

Planned Parenthood Sues Trump over Title X Funding



(Lucas Jackson/Reuters)

The abortion provider and more than a dozen states object to the new rule because it distinguishes between family planning and abortion.

Several weeks ago, the Department of Health and Human Services announced the finalization of its “Protect Life” rule, which bars abortion providers from receiving family-planning funds under the federal Title X program. The rule prohibits the use of Title X money “to perform, promote, refer for, or support abortion as a method of family planning.”

Even though the statute governing Title X has, for most of the program’s history, stated that “none of the funds appropriated under this title shall be used in programs where abortion is a method of family planning,” that language effectively has been ignored. No longer.

Since the program was established in 1970, it has provided federal funding to Planned Parenthood, which today is the nation’s largest abortion provider. According to the group’s most recent annual report, Planned Parenthood facilities

performed more than 332,000 abortions last fiscal year alone, over one-third of the estimated annual abortions in the U.S.

Because of the new Trump-administration rule, abortion providers such as Planned Parenthood now stand to lose Title X funding unless they financially and physically separate their provision of abortion from the rest of their business operations. Planned Parenthood executives rarely acknowledge that the policy only requires separation, and their refusal to do so suggests that they wish to conceal the centrality of abortion to their bottom line.

Predictably, abortion-rights supporters are outraged by this policy, and earlier this week California became the first state to sue the Trump administration over it. Xavier Becerra, the state's progressive attorney general, said California is suing to "stand up for a woman's right to make her own health-care decision about her own body" and claimed that the policy will "result in clinics going out of business due to financial strain."

Twenty additional states and the District of Columbia filed suit in Oregon against the administration on similar grounds. Planned Parenthood, joined by the American Medical Association, the Oregon Medical Association, local Planned Parenthood affiliates, and two individual health-care providers, also filed suit in Oregon.

"The Final Rule would radically alter and decimate the family-planning-assistance program established by Title X . . . with severe and irreparable public health consequences across the United States," Planned Parenthood's suit alleges.

Planned Parenthood also asserts that the rule "will politicize the practice of medicine and the delivery of health care" and "will cause patients to lose faith in their providers and the health care system as a whole."

Near the end of Ronald Reagan's presidency, the HHS Department introduced a Title X policy that would've enforced the distinction between family planning and abortion. When President George H. W. Bush attempted to enact the policy, it faced a legal challenge. Though Bill Clinton was in the Oval Office by the time the case was resolved, and declined to enforce the policy, it was ultimately upheld by the Supreme Court in *Rust v. Sullivan*. It is likely that California and Planned Parenthood's legal challenges will meet a similar fate.

In an attempt to fundraise off their resistance to the new policy, Planned Parenthood and its most vocal defenders are now characterizing it as a “gag rule,” an assessment that has been echoed by public officials such as Becerra. Abortion-rights supporters say, too, that the rule will result in millions of American women losing access to necessary health care. They conveniently ignore that the federal government won’t reduce overall Title X funding at all but that it will merely redirect it from groups that commit abortions to health-care providers that don’t.

Those who support publicly funded abortion ground their arguments in a common claim: that Planned Parenthood provides health care that women couldn’t obtain anywhere else. This is simply a myth. For one thing, fewer than 500 of the approximately 4,000 Title X service sites in the country are Planned Parenthood facilities. What’s more, the group’s clinics are nationally outnumbered 20 to one by federally qualified health-care centers, which provide a far greater variety of health-care procedures without performing abortions.

The idea that redirecting Title X funding will drastically harm Planned Parenthood’s business is even more of an overstatement. Most of the group’s government funding — half a billion annually — comes in the form of Medicaid reimbursements. Losing Title X grants will remove roughly \$60 million from Planned Parenthood’s revenue.

What outrages Planned Parenthood is not the loss of this pittance in federal funding but rather the fact that the federal government has drawn a clear distinction between family planning and abortion. Liberal state governments have rushed to defend the abortion provider not because of the money at stake but because they fear federal policies that clarify the fact that a procedure intended to end a human life isn’t health care.

For Planned Parenthood, losing lucre is an inconvenience. Losing the luster of being a federally sanctioned family-planning provider, on the other hand, is a substantial threat.



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