



DEFENDING THE DEFENDERS OF LIFE

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(805) 640-1940

www.LLDF.org

February 18, 2022

Office of the Attorney General of Alabama

ATTN: Steve Marshall

501 Washington Avenue

Montgomery, Alabama 36104

334-242-7300 (voice)

smarshall@ago.state.al.us

Sent via email

RE: West Alabama Women's Center

Dear Mr. Marshall:

By way of introduction, the Life Legal Defense Foundation (LLDF) non-profit law firm that specializes in the defense of vulnerable human life, especially life in the womb. We do not charge our clients for our services.

I am a senior staff attorney with the Life Legal Defense Foundation. For the past decade, I have worked with CEC for Life in Alabama to expose abortion clinics that are in violation of the law and to hold the physicians, directors, and staff accountable for their actions. We have reported countless violations to the Alabama Department of Public Health over the years. The ADPH has taken action on very few occasions and outright ignored our requests in most instances.

For the past two years, we have implored the ADPH to conduct a thorough inspection and investigation of the West Alabama Women's Center, located on 535 Jack Warner Pkwy, Tuscaloosa, AL, 35404. Since the Yellowhammer Fund took over the WAWC in early 2020, the clinic has been wrought with deficiencies¹, fraud², and legal violations.³ Despite the

¹ A non-exhaustive list of deficiencies includes failure to establish proper procedures to prevent patient infections in the facility, failure by staff to follow hand hygiene and medication administration guidelines, open vials of medications were left on the counter, failure to use clean needles to access medication to be used on multiple patients, and failure by staff to wear and remove gloves properly during surgical procedures and patient exams.

many requests made to the ADPH to conduct a thorough investigation into the death of April Lowery, the injuries sustained by “Jane Stone,” the fraud committed by Leah Torres, and the voluminous reported deficiencies, the ADPH continues to turn a blind eye to the medical malfeasance perpetrated by the staff and medical personnel at the WAWC.

Shocking new evidence has been uncovered recently regarding the WAWC, which compels us to contact state officials who will force the ADPH to perform its legal duty to investigate, inspect, and revoke the license of the WAWC. We implore you to act now!

Earlier this month, Birmingham residents Fr. Terry Gensemer and his wife came home to find large black garbage bags left anonymously in their driveway. When they opened the bags, they discovered surgical pads soiled in blood and fluids, tubes containing fluids, and one tube that contained what appeared to be a small piece of human tissue. There was also paperwork that included patient names, patient information, and ultrasound photos with the header “West Alabama Women’s Center.”⁴ Such utter disregard for patient privacy and biohazard health standards violates numerous federal and state laws, such as HIPPA, the Alabama Department of Environmental Management, and the Alabama Department of Public Health to name a few. While it is unclear how this medical waste and confidential patient information ended up in Birmingham, it is evident that it originated from the West Alabama Women’s Center in Tuscaloosa and was not properly discarded from that facility.

As you are aware, the Alabama Department of Environmental Management established a coordinated statewide program to assure adequate safeguards for management of hazardous wastes from the point of generation through the handling, processing, and final disposition. Ala. Admin. Code r. 335-1-1-.05(5). The ADEM has done such through the establishment of the Land Division Medical Waste Program. Ala. Admin. Code r. 335-17 et al..⁵ The ADEM is responsible for issuing, modifying, suspending, or revoking orders, citations, notices of violation, certifications, or permits. Ala. Admin. Code r. 335-1-1-.05(10). The WAWC documents and evidence left at Fr. Gensemer’s residence clearly violate the rules for proper disposal of medical waste. We are asking you to direct the ADEM to conduct a thorough investigation into the WAWC’s disposal of medical waste practices and procedures and to issue any and all notices of violations. In this case, it is

² Amanda Reyes, Executive Director of the Yellowhammer Fund, hired abortionist Leah Torres to run the WAWC. Thereafter, the Alabama Board of Medical Examiners suspended Torres’ provisional medical license because Torres obtained the license by fraud.

