

113TH CONGRESS
1ST SESSION

H. R. 217

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 4, 2013

Mrs. BLACK (for herself, Mr. SCALISE, Mr. KING of Iowa, Mr. SMITH of New Jersey, Mr. PITTS, Mrs. ROBY, Mr. FLEMING, Mr. FLORES, Mr. DUNCAN of South Carolina, Mr. PRICE of Georgia, Mr. AMASH, Mr. BARLETTA, Mr. CRAWFORD, Mrs. ELLMERS, Mr. FARENTHOLD, Mr. SMITH of Nebraska, Mr. FLEISCHMANN, Mr. GRAVES of Georgia, Mr. FRANKS of Arizona, Mr. ROSKAM, Ms. FOXX, Mr. KELLY, Mr. ROE of Tennessee, and Mr. REED) 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”.

1 **SEC. 2. PROHIBITION ON ABORTION.**

2 Title X of the Public Health Service Act (42 U.S.C.
3 300 et seq.) is amended by adding at the end the fol-
4 lowing:

5 **“SEC. 1009. ADDITIONAL PROHIBITION REGARDING ABOR-**
6 **TION.**

7 “(a) PROHIBITION.—The Secretary shall not provide
8 any assistance under this title to an entity unless the enti-
9 ty certifies that, during the period of such assistance, the
10 entity will not perform, and will not provide any funds
11 to any other entity that performs, an abortion.

12 “(b) EXCEPTION.—Subsection (a) does not apply
13 with respect to an abortion where—

14 “(1) the pregnancy is the result of an act of
15 rape or incest; or

16 “(2) a physician certifies that the woman suf-
17 fers from a physical disorder, physical injury, or
18 physical illness that would place the woman in dan-
19 ger of death unless an abortion is performed, includ-
20 ing a life-threatening physical condition caused by or
21 arising from the pregnancy itself.

22 “(c) HOSPITALS.—Subsection (a) does not apply with
23 respect to a hospital, so long as such hospital does not,
24 during the period of assistance described in subsection (a),
25 provide funds to any non-hospital entity that performs an

1 abortion (other than an abortion described in subsection
2 (b)).

3 “(d) ANNUAL REPORT.—Not later than 60 days after
4 the date of the enactment of the Title X Abortion Provider
5 Prohibition Act, and annually thereafter, for the fiscal
6 year involved, the Secretary shall submit a report to the
7 Congress containing—

8 “(1) a list of each entity receiving a grant
9 under this title;

10 “(2) for each such entity performing abortions
11 under the exceptions described in subsection (b)—

12 “(A) the total number of such abortions;

13 “(B) the number of such abortions where
14 the pregnancy is the result of an act of rape;

15 “(C) the number of such abortions where
16 the pregnancy is the result of an act of incest;

17 and

18 “(D) the number of such abortions where
19 a physician provides a certification described in
20 subsection (b)(2);

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

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

4 “(e) DEFINITIONS.—In this section:

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

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

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