



April 13, 2020

Ted Meehan

[tedmeehan3@gmail.com](mailto:tedmeehan3@gmail.com)

**RE: Right to Know Law Request  
DOH-RTKL-MS-68-2020**

Dear Mr. Meehan:

This letter acknowledges receipt by the Pennsylvania Department of Health (Department) of your written request for records under the Pennsylvania Right-to-Know Law (RTKL), 65 P.S. §§ 67.101-67.3104. The Department received your request on April 2, 2020. You requested:

Please send me whatever explanation that is offered to explain why abortion companies - I.e. 'elective procedures' - are being exempted from the current ban that applies to every other type of non-life sustaining medical procedures.

Your request is denied as an improper request. Under the RTKL, questions are not considered proper requests. *See Gingrich v. Pennsylvania Game Com'n*, 2012 WL 5286229 (noting that the portion of a request "set forth as a question" did not "trigger a response").

If you choose to appeal the denial of access to records under the RTKL, your appeal should be submitted in writing to: Executive Director, OOR, 333 Market Street, 16<sup>th</sup> Floor, Harrisburg, Pennsylvania 17101. If you choose to file an appeal, you must do so within 15 business days of the mailing date of this response and send to the OOR:

- 1) This response;
- 2) Your request;
- 3) The reasons why you think the agency is wrong in denying access to the requested records.

Also, the OOR has an appeal form available on the OOR website at: <https://www.openrecords.pa.gov/Appeals/AppealForm.cfm>.

April 13, 2020

Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Sincerely,

A handwritten signature in black ink that reads "Lisa M. Keefer". The signature is written in a cursive style with a large initial "L" and "K".

Lisa M. Keefer  
Agency Open Records Officer  
Pennsylvania Department of Health  
625 Forster Street  
825 Health and Welfare Building  
Harrisburg, PA 17120-0701

Date of Mailing: 04/13/2020