³ This is the same facility that also employed Dr. Willie Parker, who faced criminal allegations. Details of the criminal allegations have been reported to the Alabama Board of Medical Examiners. It was reported that a woman died after receiving an abortion from Dr. Louis Payne on May 7, 2020. Soon thereafter, Dr. Payne permanently relinquished his medical license. In December 2021, a medical malpractice lawsuit was filed on behalf of “Jane Stone,” alleging she suffered numerous injuries during an abortion she obtained at the WAWC.

⁴ Photographs of the paperwork and medical waste are attached.

⁵ The purpose of the ADEM Administrative Code r. 335-17 et.al. is to establish rules and regulations for the storage, transportation, treatment and disposal of medical wastes. Ala. Admin. Code r. 335-17-1-.01.

imperative that ADEM immediately shut down the WAWC for failing to abide by federal and state environmental laws and for compromising their patients' privacy in violation of HIPPA.

Additionally, it is the non-discretionary duty of the ADPH to investigate the claims asserted above. Based on their lack of response to our requests, we are asking that you direct the ADPH to conduct a thorough inspection and investigation of the West Alabama Women's Center, located on 535 Jack Warner Pkwy, Tuscaloosa, AL, 35404.⁶ In this case, it is imperative that ADPH immediately suspend and ultimately revoke, the licenses of WAWC for employing physicians and staff who fail to provide the medically required standard of care to their patients. Such medical malfeasance is detrimental to the welfare of the women of Alabama and must be stopped at once.

Thank you for your time and consideration of these matters. We look forward to discussing your response to our concerns and we hope to hear from you promptly regarding this urgent matter.

Very truly yours,



Allison K. Aranda
Senior Staff Counsel
Life Legal Defense Foundation
PO Box 890685
Temecula, CA 92589
Phone [REDACTED]
Fax [REDACTED]

cc: Katherine Robertson, Chief Counsel to the Attorney General (kr Robertson@ago.state.al.us); constituentsaffairs@alabamaag.gov; Will Ainsworth, Lt. Governor of Alabama (ltgov@ltgov.alabama.gov)

On behalf of:

Fr. Terry Gensemer, Director
Sarah Howell Neely, Assistant
CEC For Life

Troy Newman, President
Cheryl Sullenger, Sr. Vice President
Operation Rescue

⁶ Ala. Code Section 22-21-25 states that the State Board of Health may suspend or revoke a license on any of the following grounds: 1) violation of any of the provisions of this article or the rules and regulations issued pursuant thereto, 2) permitting, aiding or abetting the commission of any illegal act in the institution, or 3) conduct or practices deemed by the State Board of Health to be detrimental to the welfare of the patients of the institution.

Nicholas Beckham, Attorney at Law

[REDACTED]

Childerburg, AL 35044

Voice [REDACTED]

Fax [REDACTED]

The Pro-life Community of Tuscaloosa

printed 01/20/2022
08:20 AM

Post Date	Date of Service	Diagnosis Codes	Procedure Code	Original Insurance Plan	Supervising Provider	Reason For Payment	Method of Payment	Amount
01/20/2022				*SELF PAY* [0]		Payment for To dysService	CASH	\$150.00
Total Payment Amount								\$150.00



* 97993w22293 Admin

- The balance of your fee will be collected.
- We will complete your consent forms and do a final review of your record. Counseling consists of informed consent materials and opportunity for you to discuss any concerns you may have or ask any questions. Our priority is that you have all the information you need to make a decision best suited for you.
- Vital signs will be taken.
- You will receive sedation (if you have a driver) prior to your procedure. During the procedure we use local anesthetic to help numb the uterus. (Sedation options are described below.)
- A post-operative information sheet will be given to you with your follow-up date. **Please read it carefully. It is VERY important!**
- Your follow-up is included in your fee. If you cannot make the date, please call to reschedule. You may see your regular physician if you prefer and their office will bill you (or your insurance) separately.
- You will receive appropriate prescriptions for pain control, antibiotic treatment, etc.
- You may receive a prescription for birth control if desired (medical history may affect use of birth control pills or hormones).
- You should feel fine to return to work or school the next day. A medical excuse can be provided if needed.

