



Written by [Michael Tennant](#) on June 6, 2023

Biden Administration Withholding Healthcare Funds From Pro-life States

In contravention of both federal law and its own Department of Health and Human Services (HHS) rule, the Biden administration is shutting off healthcare funding to states that have restricted abortion referrals.

“President Joe Biden’s administration at the end of March cut off Tennessee’s Title X [family-planning] funds after determining the state health department — which oversees its clinics and was awarded \$7.1 million last year — violated federal rules by not counseling patients about abortion,” reported [KFF Health News](#). “‘Continued funding is not in the best interest of the government,’ two Department of Health and Human Services officials wrote to Tennessee officials on March 20.”



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Following the Supreme Court’s *Dobbs* decision, a preexisting Tennessee law that banned all abortions took effect. In addition, the state prohibits healthcare entities from providing abortion counseling or referrals.

However, the Biden administration changed the rules for Title X grants in 2021 to require recipients to refer patients for abortions. Healthcare providers in states that have banned abortion referrals are therefore between the proverbial rock and a hard place: Obey state law and forgo Title X funding, or take the money and hope the state doesn’t prosecute them.

Constitutionally speaking, they should not be placed in such a quandary. The Supreme Court rightly devolved responsibility for abortion regulation to the states, and the federal government has no business doling out healthcare dollars. But if Washington is going to fund healthcare anyway, it ought to do so without imposing an ideological litmus test — particularly one that offends the consciences of millions of taxpayers — on recipients.

Sadly, such is not the case in the Biden era.

Last year, Texas was [denied federal funding](#) to expand Medicaid for mothers of newborns, a move that would normally be applauded by a Democratic administration. Although HHS gave no reason for its decision, many observers suspect it had to do with the state’s post-*Dobbs* abortion ban.

Two weeks ago, HHS [rescinded](#) \$4.5 million that it had awarded to the Oklahoma State Department of Health (OSDH) for family planning because, according to OSDH, the Biden administration “determined our Title X program is out of compliance.” Specifically, Oklahoma’s prohibition of abortion referrals conflicted with the administration’s Title X rule.



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In response, the Sooner State's entire congressional delegation, all Republicans, sent a [letter](#) to HHS Secretary Xavier Becerra demanding "immediate" reinstatement of the grant along with an explanation of HHS' decision to rescind it.

"Abortion is not family planning; it is family destruction," they wrote. "Every abortion takes an unborn child's life. Oklahoma's laws protect women and unborn children from the violence of abortion in the interest of promoting families, keeping Oklahomans safe, and protecting life."

"HHS is interpreting laws and regulations through a political lens and ignoring clear parameters of the statutes enacted by Congress," they charged.

The lawmakers argued their case quite convincingly.

First, they pointed out that the law that authorizes Title X funding "explicitly prohibits funds from being 'used in programs where abortion is a method of family planning.'" Moreover, the annual Title X appropriations bill "states that Title X funds 'shall not be expended for abortions.'"

"It is absurd that HHS is suspending funds previously granted to OSDH for its refusal to refer for a procedure that the underlying federal statute explicitly forbids," they declared.

Second, they noted that the 2005 Weldon Amendment bars federal agencies from discriminating against healthcare entities that do not provide or refer for abortions. "Weldon's prohibition against discrimination could not be clearer: no funds appropriated to HHS can be used to discriminate against a health care entity for not referring for abortions," penned the lawmakers. "Yet, that is exactly what HHS is doing by suspending OSDH's award."

Third, they observed that the Biden HHS issued a rule in 2021 that expressly states that Title X "grantees will not be required to counsel or refer for abortions."

"HHS cannot simply will words to mean what they do not; we are a country governed by the rule of law," they asserted. "When the law says 'no funds,' Congress really means 'no funds.'"

Such sentiments ought to appeal to the former senator now occupying the Oval Office; but given Biden's many other lawless actions (see [here](#), [here](#), and [here](#)), one doubts they will.



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