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2 outpatient surgery, it would have made them generally  
3 applicable.

4 All outpatient surgical providers would have  
5 to have admitting privileges or practice in an ASC, but  
6 that's not the case.

7 Texas law expressly authorizes other  
8 surgical procedures, including those performed under  
9 general anesthesia -- which early abortion is not -- to  
10 be performed in the physician's office. And even other  
11 physicians that operate at an ASC aren't required to  
12 have admitting privileges. The facility is merely  
13 required to have a transfer agreement. So these  
14 regulations target one of the safest procedures that a  
15 patient can have in an outpatient setting for the most  
16 onerous regulations.

17 CHIEF JUSTICE ROBERTS: Thank you, counsel.

18 MS. TOTI: Thank you.

19 CHIEF JUSTICE ROBERTS: The case is  
20 submitted.

21 (Whereupon, at 11:28 a.m., the case in the  
22 above-entitled matter was submitted.)

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