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## **Why Does Planned Parenthood Receive Federal Funding?**

Although the Hyde Amendment forbids using taxpayer funds to pay for abortions directly,<sup>1</sup> Planned Parenthood, America’s largest abortion provider,<sup>2</sup> continues to receive federal funding, supposedly for its other “services.” This has, in turn, boosted Planned Parenthood’s influence, mission, and deadly work, which focuses on providing abortions.<sup>3</sup> Government funding, primarily in the form of grants under Title X (“title ten”) of the Public Health Services Act and Medicaid reimbursements,<sup>4</sup> provides nearly half of Planned Parenthood’s revenue.<sup>5</sup>

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<sup>1</sup> The Hyde Amendment has been attached to appropriations bills since 1976, shortly after *Roe v. Wade* legalized abortion in the United States. See Will Tress, *Lost Laws: What We Can’t Find in the United States Code*, 40 GOLDEN GATE U. L. REV. 129, 155 (2010). These amendments specify that federal healthcare funds cannot be used to provide abortions except in cases of rape, incest, or the health of the mother. The Hyde Amendment has a long history of bipartisan support and was even included as part of the compromise to win enough support to pass the Affordable Care Act (ObamaCare) in 2010. Planned Parenthood and other pro-abortion groups have much to gain by continued federal funding generally and have campaigned for a repeal of the Hyde Amendment. For instance, if the Hyde Amendment was repealed, the government (through Medicaid, ObamaCare, or other services) would be reimbursing Planned Parenthood for abortions performed on one of their most targeted demographics: low-income women. See generally *Four Things You Need to Know About the Hyde Amendment & Federally Funded Abortion*, ACLJ.ORG. (Aug. 5, 2016), <https://aclj.org/pro-life/four-things-you-need-to-know-about-the-hyde-amendment-federally-funded-abortion>.

<sup>2</sup> Jamie Hall & Roger Severino, *Disentangling the Data on Planned Parenthood Affiliates’ Abortion Services and Receipt of Taxpayer Funding*, THE HERITAGE FOUND. (Sept. 30, 2015), <http://www.heritage.org/health-care-reform/report/disentangling-the-data-planned-parenthood-affiliates-abortion-services>.

<sup>3</sup> Chuck Donovan, *Planned Parenthood’s Annual Report: Abortions are Up, Prenatal Care is Down*, NAT’L REV. (June 1, 2017, 1:56 PM), <http://www.nationalreview.com/article/448190/planned-parenthoods-annual-report-abortion-increase-congress-should-defund-planned>.

<sup>4</sup> Miriam Berg, *How Federal Funding Works at Planned Parenthood*, PLANNED PARENTHOOD (Jan. 5, 2017, 9:00 PM), <https://www.plannedparenthoodaction.org/blog/how-federal-funding-works-at-planned-parenthood>.

<sup>5</sup> PLANNED PARENTHOOD, 2015-2016 ANNUAL REPORT at 27, [https://www.plannedparenthood.org/uploads/filer\\_public/18/40/1840b04b-55d3-4c00-959d-11817023ffc8/20170526\\_annualreport\\_p02\\_singles.pdf](https://www.plannedparenthood.org/uploads/filer_public/18/40/1840b04b-55d3-4c00-959d-11817023ffc8/20170526_annualreport_p02_singles.pdf) (last visited July 18, 2017).

That's a hefty sum considering Planned Parenthood's budget and revenue come in at over \$1 billion.<sup>6</sup> Despite the serious allegations of Planned Parenthood's impropriety,<sup>7</sup> government funding went from \$528 million during the 2013-2014 fiscal year<sup>8</sup> to \$554.6 million in 2015-2016.<sup>9</sup>

Although state contributions also fund Planned Parenthood,<sup>10</sup> there are two primary mediums through which Planned Parenthood receives federal funding: Title X and Medicaid. Currently, Planned Parenthood receives about \$60 million annually from Title X<sup>11</sup> and has received Title X federal funding since 1970.<sup>12</sup> Under the Nixon administration, Congress enacted Title X of the Public Health Service Act in 1970, as the only federal program solely created to subsidize organizations that provide family planning services.<sup>13</sup> In doing so, Nixon characterized the premise to be that "no American woman should be denied access to family planning assistance because of her economic condition."<sup>14</sup> Thus, people who generally benefit from Title X are those who are uninsured, but do not meet Medicaid eligibility requirements.<sup>15</sup> Of the approximately 7,000 family planning clinics in the United States, roughly 4,500 of them receive Title X funds.<sup>16</sup>

