

104TH CONGRESS
1ST SESSION

H. R. 833

To require the Secretary of Health and Human Services to ensure that pregnant women receiving assistance under title X of the Public Health Service Act are provided with information and counseling regarding their pregnancies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 1995

Mr. GREENWOOD (for himself, Mr. PORTER, Mr. WAXMAN, and Mrs. LOWEY) introduced the following bill; which was referred to the Committee on Commerce

A BILL

To require the Secretary of Health and Human Services to ensure that pregnant women receiving assistance under title X of the Public Health Service Act are provided with information and counseling regarding their pregnancies, 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 “Family Planning
5 Amendments Act of 1995”.

1 **SEC. 2. PROJECT GRANTS AND CONTRACTS FOR FAMILY**
2 **PLANNING SERVICES.**

3 (a) REQUIRING CERTAIN NONDIRECTIVE COUNSEL-
4 ING AND REFERRAL SERVICES.—Section 1001 of the
5 Public Health Service Act (42 U.S.C. 300) is amended—

6 (1) by redesignating subsections (b) through (d)
7 as subsections (c) through (e), respectively; and

8 (2) by inserting after subsection (a) the follow-
9 ing subsection:

10 “(b)(1) The Secretary may not make an award of a
11 grant or contract under this section unless the applicant
12 for the award agrees that the family planning project in-
13 volved will provide to individuals information regarding
14 pregnancy management options upon request of the indi-
15 viduals, and that such information will be provided only
16 through individuals holding professional degrees in medi-
17 cine or osteopathic medicine, nursing, clinical psychology,
18 the allied health professions, or social work, through indi-
19 viduals meeting such other criteria as the Secretary deter-
20 mines to be appropriate for providing such information,
21 or through individuals allowed under State law to provide
22 such information.

23 “(2) With respect to compliance with the agreement
24 made under paragraph (1), the family planning project in-
25 volved, and any provider of services in the project, may

1 not be required to provide information regarding a preg-
2 nancy management option if—

3 “(A) the project or provider (as the case may
4 be) objects to doing so on grounds of religious be-
5 liefs or moral convictions; and

6 “(B) the project refers the individual seeking
7 services to another provider in the project, or to an-
8 other project in the geographic area involved, as the
9 case may be, that will provide such information.

10 “(3) For purposes of this subsection, the term ‘infor-
11 mation regarding pregnancy management options’ means
12 nondirective counseling and referrals regarding—

13 “(A) prenatal care and delivery;

14 “(B) infant care, foster care, and adoption; and

15 “(C) termination of pregnancy.”.

16 (b) COMPLIANCE WITH STATE LAWS ON PARENTAL
17 NOTIFICATION AND CONSENT.—Section 1008 of the Pub-
18 lic Health Service Act (42 U.S.C. 300a–6) is amended by
19 inserting “(a)” before “None” and by adding at the end
20 the following:

21 “(b)(1) No public or nonprofit private entity that per-
22 forms abortions may receive an award of a grant or con-
23 tract under section 1001 unless the entity has certified
24 to the Secretary that the entity is in compliance with State
25 law regarding parental notification of or consent for the

1 performance of an abortion on a minor which is enforced
2 in the State in which the entity is located.

3 “(2) Paragraph (1) shall not be construed to require
4 or prohibit a State’s adoption of parental notification or
5 parental consent laws regarding the performance of an
6 abortion on a minor, or to require or prohibit the enforce-
7 ment by a State of such laws.”.

8 (c) INFORMATION ON CONDOMS.—Section 1001 of
9 the Public Health Service Act, as amended by subsection
10 (a) of this section, is amended by inserting after sub-
11 section (b) the following subsection:

12 “(c) The Secretary may not make an award of a
13 grant or contract under this section unless the applicant
14 for the award agrees that the family planning project in-
15 volved will—

16 “(1) distribute only those condoms meeting cur-
17 rent requirements for quality control and labeling;
18 and any subsequently developed standards, estab-
19 lished by the Food and Drug Administration for the
20 prevention of pregnancy and the prevention of the
21 transmission of sexually transmitted diseases; and

22 “(2) advise individuals of the benefits of the
23 proper use of condoms, of the extent of risk that still
24 exists with condom usage, and of the fact that
25 condoms currently available do not completely elimi-

1 nate the risk of pregnancy or the transmission of
2 sexually transmitted diseases.”.

3 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
4 1001(f) of the Public Health Service Act, as redesignated
5 by subsection (a) of this section, is amended to read as
6 follows:

7 “(f) For the purpose of grants and contracts under
8 this section, there are authorized to be appropriated
9 \$220,000,000 for fiscal year 1996, and \$250,000,000 for
10 fiscal year 1997.”.

11 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR TRAIN-**
12 **ING GRANTS AND CONTRACTS.**

13 Section 1003(b) of the Public Health Service Act (42
14 U.S.C. 300a-1(b)) is amended to read as follows:

15 “(b) For the purpose of grants and contracts under
16 subsection (a), there are authorized to be appropriated
17 \$6,250,000 for fiscal year 1996, and \$7,000,000 for fiscal
18 year 1997.”.

19 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR INFOR-**
20 **MATIONAL AND EDUCATIONAL MATERIALS.**

21 Section 1005(b) of the Public Health Service Act (42
22 U.S.C. 300a-3(b)) is amended to read as follows:

23 “(b) For the purpose of grants and contracts under
24 subsection (a), there are authorized to be appropriated

1 \$12,000,000 for fiscal year 1996, and \$13,500,000 for fis-
2 cal year 1997.”.

3 **SEC. 5. EFFECTIVE DATE.**

4 This Act and the amendments made by this Act take
5 effect upon the date of the enactment of this Act.

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