

117TH CONGRESS
1ST SESSION

H. R. 243

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 11, 2021

Ms. FOXX (for herself, Mr. ADERHOLT, Mr. BUDD, Mr. WESTERMAN, Mr. JOYCE of Pennsylvania, Mr. LAMBORN, Mr. NORMAN, Mr. FLEISCHMANN, Mr. PALAZZO, Mr. BROOKS, Mr. WITTMAN, Mr. AUSTIN SCOTT of Georgia, Mr. MOONEY, Mr. DUNCAN, Mr. POSEY, Mr. GAETZ, Mr. HUDSON, Mr. LONG, Mr. ALLEN, Mr. GROTHMAN, Mr. LATTA, Mrs. HINSON, Mr. SCALISE, Mr. WALTZ, Mr. ROUZER, Mr. GOSAR, Mr. KELLY of Pennsylvania, Mrs. WALORSKI, Mr. GUTHRIE, Mr. WILLIAMS of Texas, Mr. BANKS, Mr. BABIN, Mr. PFLUGER, Mr. FULCHER, Mr. ROGERS of Alabama, Mr. LUETKEMEYER, Mr. RESCHENTHALER, Mr. KUSTOFF, Mr. FEENSTRA, Mr. MURPHY of North Carolina, Mr. JORDAN, Mr. JOHNSON of Ohio, Mr. BUCSHON, Mr. LAMALFA, Mr. RUTHERFORD, Mr. BERGMAN, Mr. MCHENRY, Mrs. HARSHBARGER, Mrs. FISCHBACH, Mr. HIGGINS of Louisiana, Mr. CLOUD, Mr. BARR, Mr. STEUBE, Mr. SMITH of Missouri, Mr. MCKINLEY, Mr. JACKSON, Mr. HAGEDORN, Mr. MULLIN, Mr. BURCHETT, Mr. HARRIS, Mr. MOORE of Alabama, Mr. BISHOP of North Carolina, Mr. CARL, Mr. EMMER, Mr. DUNN, Mr. GUEST, Mr. WEBER of Texas, Mr. GIBBS, Mr. KELLY of Mississippi, Mrs. CAMMACK, Mr. BIGGS, Mr. ARRINGTON, Mrs. LESKO, Mr. C. SCOTT FRANKLIN of Florida, Mrs. HARTZLER, Mr. TIMMONS, Mrs. BOEBERT, Mr. BUCK, Mr. SMUCKER, and Mr. WRIGHT) 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 rape or in-
20 cest; 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 rape;

21 “(C) the number of such abortions where
22 the pregnancy is the result of incest; and

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

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

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

7 “(e) DEFINITIONS.—In this section:

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

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

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