Be prepared to be at the office for at least 3-4 hours. Please do not bring children on the day of your procedure.

Please arrive ON TIME. Patients are seen in the order of arrival time. However, patients are called for different reasons. As such, please do not be upset if a patient who arrives after you is called before you.

Your abortion is scheduled for 1/25 at 1:00pm with Dr. Leah Torres or Dr. Diane Horvath. Please be on time or call us to let us know if you want to cancel or re-schedule your appointment. **Your balance due on the day of your abortion is \$ 550.** The total amount for your procedure is based on the amount of weeks you will be on the day the procedure is performed. If you reschedule your appointment, the price is subject to change.

Payments can be made in cash or credit card. Insurance is not accepted in accordance with Alabama state law. **Financial assistance is available if you qualify.**

Complaints may be registered by calling the clinic at (205)556-2026 or Alabama Department of Public Health at (334)206-9338.

Sedation Options for Surgical Procedure

1) Mild Sedation- Consists of Alprazolam (Xanax) to relax you, Naproxen (Aleve) for pain management, and Phenergan (Promethazine) for nausea. These are given by mouth approximately 30 minutes prior to your procedure. You will also receive a one-time dose of an antibiotic. You will be awake during the procedure, but the medication helps reduce anxiety and discomfort during the procedure. **You are required to have a driver and the driver must be present prior to receiving medication as well as remain in the office during your visit (this may change during the pandemic).** For 24 hours prior to your procedure appointment you should avoid taking medications that may cause sleepiness.



* 97993w22293 Admin

West Alabama Women's Center, Inc.

535 Jack Warner Parkway, Suite I

Tuscaloosa, Alabama

Telephone (205) 556-2026

Welcome to our office! This page is yours to take home but please **READ IT CAREFULLY** and **ASK QUESTIONS** if necessary.

ALABAMA LAW REQUIRES all abortions be performed only with voluntary and informed consent of a patient. You will be required to read, initial and sign forms today. We will also give you a copy of the *Alabama Resource Directory* and the *Did You Know* booklets. This material must be given to you in conjunction with a 48-hour Alabama state-mandated waiting period. The forms you will sign today pertain to the 48-hour waiting period and information required to be given to you according to Alabama state law. How to care for yourself after the abortion will be discussed on the day of the abortion procedure and you will receive written instructions. We encourage you to ask any and all questions. We will also be handing you patient-friendly information about the different types of abortion procedures as well as discussing all of your options: abortion, giving birth and parenting, giving birth and utilizing adoption services.

Your **privacy** is extremely important to us! We want you to know that your confidentiality is not only our priority, but it is also protected by federal HIPAA legislation. No information will be released without your written consent. If you wish to have a copy of your rights under the HIPAA law, they are available upon request.

The fee today is \$150.00 and is deducted from your total fee. **If you need financial assistance paying for your procedure, be sure to notify the person collecting your fee today.**

The methods of abortion available at West Alabama Women's Center, Inc are as follows:

- Medication abortion: mifepristone + misoprostol, up to 77 days from last menstrual period
- Surgical abortion: "dilation and curettage" procedure using vacuum aspiration, local anesthetic and mild sedation with oral medication

Clinic Routine: What to expect today

- Alabama law requires certain information to be given to you 48 hours in advance of the abortion
- Completion of medical data and signed consent meet the state law requirements
- Pregnancy test and ultrasound will be done to verify pregnancy and the number of weeks pregnant
- Vital signs
- Laboratory tests are done to detect low iron & your blood type Rh factor (Rh negative patients require Rhogam injection)
- Counseling can be done in groups (to reduce time at the clinic) or individually.
- Your abortion may be scheduled on the next clinic day following the 48-hour waiting period

The Day of Your Abortion

- On the morning of your abortion you should wear comfortable clothes. Be sure to wear panties and have pads available at home.
- You **MUST** have someone drive you home. If you come in without a driver, you cannot have certain medications (for nausea and pain) that day.



