

# The Battle Over Reproductive and Women's Healthcare

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Contrary to popular belief, Planned Parenthood is not, as publicized by conservative media, an "abortion factory" (Carpenter). In fact, abortion services make up only 3% of Planned Parenthood's total provided services. Testing and treatment of sexually transmitted diseases (42%) and prescription of contraception (34%) comprise the bulk of its offered services (Ross). Until April 19th, 2019, Planned Parenthood was a part of Title X, the national family planning program that provided affordable and comprehensive reproductive healthcare information and services to low-income patients or those otherwise unable to afford these healthcare services.

Established as part of the Public Health Service Act in 1970, the intent of Title X was to address inequalities in access within the healthcare system to contraception and related services ("Title X") as well as to help patients advocate for themselves and their reproductive rights and decisions. Over 4 million patients rely on the healthcare services provided by Title X. Although Planned Parenthood centers comprise only 13% of the 4000 Title X-funded centers, they are responsible for servicing 41% of all Title X patients ("Title X ..."). In addition to providing patient education, the Title X Family Planning Program is responsible for services such as "wellness exams, life-saving cervical and breast cancer screenings, birth control, contraception education, testing and treatment for sexually transmitted diseases (STDs) and HIV testing" ("Title X ..."). Also, due to the Hyde Amendment, passed in 1976, government funds allocated to federally funded clinics cannot be used to perform abortions (Kliff).

Despite the fact that millions of Americans rely on federally funded clinics for care, the Trump administration had taken several steps to limit their funding, curtailing reproductive healthcare rights for those who need it the most.

First, the Trump administration restored the global gag rule, also known as the Mexico City Policy. First implemented by the Reagan Administration in 1984, the policy barred “foreign organizations that receive U.S. family planning assistance from providing information, referrals or services for abortions ” (Atkins). This rule has been intermittently rescinded by Democratic presidents but was restored by President Trump and renamed “Protecting Life in Global Health Assistance” in 2017; it expands the restrictions to almost all federal global health assistance programs. For example, the global gag rule gives employers the option to deny free contraceptive coverage for their employees. Failure to comply results in complete loss of funding, leaving thousands, if not millions of critical reproductive healthcare facilities to choose between continued operation and transparency on abortion procedures (“The Mexico City Policy: An Explainer”). As of late January 2021, President Biden has rescinded the Mexico City Policy (Sciubba).

Trump also implemented the Title X Gag Rule in 2019, which “bans doctors in the Title X program across the country from telling women how they can safely and legally access abortion” (“ProtectX: ...”). The gag rule makes it impossible for patients under the Title X program to receive birth control at clinics such as Planned Parenthood as long as those clinics receive federal funding. Perhaps even more devastating, the gag rule “prohibits doctors from giving women full information about all of their sexual and reproductive health care options” (“ProtectX: ...”).

Before 2019, the vast majority of funding for Planned Parenthood came from the government, with non-governmental sources and private donors/foundations providing the rest (Ross). However, when Planned Parenthood officially pulled out of Title X in April of 2019 because of these restrictions, the resultant loss of funding was substantial—about \$60 million per year (Schwiegershausen). A boon to anti-abortion groups, who have been lobbying for years about “defunding Planned Parenthood,” the Title X Gag Rule and its Conservative backers rob millions of Americans of necessary reproductive health services, including general healthcare resources as well as abortions. With the loss of these services, which affects low-income patients disproportionately, the health of millions of Americans is at risk. Due to withdrawing from Title X, Planned Parenthood patients are likely to see longer wait times and be forced to pay higher prices for reproductive healthcare services, as well as significantly reduced access to birth

control (McCammon; Schwiegershausen). Also, data from the Office of Population Affairs 2019 Family Planning Annual Report showed that the number of women receiving healthcare maintenance screenings, such as for sexually transmitted infections and breast and cervical cancer, significantly decreased after Planned Parenthood left Title X (Brittni).

The Trump administration has taken several other actions that chip away at reproductive rights. In addition to the Gag Rule, Republicans expedited judicial hearings and proceedings to ensure a conservative anti-abortion majority on the Supreme Court, culminating in Justice Amy Coney Barret's confirmation in October of 2020 ("Senate Confirms Amy Coney Barrett for Supreme Court"). The death of Justice Ruth Bader Ginsberg, a champion of women's rights and the right to choose, and Coney Barrett's ascension to the court likely puts the *Roe v. Wade* ruling at risk (Svokos). Foreshadowing that concern, on January 12, 2021, the Supreme Court ruled 6-3, along ideological lines, to reinstate a federal requirement that requires women seeking abortion-inducing drugs to do so in person, even during the COVID-19 pandemic (Zimmermann). In response, the American College of Obstetricians and Gynecologists instituted a policy advocating for equal access to healthcare free from political intervention. In addition, U.S. District Judge Theodore Chuang of Maryland ruled that removing the mail option for these pills during a pandemic violated a woman's Constitutional right to an abortion. Despite this opposition, the FDA won the case before the U.S. Supreme Court, arguing that "in-person requirement does not impose a substantial obstacle for a woman seeking to obtain an abortion" (Zimmermann; "Title X"). Liberal Justices Sotomayor and Kagan highlighted the impact on reproductive rights in a joint opinion expressing how this new policy is "unnecessary, unjustifiable, irrational and [an] undue burden on women seeking abortion during the current pandemic" (Sotomayor).

With movements on both sides from March for Life, an anti-abortion organization, to NARAL Pro-Choice America, an organization that fights for reproductive freedom, Americans remain extremely divided over the issue of legal abortion ("About the March for Life;" "About"). According to the Pew Research Center, "a majority of Americans (61%) continue to say that abortion should be legal in all (27%) or most (34%) cases" ("U.S. Public ..."). With the election of Joe Biden, the balance of power may have tipped. President Biden has eliminated the Mexico City Policy; although, analysts suggest that the reversal's full effects will take time. (Abrams) He also supports eliminating the Hyde Amendment, though that remains up to the legislature. Planned Parenthood president Alexis McGill Johnson has asked him to issue an executive order on day one rolling back the Title X Gag Rule to return the right of healthcare to millions of Americans. Abortion rights advocates have gone further, calling upon Congress to pass the

Global HER Act, which would permanently remove the rule (Lowey).

As Biden hits the ground running in his first year as President, he will need to address abortion policy within his first months as President to preserve the integrity of a woman's right to choose. Biden has promised his voters to appoint Supreme Court justices who support the landmark abortion rights case *Roe v Wade*. Still, only time will tell if this long-term endeavor will be as successful as former President Trump's slew of judicial appointments (Groppe). While the battle over reproductive rights and healthcare for all women, particularly low-income women, will likely continue beyond President Biden's presidency, with a Democratic President, Senate majority, and House majority, abortion advocates are hopeful for real change moving forward, protecting women's rights both now and in the future.

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