

111TH CONGRESS
1ST SESSION

H. R. 614

To amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2009

Mr. PENCE (for himself, Mr. SMITH of New Jersey, Mr. PITTS, Mr. FRANKS of Arizona, Mr. WESTMORELAND, Mr. COLE, Mr. SENSENBRENNER, Mr. TERRY, Mr. BURTON of Indiana, Mr. INGLIS, Mr. HALL of Texas, Mrs. SCHMIDT, Mrs. BLACKBURN, Mr. PAUL, Mr. LAMBORN, Mr. FLAKE, Mr. HOEKSTRA, Mr. FORTENBERRY, Mr. MILLER of Florida, Mr. TIAHRT, Mr. BOOZMAN, Mr. SHUSTER, Mr. BROWN of South Carolina, Mrs. BACHMANN, Mr. WILSON of South Carolina, Mr. McCAUL, Mr. RYAN of Wisconsin, Mr. SCALISE, Mr. ROGERS of Alabama, Mr. BARTLETT, Mr. POE of Texas, Mr. HERGER, Mr. BACHUS, Mr. NEUGEBAUER, Mr. AKIN, Mrs. McMORRIS RODGERS, Mr. OLSON, Mr. KLINE of Minnesota, Mr. KING of Iowa, Mr. FLEMING, Mr. BARRETT of South Carolina, Mr. McKEON, Mr. THOMPSON of Pennsylvania, Mr. HARPER, Ms. LUMMIS, Mr. CHAFFETZ, Mr. McHENRY, Mr. BROUN of Georgia, Ms. FALLIN, Mr. BRADY of Texas, Ms. FOXX, Mr. GINGREY of Georgia, Mr. CASSIDY, Mr. LINDER, Mr. DAVIS of Tennessee, Mr. SOUDER, Mr. DAVIS of Kentucky, Mr. JORDAN of Ohio, Mr. ROE of Tennessee, Mr. GARRETT of New Jersey, Mr. BISHOP of Utah, and Mr. McCLINTOCK) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Title X Abortion Pro-
5 vider Prohibition Act”.

6 **SEC. 2. PROHIBITION ON ABORTION.**

7 Title X of the Public Health Service Act (42 U.S.C.
8 300 et seq.) is amended by adding at the end the fol-
9 lowing:

10 **“SEC. 1009. ADDITIONAL PROHIBITION REGARDING ABOR-**
11 **TION.**

12 “(a) PROHIBITION.—The Secretary shall not provide
13 any assistance under this title to an entity unless the enti-
14 ty certifies that, during the period of such assistance, the
15 entity will not perform, and will not provide any funds
16 to any other entity that performs, an abortion.

17 “(b) EXCEPTION.—Subsection (a) does not apply
18 with respect to an abortion where—

19 “(1) the pregnancy is the result of an act of
20 rape, or an act of incest against a minor; or

21 “(2) a physician certifies that the woman suf-
22 fers from a physical disorder, physical injury, or
23 physical illness that would place the woman in dan-
24 ger of death unless an abortion is performed, includ-

1 ing a life-threatening physical condition caused by or
2 arising from the pregnancy itself.

3 “(c) HOSPITALS.—Subsection (a) does not apply with
4 respect to a hospital, so long as such hospital does not,
5 during the period of assistance described in subsection (a),
6 provide funds to any non-hospital entity that performs an
7 abortion (other than an abortion described in subsection
8 (b)).

9 “(d) ANNUAL REPORT.—Not later than 60 days after
10 the date of the enactment of the Title X Abortion Provider
11 Prohibition Act, and annually thereafter, for the fiscal
12 year involved, the Secretary shall submit a report to the
13 Congress containing—

14 “(1) a list of each entity receiving a grant
15 under this title;

16 “(2) for each such entity performing abortions
17 under the exceptions described in subsection (b)—

18 “(A) the total number of such abortions;

19 “(B) the number of such abortions where
20 the pregnancy is the result of an act of rape;

21 “(C) the number of such abortions where
22 the pregnancy is the result of an act of incest
23 against a minor; and

1 “(D) the number of such abortions where
2 a physician provides a certification described in
3 subsection (b)(2);

4 “(3) a statement of the date of the latest cer-
5 tification under subsection (a) for each entity receiv-
6 ing a grant under this title; and

7 “(4) a list of each entity to which an entity de-
8 scribed in paragraph (1) makes available funds re-
9 ceived through a grant under this title.

10 “(e) DEFINITIONS.—In this section:

11 “(1) The term ‘entity’ means the entire legal
12 entity, including any entity that controls, is con-
13 trolled by, or is under common control with such en-
14 tity.

15 “(2) The term ‘hospital’ has the meaning given
16 to such term in section 1861(e) of the Social Secu-
17 rity Act.”.

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