

C A M P A I G N F O R

ACCOUNTABILITY

November 9, 2017

By email: AGO@state.ma.us

The Honorable Maura Healey
Attorney General of Massachusetts
One Ashburton Place
Boston, Massachusetts 02108-1518

**Re: Complaint Against Attleboro Women’s Health Center/Abundant Hope
Pregnancy Resource Center**

Dear Attorney General Healey:

Campaign for Accountability (“CfA”) respectfully requests that you investigate the Attleboro Women’s Health Center and/or Abundant Hope Pregnancy Resource Center for engaging in deceptive business practices in violation of Massachusetts law.

Background

In 2010, the Attleboro Women’s Center filed articles of incorporation with the Secretary of the Commonwealth of Massachusetts.¹ According to the articles of incorporation, the organization’s purpose was to “care for women, children and all others adversely impacted by an unplanned pregnancy, especially those considering abortion” and to “mobilize all in our greater Attleboro community to provide a Christian response to abortion and those suffering and at risk.”² In 2011, amended articles of incorporation were filed to change the name of the organization to Abundant Hope Pregnancy Resource Center (“Abundant Hope”),³ and in 2014, a certificate of change of principal address was filed to reflect the organization’s move to 182 East Street, Attleboro, Massachusetts.⁴ All annual reports and other corporate filings since that time have been filed under the East Street address and the name Abundant Hope.⁵

Abundant Hope is “a Christian pro-life ministry” that is “sustained by the Church community and individuals who have a passion to save the life of the unborn.”⁶ It “exists to share the love of Christ and to offer free services to educate women on their pregnancy options.”⁷ It is an affiliate of Heartbeat International, a network of crisis pregnancy centers that instructs its affiliates to

¹ Articles of Incorporation of the Attleboro Women’s Center, Inc., filed July 2, 2010.

² *Id.*

³ Articles of Amendment of the Attleboro Women’s Center, Inc., filed Jan. 25, 2011.

⁴ Certificate of Change of Principal Address of Abundant Hope Pregnancy Resource Center, Inc., filed Sept. 30, 2014.

⁵ See e.g. Annual Report of Abundant Hope Pregnancy Resource Center, Inc., filed Nov. 8, 2016.

⁶ <https://ahprc.org/about-us/>.

⁷ *Id.*

“hide their anti-abortion motives by giving their centers neutral-seeming names. . . , situating them near abortion clinics, and scrubbing their Christian beliefs from their websites.”⁸ During the hours of 9 a.m. to 3 p.m. Monday, Tuesday, and Thursday,⁹ Abundant Hope provides pregnant women with “lab-quality pregnancy tests, options counseling, material resources, community referrals and a pro-woman, prolife message.”¹⁰ Abundant Hope continues to operate at 182 East Street.¹¹

Earlier this year, a website was created for an organization called the Attleboro Women’s Health Center,¹² and last month, a green awning was installed at 182 East Street with the words “Attleboro Women’s Health Center.”¹³ The Center shares its address with Abundant Hope,¹⁴ has the same business hours, and the websites for both organizations are registered to Darlene Howard, Abundant Hope’s executive director.¹⁵ According to a Center employee, Attleboro Women’s Health Center operates under the same “umbrella” as Abundant Hope.¹⁶ Attleboro Women’s Health Center’s stated mission is to “empower women to make informed decisions about an unplanned pregnancy” and “provide[] quality, safe, accessible reproductive healthcare.”¹⁷

Attleboro Women’s Health Center’s website offers a pregnancy quiz, a description of medication and surgical abortion procedures, pricing information for such procedures, and a form by which to make an appointment.¹⁸ At the appointment, the website says, a counselor will “provide information about the abortion options that may be available to you at this point in your pregnancy and answer any questions you may have about the abortion pill or surgical abortion.”¹⁹ It further states that the price of an abortion can range from \$420-\$3500, that a number of factors influence the cost, and that a visitor should make an appointment to “discuss your individual situation.”²⁰ In sum, “[i]f you’re pregnant and wondering how can I [sic] get an

⁸ Amy Littlefield, *Massachusetts Fake Clinic Unveils New Way to Trick Those Seeking Abortion Care*, *Rewire*, Oct. 24, 2017, available at <https://rewire.news/article/2017/10/24/massachusetts-fake-clinic-unveils-new-way-trick-seeking-abortion-care/>; Meaghan Winter, *Why Are Crisis Pregnancy Centers Not Illegal?*, *Slate*, June 17, 2015, available at

http://www.slate.com/articles/double_x/doublex/2015/06/crisis_pregnancy_centers_three_legal_strategies_for_bringing_them_down.html.

