

110TH CONGRESS
1ST SESSION

H. CON. RES. 232

It is the Sense of the Congress that the confidentiality mandates for minors should be removed from family planning services programs operating under title X of the Public Health Services Act and Medicaid.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2007

Mr. MARCHANT submitted the following concurrent resolution; which was referred to the Committee on Energy and Commerce

CONCURRENT RESOLUTION

It is the Sense of the Congress that the confidentiality mandates for minors should be removed from family planning services programs operating under title X of the Public Health Services Act and Medicaid.

Whereas title X of the Public Health Service Act, established by Congress, was designed to assist in making comprehensive voluntary family planning services readily available to all persons desiring such service;

Whereas these services, including the availability of contraception, were extended to minors under the age of 16 as a result of the United States Supreme Court decision in *Carey v. Population Services International*; consequently, title X clinics can provide minors with free contraceptives without a parent's knowledge or consent;

Whereas Medicaid funding for family planning was authorized to cover health care services for low-income women through a cooperative Federal-State program;

Whereas in Texas, any provider receiving title X funds from the State must also provide services to Medicaid-eligible clients and the State cannot require minors to obtain parental consent before receiving family planning services including contraception;

Whereas these requirements effectively force the State to provide contraceptives to children under the age of 16 in order to finance critical family planning services and reduce the likelihood of parental involvement at a time in a child's sexual development when emotional capacity is not likely to correspond to physical maturity; and

Whereas family planning programs operating under title V and title XX of the Social Security Act are not prohibited from requiring parental consent for the dispensation of prescriptions, devaluing the implication that confidentiality is a necessity and sending a mixed message to State administrators of family planning programs: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
 2 *concurring)*, That it is the sense of Congress that the con-
 3 fidentiality mandates for minors should be removed from
 4 family planning services programs operating under title X
 5 of the Public Health Services Act and Medicaid.

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