

July 2001

## **ALTERNATIVES-TO-ABORTION SERVICES PROGRAM - BACKGROUND MEMORANDUM**

The 2001 Legislative Assembly approved Senate Bill No. 2354, a copy of which is attached as Appendix A, providing for a Legislative Council study of the feasibility and desirability of an alternatives-to-abortion services program that would provide information, counseling, and support services to assist women to choose childbirth and to make informed decisions regarding the choice of adoption or parenting. The study is to include a review of how federal funds received under Title X of the Public Health Service Act of 1970 (family planning program) are spent in the state and a review of the continuum of care and access to services across the state.

### **ALTERNATIVES-TO-ABORTION PROGRAM BILL**

Senate Bill No. 2354, as introduced to the 2001 Legislative Assembly, required the Department of Human Services to contract with a nonprofit organization to provide alternatives-to-abortion services. The bill included a general fund appropriation of \$200,000 to the department for the program. A copy of the original bill is attached as Appendix B. The bill was subsequently amended to remove the program and to provide for a Legislative Council study of the feasibility and desirability of an alternatives-to-abortion services program. In the bill, "alternatives-to-abortion services" was defined as those services that provide information, counseling, and support services that assist women to choose childbirth and to make informed decisions about the choice of adoption or parenting with respect to their children.

#### **Pennsylvania Program**

The bill, as introduced, was based on an alternatives-to-abortion services program in Pennsylvania. The Pennsylvania program involves a prime contractor that contracts with pregnancy centers, social service agencies, adoption agencies, and maternity homes to provide services to women during pregnancy and for up to 12 months after birth. Services include counseling, shelter, food, clothing, parenting education, adoption services, and other support services. In fiscal year 2000, the program's 110 centers served 11,397 women.

#### **TANF Funding**

The Senate amended the bill to provide funding for the program from federal TANF (temporary assistance

for needy families) funds. Federal law provides that these funds may be used to:

1. Provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives.
2. End the dependence of needy parents on government benefits by promoting job preparation, work, and marriage.
3. Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies.
4. Encourage the formation and maintenance of two-parent families.

The Department of Human Services anticipates spending \$56 million of TANF funds during the 2001-03 biennium and carrying forward approximately \$8.9 million into the 2003-05 biennium. The federal TANF legislation is effective only through September 30, 2002. The program is expected to be reauthorized, but changes may be made.

### **OTHER RELATED BILLS**

The 2001 Legislative Assembly approved Senate Bill No. 2004 requiring that the printed pregnancy and childbirth materials distributed by the State Department of Health be published in a booklet format and that the majority of the pictures included in the booklet must be full color photograph-style images.

The 2001 Legislative Assembly approved Senate Bill No. 2361 requiring the State Department of Health to make available on the department's Internet web site the pregnancy and childbirth materials that the department is required to publish.

### **FEDERAL FAMILY PLANNING FUNDS**

Title X of the federal Public Health Service Act of 1970 provides for a family planning program. The program is administered by the United States Department of Health and Human Services, Office of Population Affairs. The program authorizes grants to assist in the establishment and operation of voluntary family planning projects offering a broad range of acceptable and effective family planning methods and services (including natural family planning methods, infertility services, and services for adolescents). The mission of the program is to provide individuals the information and means to exercise personal choice in determining the number and spacing of their children. None of the

funds appropriated for this program are to be used in programs where abortion is a method of family planning. Funding received under the program does not require any state matching funds. The program offers pregnant women the opportunity to be provided information and counseling regarding:

1. Prenatal care and delivery.
2. Infant care, foster care, or adoption.
3. Pregnancy termination.

The State Department of Health anticipates receiving \$1.3 million of federal family planning funds during the 2001-03 biennium. Of this amount, \$228,000 is designated for special projects - outreach services on each of the four Indian reservations. The department anticipates using the remaining funds to:

1. Provide statewide access to required medical, laboratory, and counseling services through contracts with district health units and nonprofit organizations.
2. Interpret and monitor state and federal regulations.
3. Plan and evaluate programs.
4. Provide consulting and technical assistance.
5. Provide information and training for clinic staff and allied health professionals.

### ABORTION STATISTICS

The schedule below presents abortion statistics in North Dakota and the United States since 1990.

	North Dakota			United States		
	Pregnancies	Abortions	Abortion Percentage	Pregnancies	Abortions	Abortion Percentage
1990	10,386	1,065	10.3%	6,778,000	1,609,000	23.7%
1991	9,924	986	9.9%	6,674,000	1,557,000	23.3%
1992	9,885	1,017	10.3%	6,596,000	1,529,000	23.2%
1993	9,655	910	9.4%	6,494,000	1,500,000	23.1%
1994	9,568	935	9.8%	6,373,000	1,431,000	22.5%
1995	9,474	928	9.8%	6,245,000	1,364,000	21.8%
1996	9,250	862	9.3%	6,240,000	1,366,000	21.9%
1997	9,226	826	9.0%			
1998	8,826	847	9.6%			
1999	8,557	883	10.3%			
2000	8,585 <sup>1</sup>	863 <sup>1</sup>	10.1% <sup>1</sup>			

<sup>1</sup> Not yet finalized

### STUDY PLAN

The committee may wish to proceed with this study as follows:

1. Receive information from the State Department of Health regarding services provided under the family planning program across the state.
2. Review the State Department of Health's uses of federal Title X family planning program funds during the 2001-03 biennium.
3. Receive information from the Department of Human Services regarding options for providing an alternatives-to-abortion services program.
4. Receive information from the State Department of Health regarding options for providing alternatives-to-abortion services.

5. Receive information from other organizations regarding the feasibility and desirability of developing an alternatives-to-abortion services program in the state.
6. Consider funding alternatives for an alternatives-to-abortion services program.
7. Develop committee recommendations and prepare any legislation necessary to implement the recommendations.
8. Prepare a final report for submission to the Legislative Council.

ATTACH:2