

Planned Parenthood

Planned Parenthood Texas Affiliates and PPFA Move for Decision in Baseless Medicaid False Claims Act Case

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Lawsuit is a desperate attempt to shut Planned Parenthood down and further restrict affordable health care options for Texans

Amarillo, TX – Last night, Planned Parenthood affiliates in Texas – Planned Parenthood of Greater Texas, Planned Parenthood Gulf Coast, and Planned Parenthood South Texas – and Planned Parenthood Federation of America (PPFA) asked a U.S. district court judge to rule in their favor in an ongoing baseless lawsuit. Texas and an anonymous plaintiff are suing Planned Parenthood for more than \$1.8 billion, falsely alleging that the affiliates defrauded the state's Medicaid system by getting reimbursed for birth control and other basic health care services.

As the motions for summary judgment detail, Planned Parenthood did not commit Medicaid fraud. Planned Parenthood did nothing wrong and absolutely followed the law. This lawsuit is a meritless and politically motivated attack on Planned Parenthood and the vital services that Planned Parenthood health centers provide, such as birth control, cancer screenings, STI testing and treatment, and other essential care. This lawsuit has no basis in fact and is an abuse of power by Gov. Greg Abbott, Attorney General Ken Paxton, and their extremist allies – a desperate attempt to shut down Planned Parenthood and eliminate affordable health care options for Texans.

Planned Parenthood affiliates' motion for summary judgment is here.

PPFA motion for summary judgment is here.

Should Planned Parenthood be forced to pay the over \$1 billion sought in penalties, it would have devastating consequences for Texas families who rely on Planned Parenthood's health care services, further exacerbating the health care crisis in Texas.

"Plaintiffs' claims fail under established law and the Court should grant Affiliate Defendants summary judgment, " the motion from the affiliates reads.

In *United States ex rel. Doe v. Planned Parenthood Federation of America*, the state of Texas and an anonymous plaintiff allege that Planned Parenthood affiliates violated Medicaid provider rules and were improperly paid by Texas and Louisiana Medicaid programs. But as the motion from the affiliates details, the plaintiffs are seeking "penalties for conduct that was expressly authorized by two separate federal courts and where the federal agency responsible for administering the Medicaid program has taken the consistent position that the Affiliate Defendants did nothing wrong." The facts are clear:

Planned Parenthood's Texas health centers provided thousands of Texans and Louisianans who rely on Medicaid with essential health care services such as birth control, STI testing and treatment, and life-saving cancer screenings — services a federal court and later a Texas state court explicitly said they could provide through the Medicaid program until at least March 2021.

Planned Parenthood affiliates were reimbursed for those services, just like any other health care provider in the state.

The state of Texas knew the Planned Parenthood's health centers were providing the services, reimbursed them for the services, and never asked them to repay the state before advancing this blatant political sham.

"There is no authoritative guidance — indeed, no guidance whatsoever — from either of the States or the federal government

that suggests, let alone clearly states, that payments, lawful when received, could retroactively become “overpayments,” the motion from the affiliates reads.

Despite these undisputed facts, the state of Texas is now suing the three Texas Planned Parenthood affiliates and PPFA for the amount the health centers were lawfully reimbursed for health care services provided to Texans — approximately \$17 million over 4 years — plus over \$1 billion in additional penalties and punitive damages. This is a transparent attempt to achieve their ultimate goal of shutting down Planned Parenthood.

Anti-abortion rights politicians and their allies in Texas are not satisfied with the overturning of *Roe v. Wade* and banning abortion. They are now further abusing their power to advance their decades-long effort to strip people of basic health care, including access to birth control, cancer screenings, HIV prevention, and even services like primary care and fertility assistance.

Over the past 10 years, the state of Texas has systematically blocked patients who rely on public health programs from getting care from their trusted provider at Planned Parenthood. This targeted removal has had a disastrous impact, with Texans experiencing substantially decreased access to care and poor health outcomes. Because of these policies, Texas remains a dangerous place to be pregnant: A recent study ranked Texas 50th among all states in access to high-quality prenatal and maternal care, and the delayed Texas HHS maternal mortality and morbidity report shows continued abysmal — and largely preventable— maternal health outcomes. Texas also has the highest rate of the people in the nation without health insurance and refuses to expand Medicaid coverage to help close the gap for the state’s most vulnerable population.