Unfortunately, Title X has assisted in funding abortions by sending millions of dollars into Planned Parenthood's coffers.<sup>17</sup> Of the family planning clinics that receive Title X grants, about 14 percent of them are operated by Planned Parenthood.<sup>18</sup> Though the funds are not allowed to be used for abortions directly, Title X allows abortion providers to "prorate expenses such as staff and waiting rooms, covering a portion of the fixed costs of the abortion-related staff and facilities."<sup>19</sup>

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<sup>6</sup> Danielle Kurtzleben, *Fact Check: How Does Planned Parenthood Spend That Government Money?*, NAT'L PUB. RADIO (Aug. 5, 2015, 5:07 PM), <http://www.npr.org/sections/itsallpolitics/2015/08/05/429641062/fact-check-how-does-planned-parenthood-spend-that-government-money>.

<sup>7</sup> Samantha Reinis, *6 Scandals Involving Planned Parenthood*, THE DAILY SIGNAL (July 15, 2015), <http://dailysignal.com/2015/07/15/6-past-planned-parenthood-scandals/>.

<sup>8</sup> PLANNED PARENTHOOD, 2013-2014 ANNUAL REPORT at 23 (Dec. 29, 2014), *available at* [https://issuu.com/actionfund/does/annual\\_report\\_final\\_proof\\_12.16.14\\_/0](https://issuu.com/actionfund/does/annual_report_final_proof_12.16.14_/0).

<sup>9</sup> 2015-2016 ANNUAL REPORT, *supra* note 5, at 28.

<sup>10</sup> Kurtzleben, *supra* note 6.

<sup>11</sup> Colin Dwyer, *Trump Signs Law Giving States Option to Deny Funding for Planned Parenthood*, NAT'L PUB. RADIO (Apr. 13, 2017, 5:07 PM), <http://www.npr.org/sections/thetwo-way/2017/04/13/523795052/trump-signs-law-giving-states-option-to-deny-funding-for-planned-parenthood>.

<sup>12</sup> Liz Halloran, *Abortion Foes Target Family Planning Program*, NAT'L PUB. RADIO (Mar. 21, 2011, 11:21 AM), <http://www.npr.org/2011/03/22/134662664/abortion-foes-target-family-planning-program>.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Funding History*, U.S. DEP'T OF HEALTH & HUMAN SERVS., <https://www.hhs.gov/opa/title-x-family-planning/about-title-x-grants/funding-history/index.html> (last visited July 18, 2017).

<sup>18</sup> Halloran, *supra* note 12.

<sup>19</sup> Hall & Severino, *supra* note 2.

Accordingly, the pro-abortion group, the Guttmacher Institute, considers this program as providing the “essential infrastructure” for groups like Planned Parenthood, who offer government funded family planning services, but also work to ensure abortion on demand.<sup>20</sup> Ultimately, Title X has further enabled Planned Parenthood and other providers to prey on the poor at the taxpayer’s expense under the guise of public health.<sup>21</sup>

The other medium through which Planned Parenthood receives federal funding is Medicaid reimbursements. Family planning is classified as a “mandatory” benefit under Medicaid, meaning that all programs must cover it.<sup>22</sup> The federal government has paid for 90% of state costs for family planning services since 1972.<sup>23</sup> According to Planned Parenthood’s report, Medicaid provides the overwhelming majority of federal funding to Planned Parenthood, covering over 75 percent of its total federal funding.<sup>24</sup> A 2015 report by the Government Accountability Office (GAO) disclosed that, over a three-year period of time, Planned Parenthood received \$1.2 billion from Medicaid.<sup>25</sup> Medicaid essentially operates as an insurance plan to subsidize reproductive health care for low-income women.<sup>26</sup>