⁹ <https://ahprc.org/contact-us/>.

¹⁰ <https://ahprc.org>.

¹¹ *Id.*

¹² As of late last year, there was no website for the Attleboro Women’s Health Center. See <http://awhc.net/> (Oct. 2, 2016), retrieved from <https://web.archive.org/web/20161002092433/http://awhc.net/>. However, by June of this year, a website had been created. See Attleboro Women’s Health Center Home Page (June 10, 2017), retrieved from <https://web.archive.org/web/20170610122939/http://awhc.net/>.

¹³ Littlefield, *Rewire*, Oct. 24, 2017.

¹⁴ <https://awhc.net/contact-us/>.

¹⁵ <https://whois.icann.org/en/lookup?name=awhc.net>; <https://whois.icann.org/en/lookup?name=ahprc.org>.

¹⁶ Littlefield, *Rewire*, Oct. 24, 2017.

¹⁷ <https://awhc.net>.

¹⁸ <https://awhc.net/free-online-pregnancy-test/>; <https://awhc.net/abortion-pill-ru-486/>; <https://awhc.net/abortion-help-attleboro-ma/>; <https://awhc.net/faqs/>; <https://awhc.net/contact-us/>.

¹⁹ <https://awhc.net>.

²⁰ <https://awhc.net/faqs/>.

abortion, visit Attleboro Women’s Health Center.”²¹ Only by navigating to the website’s “About” page and scrolling to the bottom is it possible to learn that the Attleboro Women’s Health Center does not “offer, recommend or refer for abortions or abortifacients.”²² This refusal to “offer, recommend or refer for abortions” seems incompatible with a promise to “discuss the abortion methods that may be available” and provide “answers to any questions” a woman may have. In addition to this inconsistency, however, the Attleboro Women’s Health Center website is riddled with exaggerations and inaccuracies regarding abortion.

On the website’s pages for both “Abortion Pill” and “Surgical Abortion” is a paragraph entitled “Psychological Risks.” According to the site, these “range from irritability, difficulty sleeping, depression and even post-traumatic stress disorder.”²³ Women who “have undergone an abortion, and are experiencing any unusual feelings or symptoms,” are advised to contact the Center to speak with a “qualified Client Advocate.”²⁴

Contrary to these assertions, the American Medical Association recently published a study reporting that there is no evidence that abortion harms women’s mental health. In fact, the study concluded that “being denied an abortion may be associated with greater risk” of “adverse psychological outcomes.”²⁵ An earlier study similarly concluded that “abortion was not a statistically significant predictor of subsequent anxiety, mood, impulse-control, and eating disorders or suicidal ideation.”²⁶

Also on the Abortion Pill page is the italicized statement, “If you have only taken the first pill and are regretting your decision, it may still be possible to save your pregnancy. Visit abortionpillreversal.com or call 1-877-558-0333²⁷ right away to find the treatment center nearest you.”²⁸

In reality, the so-called abortion pill reversal process is based on a “study” of just seven women who underwent an experimental treatment after taking the first of two pills that induce an abortion.²⁹ Notably, the study was conducted by two physicians who now serve as the Medical Director and Research Director of Abortion Pill Reversal.³⁰

²¹ <https://awhc.net>.

²² <https://awhc.net/about/>.

²³ <https://awhc.net/abortion-pill-ru-486/>; <https://awhc.net/abortion-help-attleboro-ma/>.

