



Written by [Dave Bohon](#) on October 25, 2012

Federal Court Blocks Indiana's Planned Parenthood Funding Ban

On October 23, the Seventh Circuit Court of Appeals in Chicago blocked Indiana's defunding of Planned Parenthood and other abortion providers, affirming a lower court's preliminary injunction against the state law as a Planned Parenthood lawsuit against it makes its way through the courts. In its ruling, the three-judge panel of the 7th Circuit said that the suit, filed jointly by Planned Parenthood and the ACLU, would likely succeed on the argument that the funding ban violates a federal statute that allows patients in state Medicaid programs to choose their healthcare providers. In its decision the panel returned the case to the lower court, saying that the Indiana law "excludes a class of providers from Medicaid for reasons unrelated to provider qualifications."



Steven Aden of [Alliance Defending Freedom](#) (ADF), which has provided legal assistance to Indiana officials in the case, said that the ruling thwarts the will of the citizens of the state. "The will of Indiana taxpayers to close loopholes so that their money isn't used to fund the operations of abortion sellers should be respected," Aden said in a statement. "During these tough economic times, it makes no sense to contradict the will of the people of Indiana, who don't believe abortionists deserve to receive government funding."

Mary Spaulding Balch of [National Right to Life](#) said that "the most troubling aspect of the decision is that now the Indiana taxpayers are being forced by court order to continue to pay for abortions. Whether it's direct or indirect, Planned Parenthood is going to have more money to spend that will enable them to do more abortions — and that is obviously troubling."

Marjorie Dannenfelser, president of the pro-life [Susan B. Anthony List](#), noted that over the past two years no fewer than 14 states have introduced or enacted legislation to end taxpayer funding of abortion providers such as Planned Parenthood. During that time, Planned Parenthood has relied wholly on sympathetic courts and its premier ally, Barack Obama, to block the will of the American people. "Despite misinformation from the highest levels — including President Obama's recent repetition of the falsehood that Planned Parenthood provides mammograms — more and more Americans have concluded that this abortion-centered business does not need or deserve taxpayer dollars," said Dannenfelser. "Planned Parenthood may have been handed a victory in the court but is losing, more importantly, in the court of public opinion."

Dannenfelser added that the latest court victory for Planned Parenthood "is a reminder that we must defeat President Obama if we are going to fully defund Planned Parenthood the nearly half billion in taxpayer funding they receive each year out of our very own pockets."



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The Indiana ruling is the second court victory for the abortion giant in the past week. On October 19, a federal judge in Arizona blocked enactment of that state's law banning funding for abortion providers. Like the ruling by the court in Indiana, federal judge Neil Wake said Arizona's ban is likely to be overturned because it limits the choices Medicaid patients have for healthcare providers. Josh Kredit of the Center for Arizona Policy told Focus on the Family's CitizenLink that while Planned Parenthood may have gotten the initial ruling in its favor, "the attorneys defending the law are going to be either going forward with the lawsuit on the merits, or talking about an appeal of this decision."

There has been some good news in the efforts of states to defund Planned Parenthood. In August the Fifth Circuit Court of Appeals in New Orleans handed the state of Texas a victory in its efforts to bar the abortion business from participating in that state's Medicaid-funded women's health program. "A three-judge panel lifted a federal judge's preliminary injunction that blocked implementation of the 2011 law," reported [Baptist Press News](#). "The measure prohibits the state from contracting under the Texas Medicaid Women's Health Program with organizations that 'perform or promote elective abortions or affiliate with entities that perform or promote elective abortions,' but reportedly affects only Planned Parenthood. The panel returned the case to the federal court for consideration."

Both President Obama and Planned Parenthood head Cecile Richards, who joined the Obama re-election effort full time in the final run-up to November 6, have touted the abortion giant as a friend of women. The numbers, however, tell a far different story, said Marjorie Dannenfelser. "In 2010, Planned Parenthood performed more than 329,000 abortions, making up 91 percent of their pregnancy services," she recalled. "For every adoption referral, Planned Parenthood performs 392 abortions. Planned Parenthood even opposes commonsense parental notification laws aimed at protecting young girls in abusive situations, and has previously been caught in the act of aiding alleged human traffickers."

Dannenfelser said that "taxpayers across the country want out of the abortion industry and pro-life lawmakers will not stop working until every dime of taxpayer funding is cut from Planned Parenthood."



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