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April 10, 2024

Senator Gladys Robinson
North Carolina Senate
Raleigh, NC

Re: Your demand letter of April 3, 2024

Senator Robinson,

I represent Carolina Pregnancy Care Fellowship (dba Life Link Carolina). It represents 70-80 pregnancy support services in the state. Its affiliates have been receiving your letter of April 3. I have advised Life Link Carolina not to respond to your letter.

The first and sufficient reason is that no individual member of the Commission has the right to demand anything from anyone, before or after the 2023 amendments to the statute.

I point out that many, if not most, of the requests for information are not cognizable by the Joint Commission.

Finally, your threat of criminal penalties for those not responding might be rethought. If an attorney did that in a demand letter to an opponent it would be actionable. You have some immunity as a Senator. I object to it.

It might occur to you that if each member of the Commission has the right to make this demand, then any other member could make a similar demand to any other entity receiving, directly or indirectly, state funds.

Sincerely,



Paul Stam

Cc: Leader Dan Blue
Leader Robert Reives
Senator Sydney Batch
Senator Natasha Marcus
Will Ferrell, Senate Minority Staff
Life Link Carolina
NC Values

Letters: Robinson, Gladys



North Carolina General Assembly
Joint Legislative Commission on Governmental Operations

Wednesday, April 3, 2024

Life Care Pregnancy Center
402 Monroe St
Carthage, NC 28327

To Whom It May Concern:

As a member of the Joint Legislative Commission on Governmental Operations and pursuant to the authority in N.C. Gen. Stat. §120-77, I respectfully request your organization to provide records and information related to our review of crisis pregnancy centers that have received state funds through either direct state appropriations or grants administered by the Carolina Pregnancy Care Fellowship. Therefore, I ask you provide the records and information about your center in the attached request.

Per N.C. Gen. Stat. §120-75.1(6), the Joint Legislative Commission on Governmental Operations ("Commission") shall have access to "any documents or records related to any contract awarded by a State agency." The Commission may compel "access to any document or system of record" of a non-State entity that receives "directly or indirectly, public funds, to the extent the documents relate to the receipt, purpose, or implementation of a program or service paid for with public funds." N.C. Gen. Stat. §120-77(a)(1)(c).

Additionally, under §120-77(e), "any document or information obtained or produced by Commission staff in furtherance of staff's duties to the Commission is confidential and is not a public record as defined in G.S. 132-1."

Any person who "conceals, falsifies, or refuses to provide" information requested by the Commission "...with the intent to mislead, impede, or interfere with the Commission's discharge of its duties...shall be guilty of a Class 2 misdemeanor." N.C. Gen. Stat. §120-77(g).

We request a full and complete response to our request, including all associated documents, by no later than close of business (5:00 P.M.) Friday May 3, 2024. All responses should be e-mailed to Will Futrell, Minority Staff Director for Governmental Operations, at will.futrell@ncleg.gov. If you are unable to meet this deadline, you may call (919) 301-2024 to request an extension, the granting of which shall be at the discretion of the members.

Thank you in advance for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gladys A. Robinson".

Senator Gladys A. Robinson (SD-28)
Member, Joint Legislative Commission on Governmental Operations

CC:

Senator Dan Blue (SD-14)
Senator Sydney Batch (SD-17)
Senator Natasha Marcus (SD-41)
Will Futrell, Senate Minority Staff Director, Governmental Operations

Information Request

I. Operation and Staff

1. What are your center's hours of operation?
2. List of all staff and volunteers and their roles.
 - a. Full names, official positions, salaries, licenses, specialties, and volunteer designation.
3. How many individuals, including consultants and subcontractors, do you employ that are:
 - o. Physicians
 - o. Registered nurses
 - o. Ultrasounds technicians
 - o. Certified nurse midwives
 - o. With a medical license or have received medical training
 - o. Without any medical training
4. What qualifications, trainings, and certifications are required for employees, volunteers, contractors, and consultants listed above?
5. Are people applying to be volunteers or staff asked to disclose their religious beliefs on their volunteer or employment application?
 - a. If so, is an answer required?
 - b. Would any answer to this question disqualify an applicant?
6. What vendors and materials are used for training personnel and volunteers?
 - a. Who in your organization selects and approves trainings?
 - i. What is the approval process for those trainings?
 - b. Who approves or recommends the provider of medical sonography training?
 - c. What are the criteria used in the approval process?
7. Are medical personnel required to be on-site during operating hours?
 - a. If so, how many and what is done in the case that none can be onsite?
8. Do you employ and/or contract with unlicensed medical professionals?
9. Who performs the ultrasounds? What qualifications, if any, are required for those individuals?
 - a. Who interprets the ultrasounds? What qualifications, if any, are required for those individuals?
 - b. Is the patient/client provided a copy of the results?
 - c. If so, do they have to ask for that copy?
10. Who performs sexually transmitted infection (STI) testing and what qualifications, if any, are required in order for an employee or volunteer to perform those tests and handle records?
 - a. Is the patient/client provided a copy of the results?
 - b. If so, do they have to ask for that copy?

II. Services and Counseling

11. Over the past five years, how many individuals has your organization provided on an annual basis:
 - a. Pregnancy counseling
 - b. Pregnancy tests
 - c. Ultrasounds
 - d. Sexually Transmitted Infection (STI) Tests
12. What types of ultrasounds are offered and performed?
13. If you offer limited obstetrical ultrasounds, how many did the center administer annually over the past five years?
14. Are all ultrasounds certified by a medical professional on site or are any or all sent to an offsite subcontractor to read?

- a. Is that policy kept up with?
- 34. If the center administers STI testing, does it have a lab in compliance with The Clinical Laboratory Improvement Amendments of 1988 (CLIA)?
- 35. When and how do centers disclose an individual's right to medical records?
- 36. What is the process for individuals to receive a copy of their medical record?
 - a. What is your retention policy regarding patient/client records?
- 37. What measures are in place to keep client's information confidential?
 - a. Is HIPAA followed?
 - b. Who has access to client information?

V. Advertisement and Marketing Practices

- 38. Do you advertise your services? Provide examples of advertisements used in the past.
 - a. If so where and how?
 - b. Which funds go towards advertisements?
- 39. Do you advertise to the general public as a provider of medical services?
- 40. What disclosures or disclaimers do you provide regarding your services?
- 41. Do you disclose funding and sponsorship relationships with ministries, nonprofits, or donors?
 - a. If so, where, when, and is it publicly available?