

**Committee on Energy and Commerce
Subcommittee on Oversight and Investigations**

**Hearing on
“Protecting Title X and Safeguarding Quality Family Planning Care”**

June 19, 2019

**Ms. Catherine Glenn Foster, MA, JD,
President and Chief Executive Officer, Americans United for Life**

The Honorable Cathy McMorris Rodgers

1. Title X of the Public Health Service Act provides family planning services to low income women. Today, there are approximately 4,000 Title X service sites in the United States, including state and county health departments, Community Health Centers, non-profit clinics and Planned Parenthoods. The Protect Life Rule ensures that taxpayer-funded family planning centers will serve their intended purpose—to help women receive comprehensive preventive health care while ensuring the separation of taxpayer funds from abortion services.

Out of the 4000 Title X sites less than 500 are planned parenthoods. In my district alone there are 26 Federal Qualified Health Centers (FQHCs) compared to 4 Planned Parenthoods. So this change would only allow for an expansion of coverage to more locations, including all those 26 FQHCs, that don't offer abortions, as well as allowing faith based family planning centers to apply for grants, without “slashing access to women's healthcare.” By opening the grantee process and allowing for religious protections, this will actually expand preventative healthcare services for more providers to receive funding and provide additional preventative healthcare to low income communities.

- a. How do these centers—that are eligible for Title X funding under the Protect Life Rule—provide comprehensive and primary care to women?

Answer: While each grantee or subrecipient is not required to provide all Title X services, HHS will ensure that each Title X project offers a broad and complete range of Title X services.

- b. If abortions only make up a small percentage of services offered by Planned Parenthood it should be no problem for them to comply with this rule. If they, or organizations similar to them, were willing to comply with these simple rules would they continue to receive funding? So if they choose to prioritize abortion over preventative women's health care they would be denying their own access to this funding?

Answer: Yes. Any organization that has received a Title X grant—including a Planned Parenthood affiliate—is not automatically excluded or eliminated from Title X and will be able

to continue to receive funding provided that they comply with the Protect Life Rule. But if a grantee, or potential grantee—including a Planned Parenthood affiliate—chooses to prioritize abortion over Title X services, then they are choosing to opt out of receiving Title X grants and funding, and denying their own access to this funding.

- c. Who will fill the gap if Planned Parenthood refuses to comply with the Protect Life Rule?

Answer: HHS has made the determination that even if Planned Parenthood or other Title X grantees choose to leave Title X, other grantees will likely fill their place. *See* 84 Fed. Reg. at 7780. Unlike the prior rule that required all Title X grantees to refer for abortion, under the Protect Life Rule, those who have a conscientious objection to abortion are no longer required to refer for abortion and will be able to apply for Title X grants. This expands the pool of potential applicants, such as Obria Group, which operates a chain of clinics throughout California, and applied for and was awarded Title X funds. *See Obria Grp., Inc. v. U.S. Dep't of Health & Hum. Servs.*, No. 19-905 (C.D. Cal.). We anticipate that there are other such groups who will do the same, and if Planned Parenthood refuses to comply with the Protect Life Rule (as they have threatened to do), other groups will enter the market and fill the gap.