

Prohibition on Use of Funds for Planned Parenthood:

Blacklisting a health care provider

Section 536 of the Republican bill says that none of the funds appropriated in the bill “may be made available for any purpose to Planned Parenthood Federation of America, Inc. or any affiliate or clinic of Planned Parenthood Federation of America, Inc. unless such entities certify that Planned Parenthood Federation of America affiliates and clinics will not perform, and will not provide any funds to any other entity that performs, an abortion.”

Congress does not appropriate funds specifically for Planned Parenthood, so this is not a case of Congress deciding for whom it will and will not make appropriations. Rather, Planned Parenthood simply participates in various federal health care programs on the same basis as any other qualified health care provider. This rider denies them the right to continue to participate, unless they agree to stop providing certain other lawful medical services using funds from patients and other non-federal sources—a restriction applied to no other health care provider. It is very difficult to see how it would be constitutional to apply such a restriction to any provider.

Planned Parenthood uses federal funding to provide important health care services to people who would otherwise have difficulty obtaining or affording that care. These services are not limited to contraception and other family planning services, but also include screening for cancer and other serious health problems and testing and treatment for sexually transmitted diseases, including HIV/AIDS. Virtually all of the federal funding they receive is specifically targeted to low-income patients. For many patients, Planned Parenthood provides the only regular medical care they receive.

This is also not an issue about use of federal funds for abortion. That has been clearly prohibited for decades. If the concern is abortion, much of the funding at issue here serves to *reduce* the number of abortions, by providing family planning and contraceptive services to avoid unintended pregnancies. Planned Parenthood estimates that its services help prevent more than 584,000 unintended pregnancies each year.

In many cases, federal funding reaches Planned Parenthood because of decisions made by state and local agencies. That is true in the case of Title X family planning grants, where many direct grantees are state agencies who then allocate funds to local agencies and organizations—sometimes including Planned Parenthood affiliates. (This has been done in Chairman Rehberg’s home state of Montana, for example, where the state health department is the direct grantee and has decided to include Planned Parenthood clinics among the providers it has selected as best able to serve various localities.)

Thus, the Republican bill’s provision would interfere with those state and local decisions about who is best able to serve their citizens—arbitrarily blocking selection of one particular

group of health care providers. That is a strange position for a party that usually says it wants fewer, rather than more, decisions to be made in Washington, D.C.

Another principal source of federal funding that indirectly goes to Planned Parenthood is Medicaid. This occurs when people with Medicaid coverage choose to go to a Planned Parenthood clinic. If the Republican provision were to become law, patients would be prohibited from making that choice. Again, this is an ironic step to be taken by a party that claims to be greatly opposed to federal interference with patient choice.

If the Republican Party succeeds in prohibiting this particular group of health care providers from competing for funding on the same basis as any other qualified provider, and in prohibiting patients from choosing to go to these particular providers to receive care, who will be next? Should we expect to see a growing list of other doctors, nurses, clinics and organizations blacklisted from participation in public programs—simply because the Republican Party disapproves of them?