

It is Not too Late to Fight Back Against the Trump Administration's Gag Rule

Posted by Ronnie Pawelko, Bolder Advocacy - on July 16, 2018 at 3:41 pm

While fighting against the nomination of anti-choice nominee Brett Kavanaugh to the US Supreme Court, don't lose focus on another battle: a new gag rule for Title X family planning programs. The Title X program provides funding for family planning services and counseling and serves approximately 4 million women each year.

On June 1, the Trump Administration proposed a new rule (called the gag rule by health care advocates) for the Title X family planning program. The proposed rule restricts the ability of health care providers to offer abortion services. The proposed rule requires separation between Title X family planning services and abortion procedures, effectively blocking Planned Parenthood and other providers who offer abortions from receiving Title X funding. To determine whether there is adequate separation between a Title X provider and the provision of abortion, the Trump administration would look to whether there is:

- separation of accounting records;
- physical separation within the health facility, including separate waiting rooms, entrances, exam rooms, phone lines, websites, etc.;
- separate personnel;
- separate medical records including electronic medical record systems; and
- whether there is any information on abortion available or in sight at the Title X provider's health care facility.

It would be impossible for most providers of comprehensive reproductive health services to comply with these onerous separation requirements. The proposal would also prohibit health care providers from discussing abortion as an option with patients who do not wish to carry a pregnancy to term. Although abortion opponents have framed this rule as preventing federal funds from being used to subsidize abortion, there is no truth to those arguments as Title X funds are already restricted from being used to provide abortions. To read the proposed rule, see the Federal Register notice [here](#).

You have until July 31 to make your opinion heard. A number of organizations, including the [ACLU](#) and [Planned Parenthood Action Fund](#), have made it easy to submit comments by providing sample comments and offering online tools to submit comments. Comments on the proposed rule can also be submitted on the [Regulations.gov website](#).

One piece of good news—regulatory advocacy is not lobbying, so 501(c)(3)s, including public charities, community foundations, and private foundations, may engage in unlimited amounts of advocacy on proposed rules. 501(c)(3)s may draft and submit comments, they may sign on to comment letters drafted by other organizations, and they may encourage members of the public to submit comments on a proposal. None of the work that goes into drafting and submitting a comment on a proposed rule or the time spent encouraging members of the public to submit comments needs to be tracked as a lobbying expenditure.

Regulatory advocacy is an important aspect of policy creation and commenting on the proposed rule is a simple way for advocates to speak out to protect women's access to Title X family planning services. Make your voice heard today!

***Title X regulations comments - The domestic
"gag" order! Submit a comment by July 31!***

Title X is the nation's federally-funded program for affordable birth control and reproductive health care. The program is available to help ensure that every person - regardless of where they live, their income, their background, or whether or not they are insured - has access to basic, preventive, reproductive health care, such as birth control, cancer screenings, STD testing and treatment.

The federal government recently released new regulations for comments. You may have heard them referred to as "gag rules" because, among the many changes proposed:

- 1) Title X providers could limit the information they offer about birth control methods** to abstinence or natural family planning. No longer would providers be required to follow the medical standard of care with respect to informing patients about the range of contraceptive options;
- 2) The existing rules have long prohibited using Title X funds for abortions.** The proposed rules would also prohibit mentioning abortion or referring a woman to an abortion provider. In addition, no individual or entity that provides any abortion services with non-Title X funding could receive Title X for contraceptive services. For example, Planned Parenthood, whose contraceptive services comprise 96% of its activities would be excluded from Title X because 3% of its services are for abortions;
- 3) Referral to prenatal care would become mandatory for all pregnant women**, regardless of the individual woman's stated wishes or decision;
- 4) New burdensome reporting and financial accounting requirements** would be imposed on providers participating in Title X;
- 5) The combination of not being permitted to comply with the medical standard of care when delivering Title X-funded services and new onerous red tape is expected to drive many providers out of the Title X network**, reducing access to contraceptive care to millions of women and teens in the United States. You can read the full regulation package [here](https://www.federalregister.gov/documents/2018/06/01/2018-11673/compliance-with-statutory-program-integrity-requirements).

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The comment period for the regulations ends July 31, 2018!

For more information, look to the [California Coalition for Reproductive Freedom's](http://www.reproductivefreedomca.org/domestic-gag-rule-title-x) page (www.reproductivefreedomca.org/domestic-gag-rule-title-x) on the Domestic Gag Rule:

- Planned Parenthood. Take a minute to [submit a comment](http://www.ppactionca.org) (www.ppactionca.org) to stop Trump-Pence from demolishing access to preventive and reproductive care.
- National Partnership for Women & Families. [Submit a comment](#).

At this time, Planned Parenthood is asking partner organizations to consider taking these actions:

1. Public Comment.
2. Share with your list.
3. Social Media. If you can amplify this issue on social media here are some hashtags to keep in mind:
4. #NoGagRule #TitleX #GagRule #IStandWithPP (If helpful, our statewide twitter handle is @PPActionCA)