



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Office of the Secretary

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Earl Ray Tomblin
Governor

Michael J. Lewis, M.D., Ph.D.
Cabinet Secretary

October 27, 2011

The Honorable Jeffrey Kessler, Acting Senate President
West Virginia Senate
Room 227M, Building 1
State Capitol Complex
Charleston, West Virginia 25305

The Honorable Richard Thompson, Speaker
West Virginia House of Delegates
Room 228M, Building 1
State Capitol Complex
Charleston, West Virginia 25305

Dear President Kessler and Speaker Thompson:

As required by West Virginia Code §16-2I-1, regarding the Women's Right to Know Act (WRTK), please find enclosed the Annual Report for 2010. This report is provided by the Office of Maternal, Child and Family Health, Division of Perinatal and Women's Health, in cooperation with the Health Statistics Center.

If you have any questions or concerns, please feel free to write or call Denise Smith, Director, Division of Perinatal and Women's Health, Office of Maternal, Child and Family Health, 350 Capitol Street, Room 427, Charleston, West Virginia 25301-3714, telephone (304) 356-4397, or e-mail denise.a.smith@wv.gov.

Sincerely,

A handwritten signature in blue ink that reads "M. J. Lewis".

Michael J. Lewis, M.D., Ph.D.
Cabinet Secretary

MJL/alf

Enclosure

cc: Chris Curtis, M.P.H.
Gregory M. Gray
Darrell Holmes
Denise Smith
Anne Williams
Legislative Library

West Virginia Women's Right to Know Act



Annual Report 2010

WEST VIRGINIA
Department of



*Women's Right to Know Act
Office of Maternal, Child & Family Health
350 Capitol Street, Room 427
Charleston, WV 25301*

*Earl Ray Tomblin, Governor
Michael J. Lewis, M.D., Ph.D., Cabinet Secretary*

Women's Right to Know Act Annual Report 2010

In accordance with West Virginia Code §16-2I-1, et seq., known as the Women's Right to Know Act (WRTK), the West Virginia Department of Health and Human Resources (DHHR) offers the following report.

The statute, enacted in 2002, requires informed consent for an abortion to be performed and requires certain information to be supplied to women considering abortion. The WRTK law establishes a minimum waiting period after women have been given the information. The law specifies exception for medical emergencies and requires physicians to report abortion statistics. Further, the WRTK law requires DHHR to publish printed information and develop a website on alternatives to abortion. The legislation protects privacy in court proceedings, exempts certain information from disclosure, and establishes administrative remedies, civil remedies, and penalties. The website is accessible at <http://www.wvdhhr.org/wrtk>.

Abortion procedures are reported to DHHR, Bureau for Public Health, Health Statistics Center using Report of Induced Termination of Pregnancy (ITOP) forms. These forms were revised in 2003 and 2007 to enable provider certification that patient counseling and guidance was conducted in accordance with the law for all non-emergency abortion procedures.

In CY2010, there were 1,999 abortion procedures reported to the Health Statistics Center. Most procedures reported (99.7 percent) were non-emergency procedures. In addition, 99.9 percent of ITOP forms submitted in 2010 contained certification of patient counseling and informational guidance.

The report that follows reflects the best information that DHHR has available. The attached report provides statistics for CY2004 through CY2010.

**Report Under the Provisions of Women's Right to Know Act
West Virginia Abortion Data, 2004-2010**

	2004		2005		2006		2007		2008		2009		2010	
	Number of Abortions	Percent (Excluding Unknown)	Number of Abortions	Percent (Excluding Unknown)	Number of Abortions	Percent (Excluding Unknown)	Number of Abortions	Percent (Excluding Unknown)	Number of Abortions	Percent (Excluding Unknown)	Number of Abortions	Percent (Excluding Unknown)	Number of Abortions	Percent (Excluding Unknown)
Total Abortions	1,990		1,686		2,037		1,849		1,982		1,772		1,999	
1. # of females who were provided with counseling and informational guidance as required by WV State Code §16-21-1, et. seq., for all non-emergency procedures. (ITOP form rev 2007, signature field 16, or alternate approved DHHR form)														
Received counseling	817	92.0%	342	22.5%	2,033	100.0%	1,848	99.9%	1,972	99.8%	1,766	99.8%	1,996	99.9%
Did not receive counseling	71	8.0%	1,176	77.5%	1	0.0%	1	0.1%	4	0.2%	4	0.2%	2	0.1%
Unknown	1,102		168		3		0		6		2		1	
2. # of abortions performed in cases of medical emergency. (ITOP form rev 2003, section 15d)														
Medical emergency	2	0.1%	3	0.2%	6	0.3%	4	0.2%	3	0.2%	8	0.5%	5	0.3%
Non-medical emergency	1,925	99.9%	1,671	99.8%	2,011	99.7%	1,840	99.8%	1,972	99.8%	1,762	99.5%	1,993	99.7%
Unknown	63		12		20		5		7		2		1	

Source: Health Statistics Center, August 2011

Distribution of printed materials:

Fetal Development, Abortion & Adoption Information Booklet, # distributed CY2010: 1,999

Women's Right to Know Resource Directory, # distributed CY2010: 289

Source: Office of Maternal, Child and Family Health, August 2011