What is Title X and the Domestic Gag Rule?

For nearly 50 years, the Title X Family Planning Program has provided federal funding to a network of health centers around the country that provide free or low-cost birth control and related services to roughly four million people annually who have low incomes.

In August 2019, the Trump Administration undermined the ability of the Title X program to continue providing quality care by enforcing the “domestic gag rule.” Put simply, the domestic gag rule forces health centers that receive Title X funds to make an impossible choice. These centers must now decide between two options: accept funds to support their patients who might not otherwise be able to afford family planning care or withhold information from patients about abortion services. This includes mentioning that abortion is one of three legal options available to those who are pregnant—or even where they can access abortion services. Notably, Title X funds have never paid for abortions, this rule focuses on disallowing health providers from providing their patients information about their legal medical options.

The rule is opposed by the American Medical Association\(^1\) and 19 other national health groups\(^2\) because it violates medical ethics by denying patients information about all their legal health options. There are active lawsuits being argued to block the rule, but the courts are still deciding its ultimate fate. In the meantime, the damage has been done. Funds returned to the federal government are expected to be regranted to other entities, including to fake clinics that do not provide real birth control access.

Alarming Numbers of Health Centers are Impacted\(^3\)

The upheaval to the safety net caused by the domestic gag rule is evolving rapidly. Based on the best available information, as of September 18, 2019:

- Seventeen Title X grantees have exited the Title X program, representing nearly 20% of all grantees.
- Planned Parenthood, which previously served over 40% of all Title X patients, has exited the Title X program entirely, as have all grantees in five states—ME, OR, UT, WA, and VT.
- Fifteen states are losing all or some of their Title X funding.
- An additional 15 states are losing individual Title X clinics and it’s unclear whether or not grantees in those states can find other clinics to replace them.
- HHS is redistributing the returned Title X funds to organizations that it already funds, but there is no guarantee and limited likelihood that these funds will serve the people residing in the 390 counties that have lost their local access to affordable care.
Gag Rule: Impact on the Ground

- States where all Title X grantees are out
- States where some Title X grantees are out
- Additional states where individual clinics are leaving the Title X Program

*Percentages reflect proportion of state’s Title X funding lost as a result

<table>
<thead>
<tr>
<th>States where all Title X grantees are out</th>
<th>States where some Title X grantees are out</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Maine</td>
<td>1. Alaska</td>
</tr>
<tr>
<td>2. Oregon</td>
<td>2. Connecticut</td>
</tr>
<tr>
<td>3. Utah</td>
<td>3. Idaho</td>
</tr>
<tr>
<td></td>
<td>4. Illinois</td>
</tr>
<tr>
<td></td>
<td>5. Maryland</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Additional states where individual clinics are leaving the Title X Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Arizona</td>
</tr>
<tr>
<td>2. California</td>
</tr>
<tr>
<td>3. Colorado</td>
</tr>
<tr>
<td>4. Delaware</td>
</tr>
</tbody>
</table>

1. Florida                                      |
2. Iowa                                         |
3. Indiana                                      |
4. Michigan                                     |
5. Missouri                                     |
6. Montana                                      |
7. New Jersey                                   |
8. Pennsylvania                                 |
9. Rhode Island                                 |
10. West Virginia                               |
11. Wyoming                                     |

