

State Family Planning Funding Restrictions

BACKGROUND: In the 1990s, a handful of states imposed abortion-related restrictions on state family planning funds. Some of these laws ban the use of state family planning funds to provide abortion counseling and referrals to women who have unintended pregnancies. (However, to prevent the loss of federal funds, all but one specifically allow organizations receiving funding under the federal Title X family planning program to provide the nondirective pregnancy-options counseling and requested referrals required by the program.) Additionally, these restrictions often require strict separation between organizations providing state-funded family planning services and those providing abortion-related services. Such requirements may entail making the organizations separate legal entities and may prohibit them from sharing employees, medical supplies and physical facilities.

In 2011, spurred by the effort at the federal level to prohibit Planned Parenthood Federation of America from receiving federal family planning funds, legislators in some states are reviewing this issue and questioning whether agencies that use private funds for abortion are barred from receiving state family planning funding, or, in some cases, federal funds—including Medicaid reimbursement—that pass through the state treasury.

HIGHLIGHTS:

- 4 states prohibit the use of state family planning funds for abortion counseling and referral.
- 3 states prohibit entities that provide abortion services, or are affiliated with agencies that provide abortion services, from receiving state or federal family planning funds distributed by a state agency.
- 3 states have a priority system for the distribution of family planning funds—including federal funds distributed by a state agency—that disadvantages family planning centers or agencies associated with the provision of abortion services.



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STATE FAMILY PLANNING FUNDING RESTRICTIONS			
STATE	STATE FAMILY PLANNING FUNDS MAY NOT BE USED FOR ABORTION COUNSELING OR REFERRAL*	ENTITIES THAT MAY NOT RECEIVE FAMILY PLANNING FUNDS:	WHEN DISTRIBUTING FAMILY PLANNING FUNDS, PRIORITY GIVEN TO...
Colorado	X	Abortion providers	
Indiana		§	
Kansas		§	
Michigan	X		Entities separate from abortion providers
North Carolina		§	
Ohio	X	Abortion providers‡	Health departments
Texas		Abortion providers‡	Public facilities, Private comprehensive health clinics
Wisconsin	X		
TOTAL	4	3	3

§ This law is temporarily unenforceable pending a court decision.

* All states except Colorado permit facilities to provide nondirective counseling when required by Title X.

‡ Statute includes specific requirements for separation from agencies providing abortion.

FOR MORE INFORMATION:

For information on state legislative and policy activity, click on Guttmacher's [Monthly State Update](#); for state-level policy information, see Guttmacher's [State Policies in Brief](#) series; and for information and data on reproductive health issues, go to Guttmacher's [State Center](#). To see state-specific reproductive health information, go to Guttmacher's [Data Center](#), and for abortion-specific information, click on [State Facts About Abortion](#). To keep up with new state relevant data and analysis, sign up for the [State News Quarterly Listserv](#).

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