Emergency Contraceptive Questionnaire

7) Did you use any of the following methods for pregnancy prevention during vaginal intercourse?

- a. Withdrawal before ejaculation with **no** other method use
- b. Withdrawal before ejaculation **with other** method use
- c. Male latex condom
- d. Spermicide
- e. Diaphragm with spermicide
- f. Diaphragm with **no** spermicide
- g. Vaginal sponge with spermicide
- h. Vaginal sponge with **no** spermicide

☒ i. No method used/no withdrawal

8) Were you on birth control in the time period that you became pregnant?

a. Yes (see question #9)

☒ b. No

9) If answered **yes** to question #8: which birth control form did you use?

- a. Birth Control pill
- b. Intravaginal Ring (NuvaRing, Annovera)
- c. Intrauterine Device (Mirena, Skyla, Kyleena, Liletta, Paragard)
- d. Subdermal Implant (Nexplanon, Implanon)
- e. Contraceptive shot (Depo Provera)
- f. Transdermal Patch (Ortho-Evra)
- g. Tubal ligation



Emergency Contraceptive Questionnaire

Thank you for participating in this voluntary survey. The following questions are about your knowledge and use of emergency contraception (i.e.: Plan B, Morning After Pill). Please circle your answer each question to the best of your knowledge and return this form along with your paperwork to the front desk.

- 1) Did you know that taking emergency contraceptive within 72 hours of unprotected vaginal intercourse can prevent pregnancy by delaying ovulation and preventing egg fertilization?

☒ a. Yes

b. No

- 2) Did you use emergency contraceptives (i.e.: Plan B, Morning After Pill) after having vaginal intercourse in the last 12 weeks?

a. Yes

☒ b. No

- 3) Do you know where you can access emergency contraceptives (i.e.: Plan B, Morning After Pill) in your area?

a. Yes

☒ b. No

- 4) Do you know that you can purchase emergency contraceptives over the counter without a prescription from a medical doctor?

a. Yes

☒ b. No

- 5) Did you know that a package of emergency contraceptive costs between \$30 to \$40?

a. Yes

☒ b. No

- 6) Do you find the price of emergency contraceptive as financially affordable for you?

a. Yes

☒ b. No

Please flip to the back to finish the questionnaire

WELCOME

PLEASE SIGN IN AND NOTIFY US IF:

- 1 You are a new patient Date _____
- 2 You have a new phone number or address since your last visit
- 3 You are now covered by a different insurance policy

NO.	Patient Name Please Print, Pressing Firmly	Arrival Time	Appt. Time	Doctor or Department	New Patient (✓)	Any change in address/phone/ insurance since last visit?
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West Alabama
Womens Center

01/26/22 20:25:34
TID: 00F61128 Batch #: 227
MID: 496446235889
SETTLEMENT SUCCESSFUL
00 success

Summary Report SETTLEMENT RPT

Visa		
Sales	1	\$50.00
Returns	0	\$0.00
Total	1	\$50.00

GRAND TOTALS		
Sales	1	\$50.00
Returns	0	\$0.00
Grand Total	1	\$50.00

END OF REPORT

West Alabama
Womens Center
535 JACK WARNER PARKWAY
TUSCALOOSA, AL 35404
205-556-2026

SALE

MID: 5889
TID: 00F61128
Bank ID: 000000
Batch #: 226
01/26/22

REF#: 00000008
RRN: 025332250651
13:04:12

AMOUNT \$210.00

APPROVED

Thank You
Please Come Again

CUSTOMER COPY

West Alabama
Womens Center
535 JACK WARNER PARKWAY
TUSCALOOSA, AL 35404
205-556-2026

