

AKIN TITLE X PARENTAL NOTIFICATION REQUIREMENT FOR DISTRIBUTION OF CONTRACEPTIVES TO MINORS.

Under current law in most states, a minor using private funds may not receive contraceptives from a physician without parental consent. However, if a minor were to enter a title X clinic, the minor could receive contraceptives (including injected drugs like Depro Provera) *without parental consent*, subsidized by the federal government.

- **TEEN USE**

1/3 of Title X recipients are teens according to HHS (www.hhs.gov)

- **FEDERAL REGULATIONS REQUIRE TEEN SERVICE**

It is important to note that Federal REGULATIONS (not laws) require confidentiality and teen service.

TITLE 42--PUBLIC HEALTH, CHAPTER I--PUBLIC HEALTH SERVICE,
DEPARTMENT OF HEALTH AND HUMAN SERVICES, PART 59--GRANTS FOR
FAMILY PLANNING SERVICES, Subpart A--Project Grants for Family Planning
Services

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Public Health Service, HHS, 42 CFR 59 (revised version as of July 3, 2000):

“Section 59.5 What requirements must be met by a family planning project?
... (4) Provide services **without regard of** religion, race, color, national origin,
handicapping condition, **age**, sex, number of pregnancies; or marital status.”

Public Health Service, HHS, 42 CFR 59 (revised version as of July 3, 2000):

“Section 59.11 Confidentiality.

All information as to personal facts and circumstances obtained by the project staff about individuals receiving services **must be held confidential and must not be disclosed without the individual’s documented consent**, except as may be necessary to provide services to the patient or as required by law, with appropriate safeguards for confidentiality. Otherwise, information may be disclosed only in summary, statistical, or other form which does not identify particular individuals.”

Public Health Service, HHS, 42 CFR 59 (revised version as of July 3, 2000):

Section 59.2 Definitions.

“*Low income family* means a family whose total annual income does not exceed 100 percent of the most recent Poverty Guidelines issued pursuant to 42U.S.C. 9902(2).

“Low-income family” also includes members of families whose annual family income exceeds this amount, but who, as determined by the project director, are unable, for good reasons, to pay for family planning services. For example, **unemancipated minors who wish to receive services on a confidential basis** must be considered on the basis of their own resources.”

- **NUMBER OF CLINICS**

According to the U.S. Dept of HHS, in 1998-1999 over 4,000 clinics will receive federal family planning money (including clinics in Guam, Puerto Rico, Marinas Islands, etc.). They are listed by state in a free, 261 page directory "Family Planning, Grantees, Delegates, and Clinics 1998-1999 Directory" (available from HHS clearinghouse: 301-654-6190). There are now OVER 4,500 Title X clinics listed in the FY01-02 directory. That would be 500 more than 98-99 directory.

- **DANGERS OF CONTRACEPTIVE USE IN TEENS**

Birth control can be very damaging to young girls; possible complications include blood clotting, bone deterioration, and blindness. It can cause death in girls with heart conditions, and has been the cause of brain-stem stroke in teenagers. It is also important to remember that teen pregnancy rates have soared since the advent of the title X program. Indeed, according to Planned Parenthood's own research arm, the Alan Guttmacher Institute, "47 percent of all unintended pregnancies in the US occur while the woman is using contraceptives..." Even the Journal of the American Medical Association affirms the importance of parental involvement in preventing teen pregnancy. "Significant family factors associated with delaying sexual debut include high levels of parent-family connectedness, parental disapproval of their adolescent being sexually active, and parental disapproval of their adolescent using contraception." *JAMA* 9/10/97

- **AKIN BILL**

This legislation is identical to the notification provision in the old Istook/Barcia/Manzullo amendment offered on the Labor/HHS Approps bill in '98. The bill requires written notice be provided to parents at least five business days before contraceptive drugs and devices are distributed to their minor child.

Please feel free to call April Foster in my office at 3-6410 for more information or to co-sponsor this legislation.