Planned Parenthood preys upon vulnerable and low-income Americans in vending its family planning services at the government’s expense.<sup>27</sup> Although the abortion itself is not “technically” paid for with the government funds (per the federal Hyde Amendment), the mother’s first interaction with abortion proponents at Planned Parenthood and steps towards the abortion may very well be paid for by taxpayers through the federal government. Additionally, even though the federal government does not allow Medicaid to cover the abortion costs, states are free to utilize their own funds to cover the cost.<sup>28</sup>

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<sup>20</sup> ADAM SONFIELD, KINSEY HASSTEDT, & RACHEL BENSON GOLD, GUTTMACHER INST., MOVING FORWARD: FAMILY PLANNING IN THE ERA OF HEALTH REFORM at 13, [https://www.guttmacher.org/sites/default/files/report\\_pdf/family-planning-and-health-reform.pdf](https://www.guttmacher.org/sites/default/files/report_pdf/family-planning-and-health-reform.pdf) (last visited July 18, 2017).

<sup>21</sup> J. Jimerson, *Planned Parenthood: 100 Years of Preying on the Poor*, MEDIUM (Oct. 22, 2016), <https://medium.com/@prolifedad/planned-parenthood-100-years-of-preying-on-the-poor-de6d0b11c391>.

<sup>22</sup> Usha Ranji, Yali Bair, & Alina Salganicoff, *Medicaid and Family Planning: Background and Implications of the ACA*, THE KAISER FAM. FOUND. (Feb. 2, 2016), <http://www.kff.org/report-section/medicaid-and-family-planning-medicaid-family-planning-policy/>.

<sup>23</sup> *Id.*

<sup>24</sup> Kurtzleben, *supra* note 6.

<sup>25</sup> U.S. GOV’T ACCOUNTABILITY OFF., GAO-15-270R, FEDERAL OBLIGATIONS TO AND EXPENDITURES BY SELECTED ENTITIES INVOLVED IN HEALTH-RELATED ACTIVITIES, 2010-2012 6 (2015).

<sup>26</sup> *How Federal Funding Works at Planned Parenthood*, PLANNED PARENTHOOD, <https://www.istandwithpp.org/defund-defined/how-federal-funding-works-planned-parenthood> (last visited July 18, 2017).

<sup>27</sup> John Cassidy, *The Republicans War on Medicaid*, THE NEW YORKER (May 25, 2017), <http://www.newyorker.com/news/john-cassidy/the-republicans-war-on-medicaid>.

<sup>28</sup> Alina Salganicoff, Laurie Sobel, Nisha Kurani, & Ivette Gomez, *Coverage for Abortion Services in Medicaid, Marketplace Plans and Private Plans*, THE KAISER FAM. FOUND. (Jan. 20, 2016), <http://www.kff.org/womens-health-policy/issue-brief/coverage-for-abortion-services-in-medicaid-marketplace-plans-and-private-plans/>.

Thus, Medicaid covers abortion in 15 states.<sup>29</sup> So while federal funds can be used indirectly to provide abortions, state funding can be used directly to provide abortions on demand.<sup>30</sup> Planned Parenthood claims that it is in dire need of federal funding, yet it still received \$554.6 million taxpayer dollars in “government health services grants and reimbursements” in 2015-2016.<sup>31</sup> In fact, Planned Parenthood’s profits soared in the last year, increasing by a whopping 31.8%, from \$58.8 million in 2014-2015 to \$77.5 million in 2015-2016.<sup>32</sup> Planned Parenthood’s total assets are now a staggering \$1.8 billion.<sup>33</sup> This begs the question, why do they need federal funds?

In light of how its funding ties to abortion services, Planned Parenthood has frequently tried to defend itself by arguing that abortion is only 3% of its services.<sup>34</sup> However, this statistic misrepresents the centrality of abortion to Planned Parenthood’s existence for three reasons.

First, Planned Parenthood defines “services” so broadly in its own internal reports to include almost any interaction between a patient and Planned Parenthood’s medical staff.<sup>35</sup> Thus, a patient visiting Planned Parenthood for the primary purpose of receiving an abortion would likely receive many additional “services,” which would make it appear as if the abortion was only a small percentage of Planned Parenthood’s overall work.<sup>36</sup> For example, a woman may get a pregnancy test, birth control, and a pap smear, and she would be counted three times, once for each service, in the annual report. If this same woman also sought an abortion, that would be labeled as fourth service, further hiding the ball.

