

ABORTION FREE NEW MEXICO

NEWS

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## BREAKING: FDA COMPLAINT FILED AGAINST ABORTIONIST FRANZ THEARD

9/8/2019

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Bud & Tara Shaver

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Archives

Abortion Free New Mexico  
Uncovers Franz Theard  
Violating FDA Protocols For  
Prescribing Mifepristone  
Abortion Pill (RU486)

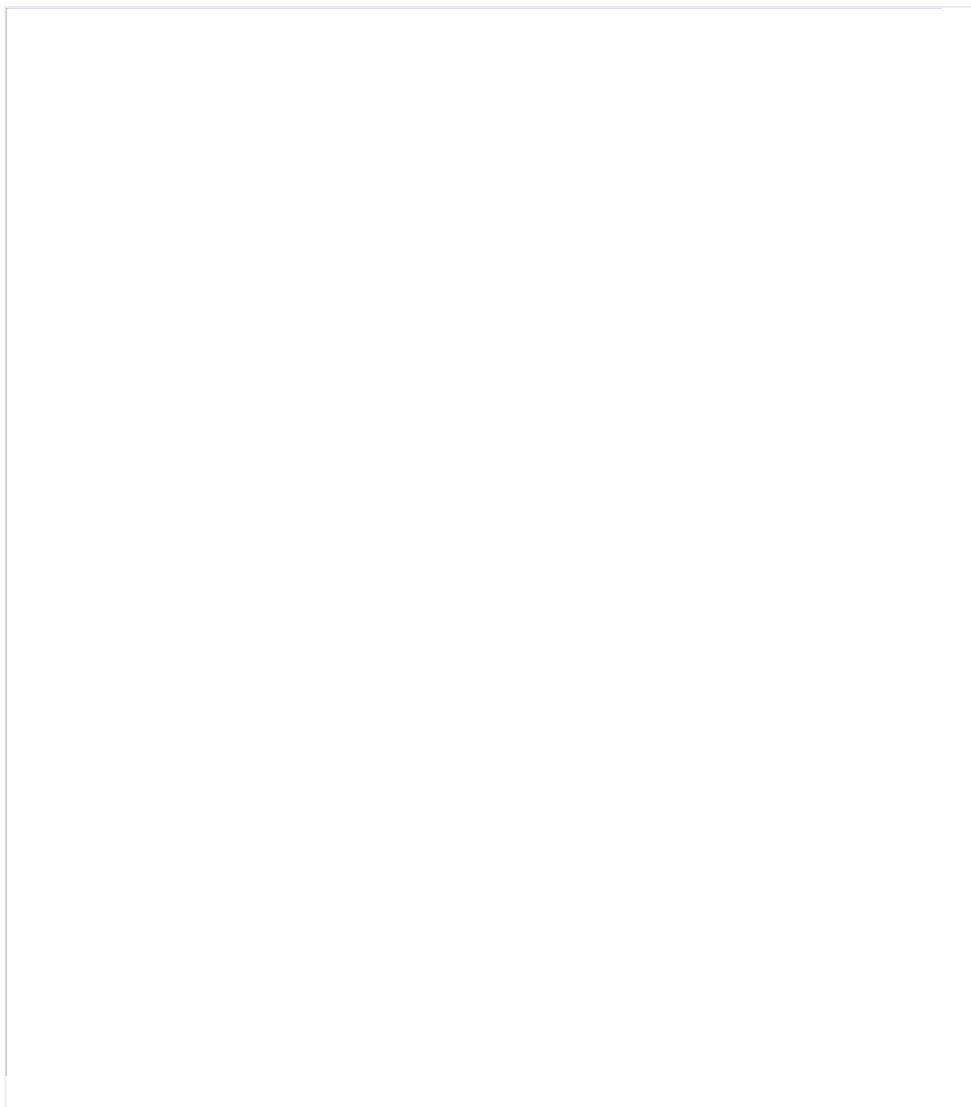
AbortionFreeNM.com

By Bud Shaver

Albuquerque, NM- Abortion Free New Mexico has filed a joint complaint with local pro-life activist, Leisha Armijo Martin against abortionist Franz Theard (who operates at Hilltop Reproductive Health Clinic in Santa Teresa, New Mexico) with the Food and Drug Administration (FDA) and other federal and state agencies regarding a violation of the Risk and Evaluation and Mitigation Strategies (REMS) and prescriber agreement for the drug Mifeprex, also known as Mifepristone and the RU486 abortion pill.