SALE

ID: 5889
D: 00F61128
Bank ID: 000000
Batch #: 174
01/21

REF#: 00000013
RRN: 335215043066
10:57:47

Manual CP

AMOUNT \$50.00

APPROVED

Thank You
Please Come Again

CUSTOMER COPY

PLEASE SIGN IN AND NOTIFY US IF:
AGREEMENT IF CREDIT VOUCHER
RETAIN THIS COPY FOR STATEMENT
VERIFICATION

Thank You
Please Come Again

MERCHANT COPY

West Alabama
Womens Center
535 JACK WARNER PARKWAY
TUSCALOOSA, AL 35404
205-556-2026

SALE

MID: 5889
TID: 00F61128
Bank ID: 000000
Batch #: 226
01/26/22

REF#: 000000
RRN: 5262260506
13:04

MASTERCARD

AMOUNT \$90.00

APPROVED

Thank You
Please Come Again

CUSTOMER COPY

USE
USE NE



Chapman

1/18/20

Thank you!

XXOO

Dave

(17)

♀

♂

19

7/1/20

Mon 01/31/22

12th Senior 11pm

Driver I.D.

ft (+) test

Holston Drinkard

(+) test

Aubrey Harris (-) test

Alexis Russell (-) test

ParaGuardTM

INTRAUTERINE COPPER CONTRACEPTIVE

1-26-

28

ed

258

258

256

wants
BC pills

([REDACTED])

~~DOXY~~

Doxy 1120
given by [REDACTED]

257

#1

9/10
Am

#14 Med
1045
Am

1115
Am

no
sedation

0915

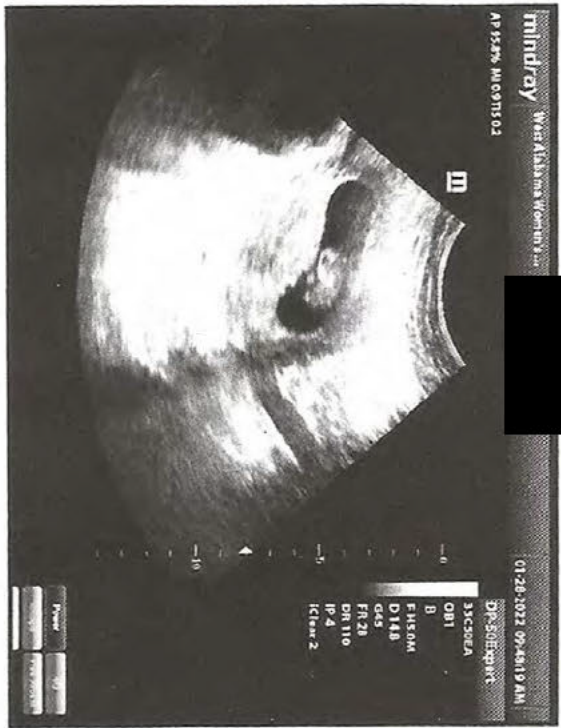
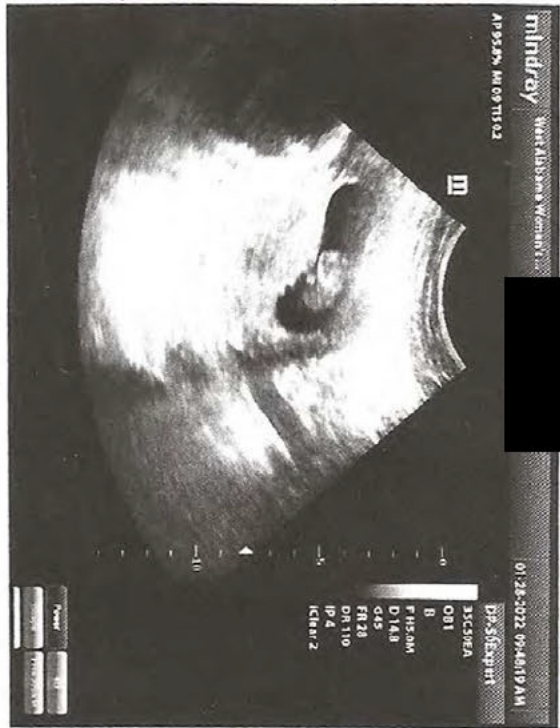
No
Driver
ID