Moreover, Planned Parenthood’s 2009 Fact Sheet lists 7,021 prenatal clients – a shockingly small number compared to the 332,278 abortions reported for the same period of time.<sup>37</sup> However, in the next annual report, this 2009 figure is reclassified as “prenatal services,” of which Planned Parenthood reports 40,489 in 2009.<sup>38</sup> So, Planned Parenthood served 7,021 prenatal clients and provided an average of roughly six “prenatal services” to each. It’s a pretty clever way to make this number look more impressive.<sup>39</sup> And it makes the 2010 number of 31,098 “prenatal services” look even weaker.<sup>40</sup>

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<sup>29</sup> *Will State or Government Insurance Cover My Abortion?*, NAT’L NETWORK OF ABORTION FUNDS, <https://abortionfunds.org/medicaid/> (last visited July 18, 2017).

<sup>30</sup> Salganicoff, Sobel, Kurani, & Gomez, *supra* note 28.

<sup>31</sup> 2015-2016 ANNUAL REPORT, *supra* note 5, at 28.

<sup>32</sup> *Id.* at 29.

<sup>33</sup> *Id.* at 26.

<sup>34</sup> Debra Goldschmidt & Ashley Strickland, *Planned Parenthood: Fast Facts and Revealing Numbers*, CNN (Jan. 17, 2017, 3:56 AM), <http://www.cnn.com/2015/08/04/health/planned-parenthood-by-the-numbers/index.html>.

<sup>35</sup> 2015-2016 ANNUAL REPORT, *supra* note 5.

<sup>36</sup> Matthew Clark, *WaPo: Three Pinocchios for Planned Parenthood’s “3 Percent” Abortion Lie*, ACLJ.ORG (Aug. 13, 2015), <https://aclj.org/pro-life/wapo-three-pinocchios-for-planned-parenhoods-3-percent-abortion-lie>.

<sup>37</sup> *Planned Parenthood Abortions, Profits Soar*, ACLJ.ORG (June 1, 2017), <https://aclj.org/pro-life/shocking-planned-parenthood-annual-report-shows-abortions-taxpayer-funding-and-profits-soar-prenatal-services-and-cancer-screenings-plummet>.

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

In fact, if each prenatal client were given the same number of services as was reported in 2009, Planned Parenthood only provided services to a little more than 5,000 women in 2010.<sup>41</sup> This number has continued to dramatically decrease. In the last year, Planned Parenthood's prenatal services dropped another 45.9% over the prior year.<sup>42</sup>

Additionally, even the Washington Post fact checker has thoroughly debunked the 3% lie, giving it three "Pinocchios."<sup>43</sup> The Post notes that up to 55% of Planned Parenthood's clinical services revenue comes from abortions.<sup>44</sup> That's in addition to the millions in tax dollars already used to supplement the abortion through necessary pre-abortion "services." This means citizens' tax dollars are not only in effect propping up the abortion itself, but are also paying the salaries of Planned Parenthood lobbyists, the indoctrination of our youth with Planned Parenthood's version of sex education, the unlimited access to abortifacients, and even Planned Parenthood's legal bills.<sup>45</sup>

Secondly, abortion is Planned Parenthood's specialty. While it performed more Pap tests than abortions in its most recently reported data, these Pap tests were only 1.5% of the total Pap tests administered nationwide.<sup>46</sup> Planned Parenthood also had a significant drop in cancer screening – a 17.9% drop in cryotherapy procedures and 12.8% drop in colposcopy procedures.<sup>47</sup> Additionally, there was a 45.9% drop in prenatal care services,<sup>48</sup> they hardly offer any adoption assistance,<sup>49</sup> and Planned Parenthood does not, despite impressions to the contrary,<sup>50</sup> provide mammograms.<sup>51</sup>

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<sup>41</sup> *Id.*

<sup>42</sup> 2015-2016 ANNUAL REPORT, *supra* note 5, at 25.

<sup>43</sup> Michelle Ye Hee Lee, *Fact Checker for Planned Parenthood Abortion Stats, '3 Percent' and '94 Percent' are Both Misleading*, THE WASHINGTON POST (Aug. 12, 2015), <https://www.washingtonpost.com/news/fact-checker/wp/2015/08/12/for-planned-parenthood-abortion-stats-3-percent-and-94-percent-are-both-misleading/>.

