



Officers

Chair

Judith L. Lichtman
National Partnership for
Women & Families

Vice Chairs

Jacqueline Pata
National Congress of American Indians
Thomas A. Saenz
Mexican American Legal
Defense and Educational Fund
Hilary Shelton
NAACP

Secretary

Jo Ann Jenkins
AARP

Treasurer

Lee A. Saunders
American Federation of State,
County & Municipal Employees

Board of Directors

Helena Berger
American Association of
People with Disabilities
Cornell William Brooks
NAACP
Kristen Clarke
Lawyers' Committee for
Civil Rights Under Law
Lily Eskelsen Garcia
National Education Association
Marcia D. Greenberger
National Women's Law Center
Chad Griffin
Human Rights Campaign
Wylecia Wiggs Harris
League of Women Voters of the
United States
Mary Kay Henry
Service Employees International Union
Mark Hopkins
AAUW
Sherrilyn Ifill
NAACP Legal Defense and
Educational Fund, Inc.
Michael B. Keegan
People for the American Way
Samer E. Khalaf
American-Arab
Anti-Discrimination Committee
Marc Morial
National Urban League
Mee Moua
Asian Americans Advancing Justice |
AAJC
Janet Murguía
National Council of La Raza
Debra Ness
National Partnership for
Women & Families
Terry O'Neill
National Organization for Women
Rabbi Jonah Pesner
Religious Action Center
Of Reform Judaism
Anthony Romero
American Civil Liberties Union
Shanna Smith
National Fair Housing Alliance
Richard L. Trumka
AFL-CIO
Randi Weingarten
American Federation of Teachers
Dennis Williams
International Union, UAW
William Yoshino
Japanese American Citizens League

Policy and Enforcement

Committee Chair

Michael Lieberman
Anti-Defamation League

President & CEO

Wade J. Henderson
Executive Vice President & COO
Karen McGill Lawson

February 16, 2017

The Honorable Paul Ryan
Speaker of the House
1233 Longworth House Office Building
Washington, DC 20515

The Honorable Nancy Pelosi
House Minority Leader
233 Cannon House Office Building
Washington, DC 20515

Oppose H.J. Res. 43 to Overturn the HHS Rule on the Title X Family Planning Program

Dear Speaker Ryan and Leader Pelosi:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 210 national organizations to promote and protect the civil and human rights of all persons in the United States, we write to strongly oppose H.J. Res. 43, which would overturn the U.S. Department of Health and Human Services (HHS) final ruleⁱ updating the regulations governing the Title X family planning program. This critical rule clarifies and reinforces the longstanding requirement that health care providers may not be excluded from the program for reasons unrelated to their qualifications to perform Title X-funded services.

The Title X family planning program is a vital source of family planning and related preventive care for low-income, uninsured, and young people across the country. Every year, more than 4 million individuals access life-saving care such as birth control, cancer screenings, and testing for sexually transmitted infections (STIs) including HIV at Title X-funded health centers.ⁱⁱ Title X cannot succeed unless states and other Title X grantees include providers that are optimally qualified to furnish the range of Title X-funded services according to national standards of care. This task becomes all but impossible if experienced, reputable reproductive health care providers are arbitrarily barred from fair consideration.

An increasing number of states have nevertheless tried to block trusted reproductive health care providers from participating in Title X. To date, at least 14 states have taken official action to target and exclude otherwise eligible providers from the program.ⁱⁱⁱ Other states have threatened to follow suit. Mounting evidence shows that the exclusion of reproductive health care providers from publicly funded health programs harms health outcomes, widens disparities, and erects new barriers to care.^{iv} When the very providers that are best suited to deliver Title X-funded services are targeted for exclusion based on factors wholly unrelated to the program's objectives, federal health care resources are poorly and inefficiently distributed and care is less likely to reach individuals in need.



Title X patients deserve the opportunity to obtain high-quality reproductive health care from the providers that are best equipped to provide it. As such, we strongly support HHS's rule reinforcing that grantees must design their provider networks based only on the ability to provide care to Title X patients in an effective manner.

We strongly urge you to oppose H.J.Res.43, which would overturn this important rule and embolden states to attempt to block women from getting family planning and other preventive care at highly qualified providers. If you have any questions, please contact June Zeitlin, Director of Human Rights Policy, at 202-263-2852 or zeitlin@civilrights.org.

Sincerely,

Wade Henderson
President & CEO

Nancy Zirkin
Executive Vice President

ⁱ Compliance With Title X Requirements by Project Recipients in Selecting Subrecipients, 81 Fed. Reg. 91852 (Dec. 19, 2016) (amending 42 C.F.R. part 59).

ⁱⁱ Fowler et al., "Family Planning Annual Report: 2015 National Summary," RTI International, (Aug. 2016), available at <http://www.hhs.gov/opa/pdfs/title-x-fpar-2015.pdf>.

ⁱⁱⁱ E.g., AZ, AR, CO, FL, IN, KS, MI, NH, NC, OH, OK, TN, TX, WI.

^{iv} 4 See, e.g., Stephenson et al., "Effect of Removal of Planned Parenthood from the Texas Women's Health Program," *New England Journal of Medicine*, (March 2016), available at <http://www.nejm.org/doi/full/10.1056/NEJMsa1511902>; Lu, Yao and Slusky, David, Jason Gershkoff, "The Impact of Family Planning Funding Cuts on Preventive Care," Princeton Center for Health and Wellbeing Working Paper, (May 20, 2014), available at <http://ssrn.com/abstract=2442148>; Texas Policy Evaluation Project, Research Brief: Barriers to Family Planning Access in Texas, (May 2015), available at http://www.utexas.edu/cola/orgs/txpep/_files/pdf/TxPEP-ResearchBrief_Barriers-to-Family-Planning-Access-in-Texas_May2015.pdf.