- [Read the full complaint here](#)

[Theard FDA Complaint](#) by [Bud Shaver](#) on Scribd



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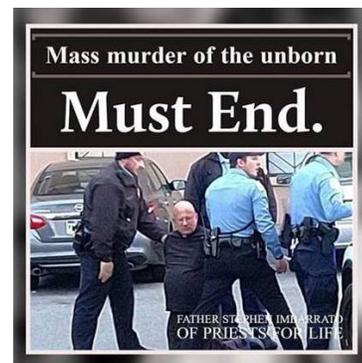
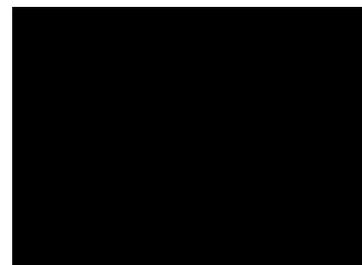
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Risk and Evaluation and Mitigation Strategies (REMS) are required by the FDA, for the use of certain medications that carry a significant risk or, in the FDA's own language, have inherent "**serious safety concerns**," in order to mitigate some of that risk. As of December 31, 2018, there have been 24-reported deaths connected with Mifeprex (Mifepristone) use. Two of these deaths were attributed to ectopic pregnancies resulting in death.

Mifepristone is the drug used on the first day of chemical abortion procedures which blocks progesterone, a necessary hormone during pregnancy. The blockage of progesterone essentially starves the newly formed baby of vital nutrients needed to survive. A second drug called misoprostol is given up to 48 hours later which causes cramping, bleeding and the ultimate loss of the pre-born child if there is no intervention. Some RU486 abortions can now be reversed if progesterone is supplemented throughout the remainder of the pregnancy.

In an undercover investigation, Abortion Free New Mexico [called](#) Hilltop Women's Reproductive Clinic in Santa Teresa, New Mexico to determine whether or not they are compliant with the prescriber agreement required by the FDA to prescribe Mifeprex (Mifepristone). According to the receptionist, abortionist Franz Theard does not have the proper ultrasound to diagnose ectopic pregnancies, which is a clear violation of the REMS requirements. As outlined in the FDA approved REMS document, prescribers of the abortion drug, Mifeprex (Mifepristone) must have the "ability to diagnose ectopic pregnancies."

PRESCRIBER AGREEMENT FORM

*Mifeprex*® (Mifepristone)  
Tablets, 200 mg

Mifeprex\* (Mifepristone) Tablets, 200 mg, is indicated, in a regimen with misoprostol, for the medical termination of intrauterine pregnancy through 70 days gestation. Please see Prescribing Information and Medication Guide for complete safety information.

*To set up your account to receive Mifeprex, you must:*

1. complete, 2. sign, and 3. fax page 2 of this form to the distributor.

If you will be ordering for more than one facility, you will need to list each facility on your order form before the first order will be shipped to the facility.

**Prescriber Agreement:** By signing page 2 of this form, you agree that you meet the qualifications below and will follow the guidelines for use. You also understand that if you do not follow the guidelines, the distributor may stop shipping Mifeprex to you.

*Mifeprex must be provided by or under the supervision of a healthcare provider who prescribes and meets the following qualifications:*

- Ability to assess the duration of pregnancy accurately.
- Ability to diagnose ectopic pregnancies.

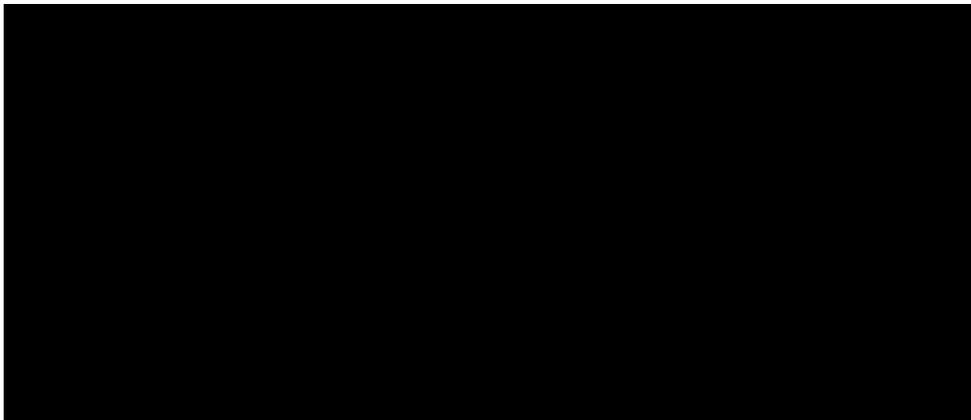
- [See the full Mifepristone REMS document here](#)