<sup>44</sup> *Id.*

<sup>45</sup> Matthew Clark, *How \$500 Million Tax Dollars Helped Planned Parenthood*, ACLJ.ORG (Jan. 8, 2015), <https://aclj.org/pro-life/how-500-million-tax-dollars-helped-planned-parenthood>.

<sup>46</sup> *Compare* 2015-2016 ANNUAL REPORT, *supra* note 5, at 22, with *National Center for Health Statistics: Pap Tests*, CENTS. FOR DISEASE CONTROL & PREVENTION, <https://www.cdc.gov/nchs/fastats/pap-tests.htm> (last visited July 18, 2017).

<sup>47</sup> 2015-2016 ANNUAL REPORT, *supra* note 5, at 25.

<sup>48</sup> *Id.*

<sup>49</sup> *Id.*

<sup>50</sup> Lauren Carroll, *97% of Planned Parenthood's Work is Mammograms, Preventative Care, O'Malley Says*, POLITIFACT (Aug. 3, 2015, 9:46 AM), <http://www.politifact.com/truth-o-meter/statements/2015/aug/03/martinomalley/97-planned-parenthoods-work-mammograms-preventive-/>.

<sup>51</sup> Chuck Donovan, *Cut Planned Parenthood's Funding*, CNN (Mar. 19, 2011, 12:43 AM), <http://www.cnn.com/2011/OPINION/03/18/donovan.planned.parenthood/index.html>.

In contrast, Planned Parenthood currently commits a shocking 1/3 of all abortions in the United States.<sup>52</sup> In 2015-2016 alone, the organization committed more than 328,000 abortions, which reflected an increase over the previous year.<sup>53</sup> So, although Planned Parenthood provides fewer individuals with routine testing, its abortion client base continues to increase and remains the organization's focal point.

Lastly, Planned Parenthood intends to expand its abortion procedures in the future. According to its 2015-2016 annual report, Planned Parenthood is expanding its Online Health Services (OHS) program in new states so as to provide online services, which are also growing.<sup>54</sup> Additionally, Planned Parenthood affiliates continue to develop around the country so as to target remote and rural locations.<sup>55</sup> As added evidence, the Trump Administration offered Planned Parenthood the chance to continue receiving full federal funding if it stopped providing abortions.<sup>56</sup> The Administration reportedly offered Planned Parenthood about \$500 million each year of federal funding if it ended abortion procedures.<sup>57</sup> Planned Parenthood flatly rejected the offer.<sup>58</sup> This only further reiterates how central abortion is to the organization's mission.

Ultimately, the American people should decide whether they want to support Planned Parenthood with their own money, but the largest abortion provider in the world should certainly not be propped up by federal funding. While the government has adopted the Hyde Amendment to cease funding for abortions, this measure alone is not enough. As long as abortion providers like Planned Parenthood are entrusted with taxpayer funds, taxpayers are sponsoring the work and mission of a deadly procedure.

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<sup>52</sup> Planned Parenthood performed 328,348 abortions in 2015-2016, 1/3 of the total performed in the United States. See *Induced Abortion in the United States*, GUTTMACHER INST. (Jan. 2017), <https://www.guttmacher.org/fact-sheet/induced-abortion-united-states>.

<sup>53</sup> Chuck Donovan, *Planned Parenthood's Annual Report: Abortions Are Up, Prenatal Care Is Down*, NAT'L REV. (June 1, 2017, 1:56 PM), <http://www.nationalreview.com/article/448190/planned-parenthood-annual-report-abortion-increase-congress-should-defund-pp>.

<sup>54</sup> 2015-2016 ANNUAL REPORT, *supra* note 5, at 8.

<sup>55</sup> *Id.*

<sup>56</sup> Jessica Chasmar, *Planned Parenthood Rejects Trump Offer to Keep Federal Funding, Stop Abortions*, THE WASHINGTON TIMES (Mar. 7, 2017), <http://www.washingtontimes.com/news/2017/mar/7/planned-parenthood-rejects-trump-offer-to-keep-fed/>.

<sup>57</sup> *Id.*

<sup>58</sup> *Id.*