

AG Kaul: Federal court issues preliminary injunction to Title X restrictions on women's reproductive health care

Posted on Tuesday, Apr 30, 2019

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MADISON, Wis. – Attorney General Josh Kaul today announced that the U.S. District Court in Eugene, Oregon has issued a preliminary injunction on a new U.S. Department of Health and Human Services regulation Title X “Gag Rule” that would significantly restrict access to Title X funded reproductive health services and information for women and families. AG Kaul and 20 other attorneys general challenged the new rule in court in March.

“As the opinion issued today states, the ‘declarations from public health policy experts, medical organizations, doctors, and Title X providers lead to the inescapable conclusion’ that the proposed changes to the Title X program ‘will result in negative health outcomes for low income women and communities.’ The court’s ruling preliminarily blocking those changes is a significant victory for public health,” said Attorney General Kaul.

The rule relates to funding for Title X, the only federal grant program that funds family planning programs to help patients access contraception, breast and cervical cancer screenings, well-woman exams, screening and treatment for sexually transmitted infections, and other related health services.

The lawsuit filed by attorneys general in March alleges that the Title X rule, if implemented, would reduce access and erode the quality of reproductive health care that Title X was originally intended to provide for low income individuals. The new rule would also interfere with the health care provider and patient relationship,

by limiting what a doctor can say to a patient.

Under the new rule, providers in any clinic that receives Title X funding would be barred from referring a patient for an abortion (even if she requests that information), and in many circumstances even discussing an abortion with a patient. The new rule also mandates a referral for prenatal care for every pregnant patient, regardless of the needs or the wishes of the patient. In addition, the new rule imposes a physical and financial separation requirement between activities supported by Title X funds and activities prohibited by the statute and the new rule.