



*The Senate of
The State of Texas*

June 25, 2012

Mr. Thomas Suehs
Executive Commissioner
Texas Health and Human Services Commission
4900 North Lamar Blvd
Austin, TX 78751-2316

Re: Proposed amendments to rules concerning the regulation of abortion facilities

Dear Commissioner Suehs:

Thank you for your leadership as the Executive Commissioner of the Texas Health and Human Services Commission. We are honored to serve with you and are saddened to hear of your decision to retire. Although we may not always agree, please know that your expertise and willingness to work with all members of the legislature will be deeply missed.

Today, we write to urge you to not publish the rule recommended by the State Health Services Council on June 14, 2012 regarding amendments to rules concerning the regulation of abortion facilities. The proposed rule does not represent the will of the legislative body and, if implemented through rulemaking, would serve to circumvent the legislative process. As acknowledged by the Department of State Health Services (DSHS) staff, the proposed rule was drafted in direct response to language amended onto Senate Bill 7 in the Texas House of Representatives during the 1st Called Session of the 82nd Legislature (2011). Notably, this amendment was not included in the final version of S.B. 7. The amendment contained elements of House Bill 1602, which was left pending in the House Committee on State Affairs during the 82nd Regular Session and House Bill 1131 from the Regular Session of the 80th Texas Legislature (also left pending in committee).

The proposed rule stems directly from legislation that has failed over the course of two legislative sessions and that repeatedly did not receive the support of the majority of the Texas Legislature. As such, we should not allow the political agenda of a single member to circumvent the democratic process and the will of the Legislature. If this rule is published and adopted, it sets a terrible precedent and will have serious ramifications for years to come.

We thank you in advance for considering our concerns, and we urge you to not publish the rule as proposed. We are confident that, under your leadership, we will ensure that the integrity of the legislative process is preserved.

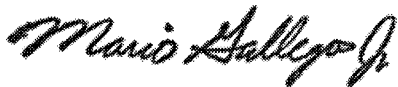
Sincerely,



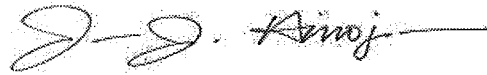
Wendy Davis
Senate District 10



Rodney Ellis
Senate District 13



Mario Gallegos
Senate District 6



Juan "Chuy" Hinojosa
Senate District 20



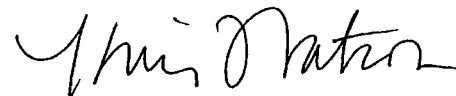
Jose Rodriguez
Senate District 29



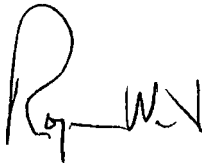
Carlos Uresti
Senate District 19



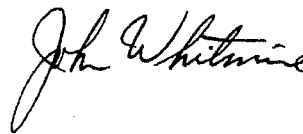
Leticia Van de Putte
Senate District 26



Kirk Watson
Senate District 14



Royce West
Senate District 23



John Whitmire
Senate District 15