1. 100%                                           |
2. 100%                                           |
3. 11%                                            |
4. 82%                                            |
5. 94%                                            |
6. 48%                                            |
7. 92%                                            |
8. 69%                                            |
9. 88%                                            |
10. 80%                                           |
11. 43%                                           |
12. 48%                                           |
13. 92%                                           |
14. 69%                                           |
15. 88%                                           |
16. 80%                                           |
17. 43%                                           |
18. 48%                                           |
19. 92%                                           |
20. 69%                                           |
21. 88%                                           |
22. 80%                                           |
23. 43%                                           |
24. 48%                                           |
25. 92%                                           |
26. 69%                                           |
27. 88%                                           |
28. 80%                                           |
29. 43%                                           |
30. 48%                                           |
31. 92%                                           |
32. 69%                                           |
33. 88%                                           |
34. 80%                                           |
35. 43%                                           |
36. 48%                                           |
37. 92%                                           |
38. 69%                                           |
39. 88%                                           |
40. 80%                                           |
41. 43%                                           |
42. 48%                                           |
43. 92%                                           |
44. 69%                                           |
45. 88%                                           |
46. 80%                                           |
47. 43%                                           |
48. 48%                                           |
49. 92%                                           |
50. 69%                                           |
51. 88%                                           |
52. 80%                                           |
53. 43%                                           |
54. 48%                                           |
55. 92%                                           |
56. 69%                                           |
57. 88%                                           |
58. 80%                                           |
59. 43%                                           |
60. 48%                                           |
61. 92%                                           |
62. 69%                                           |
63. 88%                                           |
64. 80%                                           |
65. 43%                                           |
66. 48%                                           |
67. 92%                                           |
68. 69%                                           |
69. 88%                                           |
70. 80%                                           |
71. 43%                                           |
72. 48%                                           |
73. 92%                                           |
74. 69%                                           |
75. 88%                                           |
76. 80%                                           |
77. 43%                                           |
78. 48%                                           |
79. 92%                                           |
80. 69%                                           |
81. 88%                                           |
82. 80%                                           |
83. 43%                                           |
84. 48%                                           |
85. 92%                                           |
86. 69%                                           |
87. 88%                                           |
88. 80%                                           |
89. 43%                                           |
90. 48%                                           |
91. 92%                                           |
92. 69%                                           |
93. 88%                                           |
94. 80%                                           |
95. 43%                                           |
96. 48%                                           |
97. 92%                                           |
98. 69%                                           |
99. 88%                                           |
100. 80%                                          |
People Most in Need Are Paying the Price

The domestic gag rule’s impact on birth control access is nothing short of catastrophic for people living on limited incomes. It means that people who have long relied on the program may have higher out of pocket costs for health care and contraception because clinics will no longer have funds to support them. As a result of this rule the number of women who live in counties without a single clinic offering the full range of birth control methods could triple. People already counting every penny may need to travel longer distances to clinics offering services, take more time off work, or pay for additional child care costs.

Already, more than 8.7 million women in 390 counties across the nation are at risk of losing affordable access to the birth control they need because the clinic they depend on has lost its Title X funding. To date, 876 clinics have been forced out of the program. Since the rule began to be enforced in August, stories of increased costs, shorter hours, and fewer services being offered have flooded in.

“On Wednesday, Jessica Delong walked into the Planned Parenthood in Minneapolis for birth control and was told she’d have to pay $200 instead of her usual $30 sliding scale fee. She didn’t have it, and told the clinic she’d come back next week after she got paid.”

“We’re already seeing patients forego services,” [said] Byron Clarke, the Chief Operating Officer of the Utah Navajo Health Service... “It hits hardest on people who are already considering whether they can afford the gas money to drive to see us.”

“For now, Washington’s Title X-supported clinics are being funded from state coffers. Based on predictions by the state’s health department, Washington projects it can maintain its current level of service until March 2020. After that, they’re going to start considering reducing eligibility or narrowing the list of Title X-eligible services, which currently includes mammograms and testing for sexually transmitted infections.”

Title X Health Centers Are Critical to High-Quality Birth Control Access

It is not only those who receive services directly paid for by Title X who are losing access to birth control. Title X funds are critical to keeping clinic doors open for thousands of clinics that also serve patients who have insurance, such as Medicaid and Affordable Care Act plans.

1.6 million women in need of publicly funded contraception live in counties with no health center offering the full range of birth control methods. Without Title X, this number nearly triples.
HEALTH CENTERS OFFERING THE FULL RANGE OF BIRTH CONTROL METHODS
by state and county
EXCLUDING TITLE X HEALTH CENTERS

Data from: U.S. Census Bureau, Guttmacher Institute, Center for Disease and Prevention, Federal Communications Commission, and a compilation of data about health centers managed by Power to Decide.

*Health centers that provide the full range of methods are those that offer IUDs, implants, and most other FDA-approved methods such as birth control pills, the shot, the ring, the patch, cervical caps, diaphragms and emergency contraception on site.

Data from: U.S. Census Bureau, Guttmacher Institute, Center for Disease and Prevention, Federal Communications Commission, and a compilation of data about health centers managed by Power to Decide.

19,865,920 women in need live in contraceptive deserts
4,292,576 women in need live in counties without access to a single health center that provides the full range of methods
Endnotes

1 Statement from the American Medical Association “We cannot let changes to Title X put women’s health at risk” March 5, 2019. Retrieved on September 4, 2019 from https://www.ama-assn.org/about/leadership/we-cannot-let-changes-title-x-put-women-s-health-risk


3 Data and calculations from Power to Decide, details available upon request.