²⁴ *Id.*

²⁵ M. Antonia Biggs, PhD, Ushma D. Upadhyay, PhD, MPH, Charles E. McCulloch, PhD, and Diana G. Foster, PhD, *Women’s Mental Health and Well-being 5 Years After Receiving or Being Denied an Abortion: A Prospective, Longitudinal Cohort Study*, 74 JAMA Psychiatry 169 (2017), available at <https://jamanetwork.com/journals/jamapsychiatry/article-abstract/2592320>.

²⁶ Julia R. Steinberg, Charles E. McCulloch, and Nancy E. Adlora, *Abortion and Mental Health: Findings From the National Comorbidity Survey-Replication*, 123 Obstetrics and Gynecology 263 (2014), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3929105/pdf/nihms-541175.pdf>.

²⁷ The phone number and website are associated with Abortion Pill Reversal, a program of Culture of Life Family Services, located in San Diego, California.

²⁸ <https://awhc.net/abortion-pill-ru-486/>.

²⁹ Sofia Resnick, *How a Falsehood Becomes a Law: Abortion Reversal as Case Study*, *Rewire*, Mar. 21, 2017, available at <https://rewire.news/article/2017/03/21/falsehood-becomes-law-abortion-reversal-case-study/>.

³⁰ <https://www.abortionpillreversal.com/page/7-About%20Our%20Team/>.

The so-called study's findings have been roundly debunked. The American Congress of Obstetricians and Gynecologists, for instance, says they "are not supported by the body of scientific evidence, and this approach is not recommended in ACOG's clinical guidance on medication abortion."³¹ A literature review by another group of physicians found that evidence is insufficient to determine whether the abortion pill reversal treatment has any effect and, moreover, that "[l]egislation requiring physicians to inform patients about abortion reversal transforms an unproven therapy into law and represents legislative interference in the patient-physician relationship."³²

Finally, the Attleboro Women's Health Center is located less than a mile from Four Women Health Services ("Four Women"), an actual abortion clinic that has been operating in Attleboro since 2003.³³ Four Women offers abortions, annual gynecological exams, birth control information and prescriptions, STD testing, hormone therapy, ultrasounds, and other health services.³⁴ Its mission is to "empower women to make informed decisions that support their privacy, dignity and self-respect."³⁵ Attleboro Women's Health Center appears to have appropriated this mission statement nearly verbatim on its recently created website, where the Center explains it was "founded to empower women to make informed decisions about an unplanned pregnancy that support their privacy, dignity and self-respect."³⁶

Violations of Massachusetts Law

Unfair and Deceptive Business Practices

Under Massachusetts law, it is unlawful to engage in "[u]nfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce."³⁷ If a person is found to be in violation of the law, a court can restrain the person from continuing to engage in such activity, impose "a civil penalty of not more than five thousand dollars for each such violation," and require the person "to pay the reasonable costs of investigation and litigation of such violation, including reasonable attorneys' fees."³⁸

Attleboro Women's Health Center appears to have engaged in unfair and deceptive business practices in a number of ways. First, it appears to be deliberately trying to confuse and deceive

³¹ American Congress of Obstetricians and Gynecologists, Medication Abortion Reversal, *available at* <https://www.acog.org/~media/departments/state%20legislative%20activities/2015AZFactSheetMedicationAbortionReversalfinal.pdf>.

³² Daniel Grossman, Kari White, Lisa Harris, Matthew Reeves, Paul D. Blumenthal, Beverly Winikoff, and David A. Grimes, *Continuing pregnancy after mifepristone and "reversal" of first-trimester medical abortion: a systematic review*, 92 *Contraception* 206 (2015), *available at* [http://www.contraceptionjournal.org/article/S0010-7824\(15\)00226-7/pdf](http://www.contraceptionjournal.org/article/S0010-7824(15)00226-7/pdf).

³³ <http://www.fourwomen.com/aboutfourwomen.php>.

³⁴ <http://www.fourwomen.com/gynecologicalcare.php>.

³⁵ <http://www.fourwomen.com/aboutfourwomen.php>.

³⁶ <https://awhc.net/>.

³⁷ Mass. Gen. Laws Ch. 93A § 2(a).