95e

122115

1/2
surg

1/31 - pill



Surg. No. _____
Date Rec'd. _____

Clinic Name _____
or Pt. Address _____ Clinic No. _____

Physician _____ Room No. _____

Specimen Date) 1-14-22

Clinical History

Pre-Op Diagnosis: _____

Specimen & Site _____

PHYSICIANS LABORATORY SERVICE, INC.
2511 Hwy. 41 N. • Clayton, GA 30525



WEST ALABAMA WOMEN'S CENTER
535 JACK WARNER PARKWAY NE
SUITE I
TUSCALOOSA, ALABAMA 35404
205-556-2026

December 7, 2021



Dear Ms. [REDACTED]

We are concerned that we have not heard from you about your pregnancy test results. It is very important to receive a negative result on the test we sent home with you. Please take your test and call the clinic with results as soon as possible.

Thank You,

Leah Torres, MD MS

West Alabama Women's Center

West Alabama Women's Center Inc
535 Jack Warner Parkway NE
Suite 1
Tuscaloosa, Alabama 35404

BIRMINGHAM AL 350

9 DEC 2021 PM 5 L

\$0.53 0
US POSTAGE
FIRST-CLASS
06290013313528
FROM 35404



NIXIE 352 DE 1 0012/22/21

RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD

BC: 35404575199 *1439-01033-09-44



Signature Required

TINA
RETURN TO: 24/Jan/2022 21:13 3523
WEST ALABAMA WOMEN'S CENTER
6122279116
636 JACK WARNER PKWY NE
STE 1
TUSCALOOSA AL 35404 5751



