



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Office of the Secretary

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Earl Ray Tomblin
Governor

Karen L. Bowling
Cabinet Secretary

October 26, 2016

The Honorable William P. Cole, III, President
West Virginia Senate
State Capitol Complex
Room 229M, Building 1
Charleston, WV 25305

The Honorable Tim Armstead, Speaker
West Virginia House of Delegates
State Capitol Complex
Room 228M, Building 1
Charleston, WV 25305

Dear President Cole and Speaker Armstead:

As required by West Virginia Code §16-2I, known as the West Virginia Women's Right To Know Act, please find enclosed the Annual Report for January 1, 2015 through December 30, 2015. This report is provided by the West Virginia Department of Health and Human Resources through 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, MS, Director, Perinatal and Women's Health Division, Office of Maternal, Child and Family Health, 350 Capitol Street, Room 427, Charleston, WV 25301, telephone (304) 558-5388, or email Denise.A.Smith@wv.gov.

Sincerely,

A handwritten signature in blue ink that reads "Karen L. Bowling".

Karen L. Bowling
Cabinet Secretary

KB/psm

Enclosure

cc: Dr. Rahul Gupta, MD, MPH, FACP
Anne Williams
Christina Mullins
Denise Smith
Legislative Library



WEST VIRGINIA WOMEN'S RIGHT TO KNOW ACT

Annual Report 2015

Denise Smith, Director of Perinatal and Women's Health
August 8, 2016

Women's Right to Know Act Annual Report 2015

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

The Act, 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 Act establishes a minimum waiting period after women have been given the information. The Act specifies exception for medical emergencies and requires physicians to report abortion statistics. Further, the WRTK Act requires DHHR to publish printed information and develop a website on alternatives to abortion. The Act 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 the DHHR, Bureau for Public Health, Health Statistics Center using the 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 CY2015, there were 1,517 abortion procedures reported to the Health Statistics Center. Of the procedures reported, 99.7 percent were non-emergency procedures. In addition, 99.7 percent of the ITOP forms submitted in 2015 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 CY2015.

**Report Under the Provisions of Women's Right to Know Act
West Virginia Abortion Data, 2004-2015**

	2004		2005*		2006		2007		2008		2009	
	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	1,945		1,674		2,037		1,849		1,982		1,772	
1. # of females who were provided with counseling and informational guidance as required by WV State Code §16-2I-1, et. seq., for all non-emergency procedures. (ITOP form rev 2007, signature field 16, or alternate approved DHHR form)												
Received counseling	817	96.9%	342	22.7%	2,033	100.0%	1,848	99.9%	1,972	99.8%	1,766	99.8%
Did not receive counseling	71	8.4%	1,176	78.1%	1	0.0%	1	0.1%	4	0.2%	4	0.2%
Unknown	1,102		168		3		0		6		2	
2. # of abortions performed in cases of medical emergency. (ITOP form rev 2003, section 15d)												
Medical emergency	1	0.1%	1	0.1%	6	0.3%	2	0.1%	1	0.1%	8	0.5%
Non-medical emergency	1,944	99.9%	1,671	99.9%	2,031	99.7%	1,846	99.9%	1,968	99.9%	1,762	99.5%
Unknown	0		2		0		1		13		2	

Source: WV Health Statistics Center, Vital Statistics System, August 2016

* Only 22.5 percent of ITOP forms submitted in 2005 contained certification of patient counseling and informational guidance. This low certification level was due, in part, to delayed development and distribution of the patient education booklet, *Fetal Development, Abortion and Adoption* and the *Women's Right to Know Resource Directory*.

** 2015 data are unedited, cumulative and may change.

Distribution of printed materials:

Fetal Development, Abortion & Adoption Information Booklet, #OMCFH8 distributed CY2015: 105

Women's Right to Know Resource Directory, #OMCFH9 distributed CY2015: 22

Source: Office of Maternal, Child and Family Health, August 2015

**Report Under the Provisions of Women's Right to Know Act
West Virginia Abortion Data, 2004-2015**

	2010		2011		2012		2013		2014		2015**	
	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	1,999		1,837		1,828		1,876		1,731		1,517	
1. # of females who were provided with counseling and informational guidance as required by WV State Code §16-2I-1, et. seq., for all non-emergency procedures. (ITOP form rev 2007, signature field 16, or alternate approved DHHR form)												
Received counseling	1,997	99.9%	1,835	99.9%	1,827	99.9%	1,872	99.8%	1,726	99.8%	1,512	99.7%
Did not receive counseling	2	0.1%	2	0.1%	1	0.1%	3	0.2%	4	0.2%	5	0.3%
Unknown	0		0		0		1		1		0	
2. # of abortions performed in cases of medical emergency. (ITOP form rev 2003, section 15d)												
Medical emergency	5	0.3%	2	0.1%	1	0.1%	1	0.1%	2	0.1%	4	0.3%
Non-medical emergency	1,993	99.7%	1,835	99.9%	1,827	99.9%	1,874	99.9%	1,729	99.9%	1,512	99.7%
Unknown	1		0		0		1		0		1	

Source: WV Health Statistics Center, Vital Statistics System, August 2016

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