

# **FAMILY ISSUE FACT SHEET**

No. 2017-06 (MAY 2017)



## **SB 1527/ HB 2542 -TITLE X FUNDING**

### **EXECUTIVE SUMMARY**

U.S. Department of Health and Human Services awards Title X monies to grantees for family planning services. In Arizona, the primary grantee is Arizona Family Health Partnership, a non-profit organization that historically has then awarded the grant monies to local health departments, federally qualified health centers, and Planned Parenthood of Arizona.

The budget provision requires the Arizona Department of Health Services to apply for Title X monies, and distribute monies received in the order of priority spelled out in A.R.S. 35-196.05(A):

- (1) To health care facilities that are owned or operated by this state or any political subdivision of this state;
- (2) To hospitals and federally qualified health centers;
- (3) To rural health clinics;
- (4) To health care providers whose primary area of practice is the provision of primary health services as enumerated in 42 United States Code section 254b(b)(1).

### **BACKGROUND**

According to U.S. Department of Health and Human Services (HHS), Title X grantees in Arizona include Arizona Family Health Partnership (AZ) (AFHP), Arizona Family Health Partnership (Navajo) (AFHP), and Gila River Health Care Corporation Family Planning Program.<sup>1</sup>

In 2016, HHS awarded AFHP \$4.78 million and the Gila River Health Care Corporation \$250,000.<sup>2</sup>

AFHP partners with seven delegate agencies with 34 health centers.<sup>3</sup> The delegate agencies include Gila County Health Department, Pima County Health Department, Pinal County Health Department, Regional Center for Border Health, Wesley Community Center, Yavapai Community Health Services, and Planned Parenthood of Arizona.<sup>4</sup>

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<sup>1</sup> <https://www.hhs.gov/opa/sites/default/files/title-x-directory-grantees.pdf>

<sup>2</sup> <https://www.hhs.gov/opa/grants-and-funding/recent-grant-awards/index.html>

<sup>3</sup> <https://www.arizonafamilyhealth.org/ourpartners/title-x-service-providers/>

<sup>4</sup> <https://www.arizonafamilyhealth.org/ourpartners/title-x-service-providers/>

AFHP reported that in 2014 it received \$4.66 million of Title X funding, and it distributed 43% to local health departments, 39% to federally qualified health centers, and 18% to Planned Parenthood of Arizona.<sup>5</sup>



On December 14, 2016, President Obama issued a 30-page rule<sup>6</sup> “requir[ing] that no recipient making subawards for the provision of services as part of its Title X project may prohibit an entity from participating for reasons other than its ability to provide Title X services.” The rule took effect two days before the January 20 inauguration of President Trump.<sup>7</sup> The effect and purpose of the rule was to ensure that abortion providers would continue receiving taxpayer dollars for family planning services.

On April 13, 2017, President Trump signed a joint resolution disapproving of the rule, stating “such rule shall have no force or effect.”<sup>8</sup>

### **WHAT DOES THE BUDGET PROVISION DO?**

1. It requires the Arizona Department of Health Services (DHS) to submit a grant application for Title X monies each year or on an otherwise applicable basis.
2. DHS is to emphasize in its application that the state is best suited to receive and distribute these family planning services for the state.
3. DHS shall distribute any Title X monies received consistent with A.R.S. 35-196.05(A), in the following order of priority:
  - I. To health care facilities that are owned or operated by this state or any political subdivision of this state.
  - II. To hospitals and federally qualified health centers.
  - III. To rural health clinics.
  - IV. To health care providers whose primary area of practice is the provision of primary health services as enumerated in 42 United States Code section 254b(b)(1).

### **TALKING POINTS**

1. The state is best suited to receive and distribute family planning services meant to serve the people of Arizona. DHS knows the health needs throughout the state and can subaward the monies in a way that best meets the needs of the diverse communities in Arizona.

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<sup>5</sup> <https://www.arizonafamilyhealth.org/wp-content/uploads/2015/10/Title-X-in-Arizona-NFPRHA.pdf>

<sup>6</sup> <https://www.federalregister.gov/documents/2016/12/19/2016-30276/compliance-with-title-x-requirements-by-project-recipients-in-selecting-subrecipients>

<sup>7</sup> <https://www.nytimes.com/2016/12/14/us/politics/obama-administration-planned-parenthood.html?smid=tw-share& r=0>

<https://wayback.archive-it.org/3926/20170127193007/https://www.hhs.gov/about/news/2016/12/14/hhs-issues-final-regulation-increase-access-affordable-family-planning-and-preventive-services.html>

<sup>8</sup> <https://www.whitehouse.gov/legislation/hjres-43-joint-resolution-providing-congressional-disapproval-under-chapter-8-title-5>

2. The amendment allows the state to direct Title X monies in a manner that aligns with existing state priorities. Under A.R.S. 35-196.05(A), the legislature has already determined its priorities in allocating funds for family planning services.
3. Approximately 183 health care clinics throughout Arizona are available to provide the services covered by Title X.<sup>9</sup> Redirecting the award-making authority to the state will not result in women losing these services.
4. Arizona has a long history of not awarding taxpayer dollars to abortion providers for any services. The budget provision continues this policy by requiring the state to apply for and then award the federal Title X grants.
5. Under the priorities of A.R.S. 35-196.05(A), taxpayer dollars would be directed to agencies that do not provide abortions. The provision guarantees that taxpayers would not be providing direct or indirect subsidies to abortion providers. Neither court decisions nor laws require that funding be awarded to abortion providers.
6. Around 24 state departments of health receive Title X funding.<sup>10</sup> The intent of the action taken by the Congress and President Trump is to enable states to be the grantmaking body for Title X funds. No law requires that the funds go to a nongovernmental entity for the subawards.

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<sup>9</sup> <https://lozierinstitute.org/wp-content/uploads/2015/08/Arizona-State-Map.jpg>

<sup>10</sup> <https://www.hhs.gov/opa/sites/default/files/title-x-directory-grantees.pdf>