AL 354 0 - 02



120120204221004302



WEST ALABAMA WOMEN'S CENTER
535 JACK WARNER PKWY NE
STE 1
TUSCALOOSA AL 35404--5751

P: GOLD S: 1
ALA1 - FDR

1:230

1:230

1302

ALA1

WEST ALABAMA WOMEN S CENTER
535 JACK WARNER PKWY NE
STE 1
TUSCALOOSA AL 35404

P: GREEN S: SLIDE I: CLK ☐

NIB - NIB 4302

1Z012020422166 JAN 25 09:17:13 2022
INVOICE NIP 01.5.0 3540

RETURN TO SHIPPER 24/Jan/2022 21:13 3523

REASON FOR RETURN:
PACKAGE NOT PICKED UP; READY FOR RETURN

ORIGINAL RECEIVER:
CVS STORE # 4813

 **AL 354 0-02**


1Z0E20204221664302

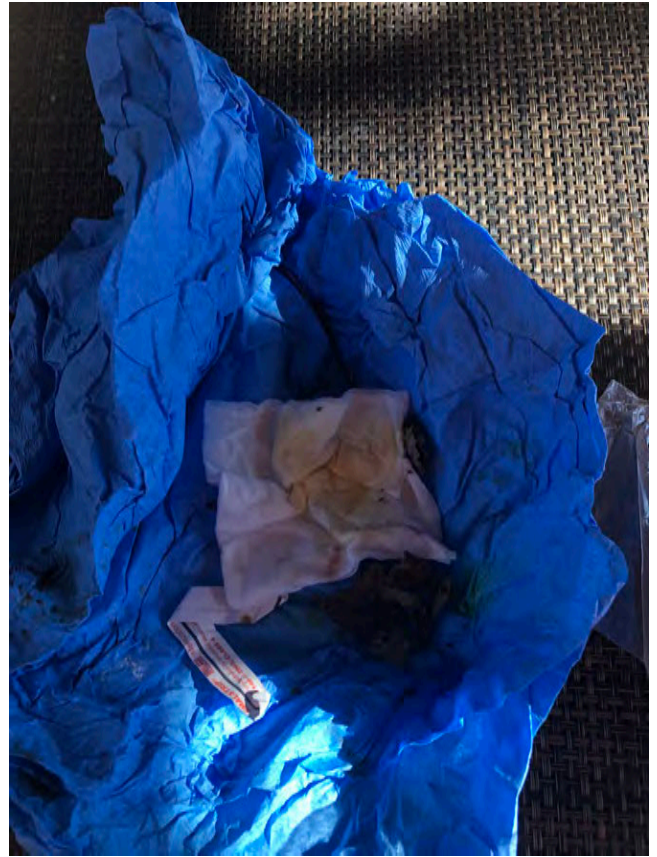


Surgical pads soiled with blood and fluids.

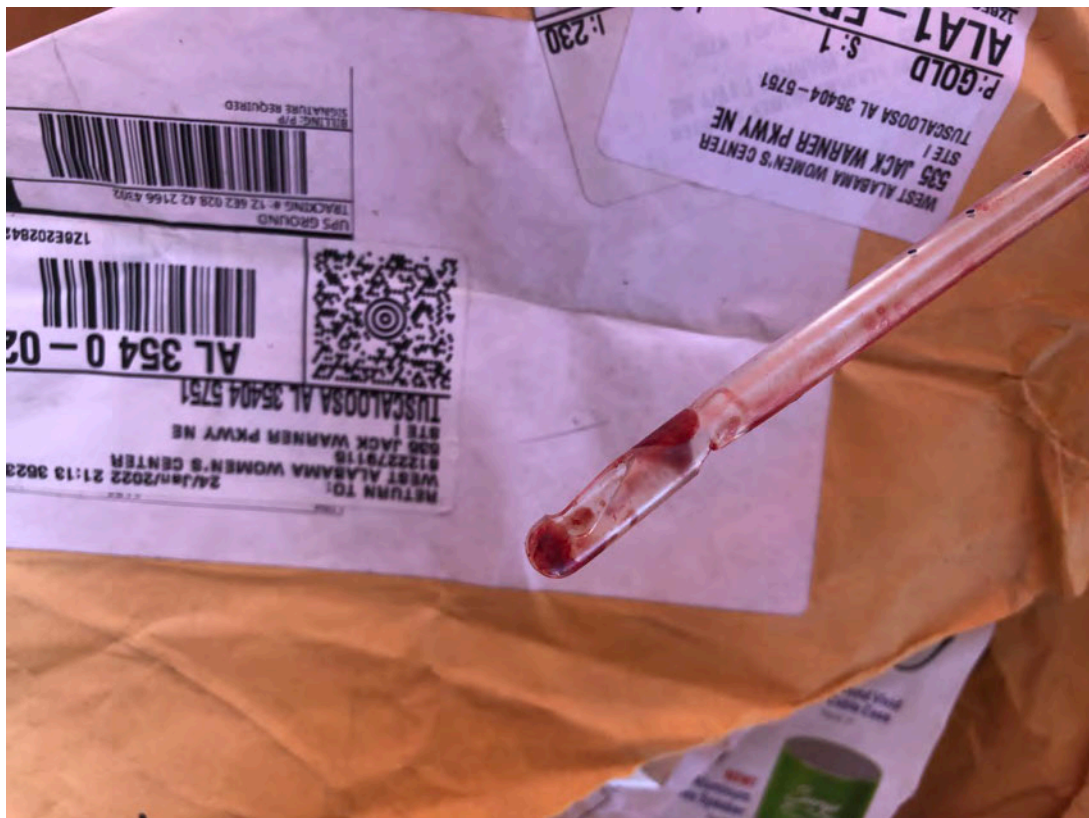




Tubes containing fluids.



More items soiled by blood or fluids.



A small tube containing what appears to be human tissue.