In the call to Hilltop Women's Reproductive Clinic, the caller asks, "Are you guys able to detect like an ectopic pregnancy if I came in for a procedure there?"

Hilltop Women's Reproductive Clinic receptionist responds, "We do not have a vaginal ultrasound, the vaginal ultrasound would detect if it's um ectopic."

In the recorded phone call to Hilltop, the abortionist who performs the abortions, in clear violation of the FDA's requirements, is identified as, "Doctor [Franz] Theard."

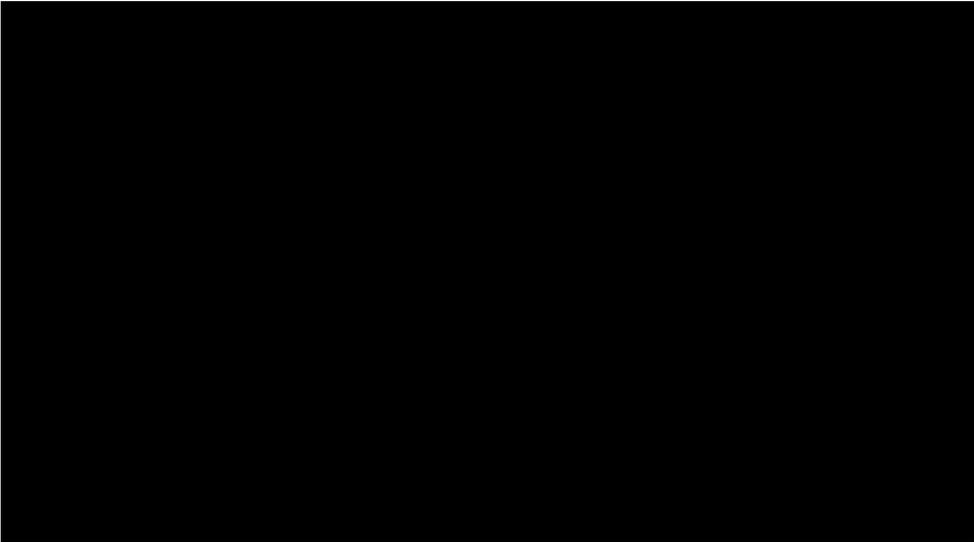
- [Listen to the call placed to Hilltop Reproductive Health Clinic here.](#)





Despite the fact that Franz Theard is unable to detect and diagnose ectopic pregnancies, he is still prescribing Mifeprex (Mifepristone) and performing medical abortions up to 9 weeks gestation.

In the FDA [complaint](#) filed by Shaver and Armijo-Martin they request,



## **The Weak Link: An Abortion pill mill that is violating FDA requirements**

In 2017 Abortion Free New Mexico conducted an undercover investigation [revealing](#) that Franz Theard was utilizing Hilltop Reproductive Health Clinic located in New Mexico to circumvent Texas parental notification laws.

- [Santa Teresa, NM: No Parent, No Problem 15 y/o TX Minor Obtains Abortion](#)
- RELATED: [Texas abortionist uses sister facility in New Mexico for abortions on underage girls](#)