³⁸ Mass. Gen. Laws Ch. 93A § 4.

consumers seeking abortion services. The Center opened less than a mile from Four Women – an actual abortion clinic; its website claims that the Center provides “information about the abortion options that may be available”; and in what would otherwise be a remarkable coincidence, it has a mission statement nearly identical to that of the very abortion clinic situated nearby. In sum, any consumers visiting the Center’s website undoubtedly would believe the Center provides information about abortion services.

In addition, Attleboro Women’s Health Center deliberately provides false medical information about abortion on its website, where it states that abortion causes mental health problems and that medication abortions can be reversed. Thus, it appears the Center is intentionally attempting to deceive women about the risks of abortion in an effort to dissuade them from seeking abortions.

Finally, Attleboro Women’s Health Center may be engaging in unfair and deceptive acts by insufficiently separating itself and its operation from that of Abundant Hope, with which it shares an address, business hours, and a website registrar. Attleboro Women’s Health Center promises to provide full and accurate information regarding abortion services while operating under the umbrella of Abundant Hope, an unabashedly pro-life organization that promotes “abstinence/sexual integrity” and seeks to save “the life of the unborn.” The alleged divergent missions of Attleboro Women’s Health Center and Abundant Hope, combined with their overlapping operations, further suggests there is a purposeful attempt to confuse consumers, which may constitute unfair and deceptive business practices.

Untrue and Misleading Advertisements

Massachusetts law prohibits a person from placing an advertisement regarding a service “with intent to sell or in any way dispose of” that service that “contains any assertion, representation or statement of fact which is untrue, deceptive, or misleading.”³⁹ A violation of the prohibition on untrue, deceptive, or misleading advertisements is punishable by “a fine of not less than one thousand nor more than two thousand dollars.”⁴⁰

By advertising that it provides information about abortion services, attempting to draw women in so they can be persuaded not to seek abortions, and by providing false information about abortion on its website, Attleboro Women’s Health Center is providing untrue and misleading information about the services it leads consumers to believe it offers in apparent violation of the law.

³⁹ Mass. Gen. Laws Ch. 266 § 91.

⁴⁰ *Id.*

Advertising for Services with Intent Not to Provide the Services

Massachusetts law prohibits placing an advertisement offering to sell a service with the intent not to sell the service.⁴¹ A violation of the law is punishable by “a fine of not less than five hundred nor more than one thousand dollars or by imprisonment for not more than one year.”⁴²

As detailed above, Attleboro Women’s Health Center’s website describes the methods of abortion available to women, provides cost estimates for those methods, suggests that women visit the clinic if they are seeking to obtain an abortion, and provides a portal for online appointment requests. Therefore, the Center appears to be advertising abortion services that it intends not to offer in apparent violation of the law.

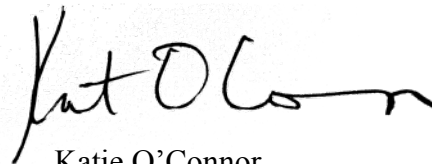
Unauthorized Use of Corporate Name

To effect a name change, Massachusetts corporations are required to file amended articles of incorporation.⁴³ Abundant Hope appears to be operating as Attleboro Women’s Health Center, yet does not appear to have filed an amendment to its articles of incorporation in apparent violation of Massachusetts law.

Conclusion

Massachusetts law requires businesses to market services honestly and fairly, without attempting to trick or deceive consumers. Those individuals seeking information about abortion services and/or abortions, like consumers seeking any other services, have the right to expect that they will not be victimized by dishonest and unfair business practices. Further, women seeking information about abortion or seeking abortions may not file complaints with the Office of the Attorney General after having been deceived by the Attleboro Women’s Health Center. As a result, CfA respectfully requests that the Office of the Attorney General immediately initiate an investigation into the business practices of the Attleboro Women’s Health Center and Abundant Hope and hold them accountable for any violations of law. Thank you for your attention to this matter.

Sincerely,



Katie O’Connor
Legal Counsel
Campaign for Accountability

⁴¹ Mass. Gen Laws Ch. 266 § 91A.

⁴² *Id.*

⁴³ Mass. Gen. Laws Ch. 155 § 10.