

Facts You Should Know About Planned Parenthood



Sarah Trumble
Former Deputy Director,
Social Policy & Politics



Lanae Erickson
Hatalsky
Vice President for the
Social Policy & Politics
Program
[@LanaeErickson](https://twitter.com/LanaeErickson)

With the release of several heavily edited “sting” videos by pro-life activists, Planned Parenthood has been in the news all summer—and that won’t change as Congress comes back into session. After a failed vote to “defund” Planned Parenthood in early August, some Members are now threatening to shut down the government to block federal funding to the organization. This fact sheet provides some background information which will make it easier to understand, talk about, and vote on Planned Parenthood, its funding, and fetal tissue research.

There is no evidence of any wrongdoing by Planned Parenthood.

- It's legal under federal law to donate fetal tissue. In practice, Planned Parenthood goes beyond what is required of them by the law to ensure that their actions comply with the wishes of their patient. The woman decides whether she wants to donate—she must affirmatively consent to it in writing and isn't asked if she wants to do so until after she's already consented to have an abortion. Doctors can't alter the timing, method, or procedure of an abortion solely for the purposes of obtaining tissue, and researchers cannot take any part in those decisions. No one can profit on the donation either; clinics can only be paid to cover their costs.¹ Despite efforts by some state legislatures, governors, and Members of Congress to implicate Planned Parenthood in wrongdoing, there is no evidence in the recent videos that Planned Parenthood has broken any of these federal laws nor any state laws.²
- Five states have already conducted and concluded investigations into Planned Parenthood's actions following the release of the videos—Pennsylvania, Georgia, Indiana, Massachusetts, and South Dakota—and not a single one was able to identify any violations of state or federal law.³
- Investigations are still ongoing in a handful of other states, but they are unlikely to find any instances in which fetal tissue donation laws were broken—particularly since in most of those states, Planned Parenthood health centers don't perform any fetal tissue donation whatsoever. In fact, in Louisiana, where Governor Bobby Jindal has initiated a taxpayer-funded investigation, Planned Parenthood doesn't even have a health center that provides abortions.⁴

Planned Parenthood can't spend federal funding on abortion services except in cases of rape, incest, or life endangerment.

- Planned Parenthood receives federal funding under both Title X and Medicaid. Not a single cent of Title X funds can be spent on abortions in any circumstances. Federal Medicaid dollars can't be used to cover abortions either except under the longstanding exceptions for cases of rape, incest, or to save the life of the woman. Abortions only account for 3% of what Planned Parenthood does—amounting to only 328,000 of the 10.6 million services the organization provided last year. ⁵
- What Planned Parenthood *does* spend federal funding on is preventing the unintended pregnancies that lead to abortions, therefore reducing the total number of abortions. In 2013 alone, the contraceptive services provided at Title X-funded sites like Planned Parenthood helped prevent 1 million unintended pregnancies—which statistically would have likely led to nearly 350,000 more abortions that year. ⁶
- Here's how Planned Parenthood actually spends money on patient services:
 - 42% on testing and treatment for sexually transmitted diseases and infections;
 - 34% on contraception care;
 - 11% on other women's health services (including pregnancy tests and prenatal care);
 - 9% on cancer screenings and prevention;
 - 3% on abortions (none of which comes from the federal government unless it's a Medicaid reimbursement in the cases of rape, incest, or to save the life of the woman); and,
 - 1% on other services (including adoption referrals, family practice services, and treatment for urinary tract infections). ⁷

Congress can't actually “defund” Planned Parenthood without potentially violating federal Medicaid law.

- The vast majority of the federal funding Planned Parenthood receives comes through appropriations for the Title X family planning program (\$63.4 million in FY2012), which cannot be used toward abortion services, and via Medicaid reimbursements for eligible health care services (nearly \$401 million in FY2012), which, under federal law, exclude all abortion services except in the cases of rape, incest, or to save the life of the woman. Smaller amounts of money come through grants from federal programs administered through a variety of agencies and as payment for health care services—none of which can cover abortion services except in cases of those same exceptions.⁸
- About 75% of the total state and federal taxpayer money received by Planned Parenthood comes from Medicaid reimbursements—and Medicaid law protects patients' rights to choose any participating provider, *especially* in the case of family planning services.⁹
- The only reasons why providers can be barred from participating in Medicaid are if they have committed fraud, violated licensing laws, or violated the Medicaid statute, and not one single investigation has found evidence that Planned Parenthood has done so. If Congress tries to bar Medicaid patients from getting health care services at Planned Parenthood health centers either in legislation or via appropriations, it could be considered illegal discrimination, and courts are likely to enjoin any such attempt (like they have in previous defunding efforts in Tennessee, Indiana, Arizona, and North Carolina).¹⁰

- Since the videos were released, at least three states have attempted to cancel Planned Parenthood’s Medicaid contracts—including Alabama, who’s Planned Parenthoods didn’t even participate in fetal tissue donation in the first place.¹¹ But the Department of Health & Human Services (HHS) has warned these states that by canceling Planned Parenthood’s contracts, they may be breaking the law: “Longstanding Medicaid laws prohibit states from restricting individuals who have coverage through Medicaid from receiving care from a qualified provider. By restricting which provider a woman could choose to receive care from, women could lose access to critical preventive care, such as cancer screenings.”¹² Per HHS guidelines, states can’t prohibit certain providers from participating in Medicaid because of the range of services they provide.¹³

Fetal tissue research is key to current and future medical breakthroughs.

- Research on fetal tissue dates back to the 1930s, and has been credited at least in part with the creation of vaccines against polio, rubella, chicken pox, shingles, rabies, and hepatitis A.¹⁴
- Today, fetal tissue is used in research to:
 - Find a vaccine or treatment for HIV/AIDS;
 - Address birth defects, spinal cord injuries, Parkinson’s disease, and eye diseases;¹⁵
 - Understand and identify treatments for degenerative muscle diseases, ALS, and cancer; and,¹⁶
 - Diagnose cancer early.¹⁷
- Only 0.2% of the National Institute of Health’s funding is spent on research using fetal tissue, but that research, and the vaccines it has led to, have likely saved millions of lives and have the potential to save millions more in the future.¹⁸

Conclusion

No one enjoyed watching the Planned Parenthood sting videos—even knowing how deceptively edited they were—and Planned Parenthood has acknowledged the tone of the employees’ statements does not reflect compassionate care. But the fact of the matter is this: Planned Parenthood has not been shown to have done anything illegal. Its health centers have fully complied with extensive federal and state laws and regulations around performing abortions and supplying fetal tissue to researchers. Defunding these health centers would cut off crucial services like STD tests, contraceptive care, and cancer screenings for low-income women, and it would also likely violate federal law and Medicaid guidelines. The women who rely on Planned Parenthood for health services should not be punished and lose access to care. Some people might not like that Planned Parenthood is allowed to perform abortions and to supply fetal tissue to researchers. But the law says otherwise.

TOPICS

ABORTION/CONTRACEPTION 50

END NOTES

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