## Same Day Abortion



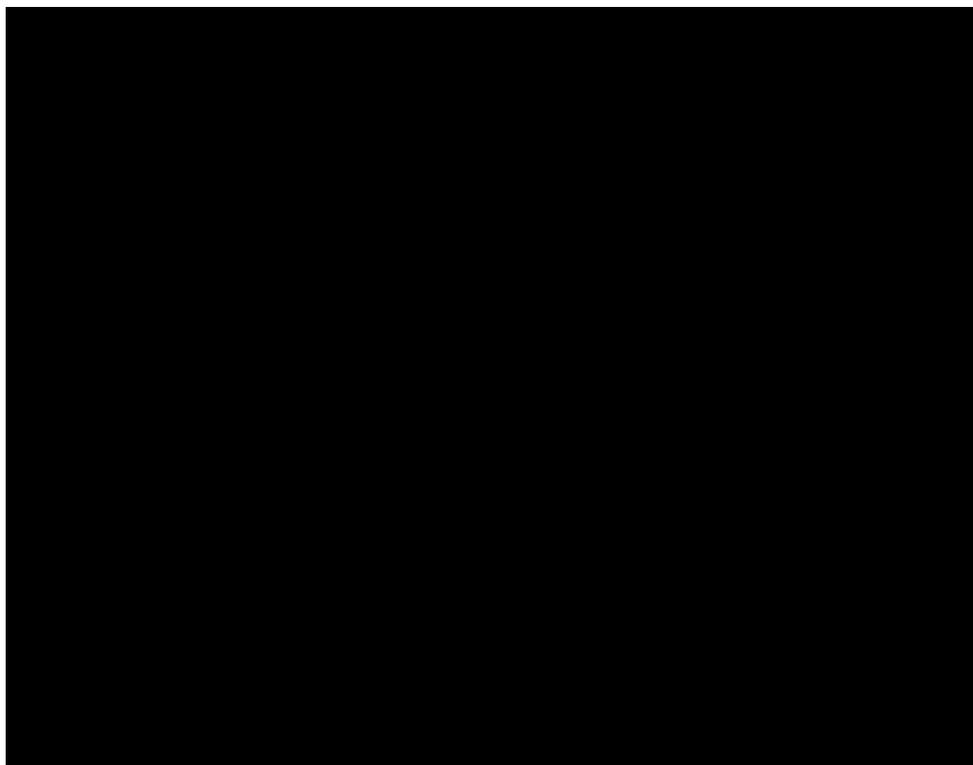
*In the state of New Mexico there is no requirement for patients to wait 24 hours prior to their abortion procedure; therefore, our Sunland Park location offers a Same Day Abortion procedure.*

*New Mexico does not have any of the major types of abortion restrictions regarding mandated parental involvement or limitations on publicly funded abortions—often found in other states.*

*Learn more about your abortion options or call to schedule your appointment. Walk-ins are welcome.*

Hilltop's website boasts that, "New Mexico does not have any of the major types of abortion restrictions regarding mandated parental involvement or limitations on publicly funded abortions—often found in other states." This makes it so easy for Theard to instruct minors in Texas who don't want their parents to know they are pregnant to cross state lines to obtain abortions using drugs that have long list of side effects and life threatening complications.

**Tara Shaver of Abortion Free New Mexico issued the following statement,**



## The Double Life of Franz Theard



Abortionist Franz Theard performs abortions in New Mexico and El Paso, Texas at Hilltop Women's Reproductive Services. He also has an OBGYN practice just down the street from his El Paso abortion center

where he does surgical abortions up to 15 weeks of pregnancy. Even though he went to school to become an OBGYN, just 4 years after Theard received his medical license he began performing abortions in the El Paso area. Theard has maintained hospital privileges at two El Paso hospitals over the years, The Hospitals of Providence and Las Palmas Del Sol Healthcare. Abortion Free New Mexico reached out to both hospitals for comment but they both refused to give a statement.



- **Abortion Free New Mexico reached out to both hospitals for a comment and asked them if they were aware that they were giving admitting privileges to an abortionist but they both refused to give a statement.**

Theard is caught in between two worlds and at some point they will collide. In fact, Theard's dirty little secret isn't completely under the radar as locals have informed Abortion Free New Mexico that Theard has been called to the hospital to assist with the delivery of a baby, but those in the community who know that he is an abortionist have refused to allow him to do so.

**If these hospitals are only just now finding out about Theard's abortion businesses, will they want to keep him in good standing? Will Theard be faced with a decision, to kill babies or bring them into this world?**

## **What More Can Be Done?**

Abortion Free New Mexico intends to visit Santa Teresa, New Mexico and El Paso, Texas this month to further inform both communities about who Franz Theard really is and to urge him to stop performing abortions. We also have a few other public awareness projects in the works!

**Stay tuned...**

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