pat McCrory
Governor

Aldona Z. Wos, M.D.
Ambassador (Ret.)
Secretary DHHS

Drexdal Pratt, Director

CERTIFIED MAIL

NOTICE OF ADMINISTRATIVE ACTION
ABORTION CERTIFICATE

TO: Allan Ross, MD, CEO
Piedmont Carolina Medical Clinic
2425 Randleman Road
Greensboro, NC

FROM: Azzie Y. Conley, RN *Azzie Conley*
Section Chief
Acute and Home Care Licensure and Certification Section

SUBJECT: Provisional License to Operate
Certificate No. AB 0015

FID No. 943400

DATE: June 6, 2014

Based on our review, we conclude **Piedmont Carolina Medical Clinic**, an abortion clinic has failed to substantially comply with the provisions of G.S. § 14-45.1(a) and G.S. §143B-10, the rules governing the certification for the performance of abortions. Therefore, the Department of Health and Human Services amends the certification for the above referenced abortion clinic. This amendment is based on the facility's failure to comply with the following:

PROVISIONAL CERTIFICATE

The facts upon which the certificate is amended are set out in the May 7, 2014 through May 9, 2014 Statement of Deficiencies which is incorporated by reference as though fully set out herein. The rule citations include:

- | | |
|----------------------|----------------------------|
| 10 NCAC 14E .0302 | Person in Authority |
| 10 NCAC 14E .0306(b) | Personnel Records |
| 10 NCAC 14E .0306(e) | Personnel Records |
| 10 NCAC 14E .0307(a) | Nursing Services |
| 10 NCAC 14E .0312(a) | Medications and Anesthesia |



Acute and Home Care Licensure and Certification Section

<http://www.ncdhhs.gov/dhsr/>

Phone: (919) 855-4620 v Fax: (919) 715-3073

Mailing Address: 2712 Mail Service Center • Raleigh, North Carolina 27699-2712

Location: 1205 Umstead Drive (Lineberger Building) v Dorothea Dix Hospital Campus v Raleigh, N.C. 27603

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The effective date of the Provisional Certificate is May 9, 2014. The Provisional Certificate will remain in effect until such time it is determined the facility is in compliance with the rules. The new certificate should be posted in a public area. The previously issued certificate (2014) must be returned to this office.

APPEAL NOTICE

You have the right to contest this provisional certificate by filing a petition for a contested case hearing with the Office of Administrative Hearings (OAH) within sixty (60) days of your receipt of this letter. For complete instructions on the filing of petitions, please contact OAH at (919) 733-2698. The mailing address for OAH is as follows:

Office of Administrative Hearing
6714 Mail Services Center
Raleigh, NC 27699-6714

N.C.G.S. § 150B-23 provides that you must also serve a copy of the petition on all other parties, which includes DHHS. The Department's representative for such actions is Ms. Emery Edwards Milliken, General Counsel. This person may receive service of process by mail at the following address:

Ms. Emery Edwards Milliken, General Counsel
NC Department of Health and Human Services
Office of Legal Affairs
2005 Mail Service Center
Raleigh, NC 27699-2005

If you do not file a petition within the sixty (60) day period, you will lose your right to appeal and the action explained in this letter will become effective as described above. In addition to your right to file a petition for a contested case hearing, N.C. Gen. Stat. § 150B-22 encourages the settlement of disputes through informal procedures. In keeping with this law, this office remains readily available for discussion or other informal procedures to assist in resolving any dispute you may have with our findings and action. Please note that the use of informal procedures does not extend the sixty (60) days allowed to file for a contested case hearing as explained above.

Should you have any questions regarding any aspect of this letter, please do not hesitate to contact me at the Department of Health and Human Services, Division of Facility Services, Acute and Home Care Licensure and Certification Section, 2712 Mail Service Center, Raleigh, North Carolina 27699-2712 or contact me at (919) 855-4646.

cc: Drexdal Pratt, Director, Division of Facility Services
Cheryl Quimet, COO, Division of Facility Services
Emery Edwards Milliken, General Counsel, Department of Health and Human Services
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