

112TH CONGRESS
1ST SESSION

H. R. 217

To amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2011

Mr. PENCE (for himself, Mrs. BACHMANN, Mr. SCALISE, Mr. OLSON, Mr. ROGERS of Kentucky, Mrs. McMORRIS RODGERS, Ms. JENKINS, Mr. ROE of Tennessee, Mr. STUTZMAN, Mrs. BLACKBURN, Mr. McKEON, Mr. JONES, Mr. SULLIVAN, Mr. GARRETT, Mr. McCLINTOCK, Mr. NEUGEBAUER, Mr. BILIRAKIS, Mr. AKIN, Mr. BURTON of Indiana, Mr. JORDAN, Mr. MANZULLO, Mr. TURNER, Mr. CHAFFETZ, Mr. RYAN of Wisconsin, Mr. GARY G. MILLER of California, Mr. WESTMORELAND, Mr. PAUL, Mr. BARTLETT, Mr. PITTS, Mr. POE of Texas, Mr. BACHUS, Mr. BRADY of Texas, Mr. BROUN of Georgia, Mr. ADERHOLT, Mr. TERRY, Mr. DAVIS of Kentucky, Mr. CONAWAY, Mr. MILLER of Florida, Mr. KING of Iowa, Mr. BISHOP of Utah, Mr. SIMPSON, Mr. FLAKE, Mrs. MILLER of Michigan, Mr. HENSARLING, Mr. HERGER, Mr. FRANKS of Arizona, Mr. CRAWFORD, Mr. SMITH of New Jersey, Mr. JOHNSON of Ohio, Mr. GARDNER, Mr. CANSECO, Mr. CHABOT, Mr. THOMPSON of Pennsylvania, Mr. ROSS of Florida, Mr. POMPEO, Mr. BUCSHON, Mr. FLEMING, Mr. COLE, Mr. LATTA, Mr. McHENRY, Mr. MARCHANT, Mr. DUFFY, Mr. CAMPBELL, Mr. MURPHY of Pennsylvania, Mr. RIGELL, Mr. BUCHANAN, Mr. DUNCAN of South Carolina, Mr. McCAUL, Mr. McKINLEY, Mr. GOSAR, Mr. CRAVAACK, Mr. WALSH of Illinois, Mr. REED, Mr. PEARCE, Mr. ROGERS of Alabama, Mr. GIBBS, Mr. LONG, Mr. KLINE, Mr. PRICE of Georgia, Mr. LUETKEMEYER, Mr. COFFMAN of Colorado, Mr. YOUNG of Indiana, Mr. HALL, Mrs. ELLMERS, Mr. HUELSKAMP, Mr. WEST, Mr. RIBBLE, Mr. NUNNELEE, Mr. MULVANEY, Mr. BROOKS, Mr. SOUTHERLAND, Mrs. SCHMIDT, Mr. HUNTER, Mrs. BLACK, Mr. MCCOTTER, Mr. FORBES, Mr. QUAYLE, Mr. DUNCAN of Tennessee, Mr. GRAVES of Georgia, Mr. CALVERT, Mr. HUIZENGA of Michigan, Mr. GINGREY of Georgia, Mrs. LUMMIS, Mr. SHUSTER, Mr. POSEY, Mrs. HARTZLER, Mr. GOWDY, Mr. HARPER, Mr. SCHOCK, Mr. GOODLATTE, Mr. SHIMKUS, Mr. GOHMERT, Mr. WALBERG, Mr. MICA, Mr. RENACCI, Mr. LAMBORN, Mr. CARTER, Mr. CULBERSON, Mr. ROKITA, Mr. PLATTS, and Mr. LANKFORD) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Title X Abortion Pro-
5 vider Prohibition Act”.

6 **SEC. 2. PROHIBITION ON ABORTION.**

7 Title X of the Public Health Service Act (42 U.S.C.
8 300 et seq.) is amended by adding at the end the fol-
9 lowing:

10 **“SEC. 1009. ADDITIONAL PROHIBITION REGARDING ABOR-**
11 **TION.**

12 “(a) PROHIBITION.—The Secretary shall not provide
13 any assistance under this title to an entity unless the enti-
14 ty certifies that, during the period of such assistance, the
15 entity will not perform, and will not provide any funds
16 to any other entity that performs, an abortion.

17 “(b) EXCEPTION.—Subsection (a) does not apply
18 with respect to an abortion where—

19 “(1) the pregnancy is the result of an act of
20 rape, or an act of incest against a minor; or

1 “(2) a physician certifies that the woman suf-
2 fers from a physical disorder, physical injury, or
3 physical illness that would place the woman in dan-
4 ger of death unless an abortion is performed, includ-
5 ing a life-threatening physical condition caused by or
6 arising from the pregnancy itself.

7 “(c) HOSPITALS.—Subsection (a) does not apply with
8 respect to a hospital, so long as such hospital does not,
9 during the period of assistance described in subsection (a),
10 provide funds to any non-hospital entity that performs an
11 abortion (other than an abortion described in subsection
12 (b)).

13 “(d) ANNUAL REPORT.—Not later than 60 days after
14 the date of the enactment of the Title X Abortion Provider
15 Prohibition Act, and annually thereafter, for the fiscal
16 year involved, the Secretary shall submit a report to the
17 Congress containing—

18 “(1) a list of each entity receiving a grant
19 under this title;

20 “(2) for each such entity performing abortions
21 under the exceptions described in subsection (b)—

22 “(A) the total number of such abortions;

23 “(B) the number of such abortions where
24 the pregnancy is the result of an act of rape;

1 “(C) the number of such abortions where
2 the pregnancy is the result of an act of incest
3 against a minor; and

4 “(D) the number of such abortions where
5 a physician provides a certification described in
6 subsection (b)(2);

7 “(3) a statement of the date of the latest cer-
8 tification under subsection (a) for each entity receiv-
9 ing a grant under this title; and

10 “(4) a list of each entity to which an entity de-
11 scribed in paragraph (1) makes available funds re-
12 ceived through a grant under this title.

13 “(e) DEFINITIONS.—In this section:

14 “(1) The term ‘entity’ means the entire legal
15 entity, including any entity that controls, is con-
16 trolled by, or is under common control with such en-
17 tity.

18 “(2) The term ‘hospital’ has the meaning given
19 to such term in section 1861(e) of the Social Secu-
20 rity Act.”.

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