

1.5 PROHIBITION OF ABORTION

Policy: Title X clinics must be in full compliance with *Section 1008 of the Title X statute and 42 CFR 59.5(a)(5)*, which prohibit abortion as a method of family planning.

Procedure:

Permissible activities

1. Title X clinics must offer pregnant women the opportunity to be provided information and non-directive counseling regarding each of the following options:
 - Prenatal care and delivery
 - Infant care, foster care, or adoption
 - Pregnancy termination
2. If requested to provide such information and counseling, Title X clinics must provide neutral, factual information and nondirective counseling on each of the options, and referral upon request, except with respect to any options(s) about which the pregnant woman indicates she does not wish to receive such information and counseling.
3. Whenever possible, clients should be given at least two alternative referral sources to choose from. Feedback from clients referred for pregnancy related services is encouraged (e.g. quality of care provided, counseling, convenient appointments, etc).

Non-permissible abortion activities

Non-permissible activities relating to abortion are:

1. "Pregnancy counseling" in the sense of encouraging persons to obtain abortions (or any other option). This does not preclude counseling offering various options to pregnancy, which may include abortion, but this may not be the only method counseled for.
 - a. Title X Personnel must be informed during orientation that they may be subject to prosecution under Federal law if they coerce any person to undergo abortion or sterilization procedures [*Section 205, Public Law 94-63, as set out in 42 CFR 59.5(a)(2) footnote 1*] (see MT TX FP Administrative Manual, Policy 4.3 *Training and Technical Assistance*, MT TX FP Administrative Manual, Sample 9.11 *Sample Orientation Checklist and Acknowledgement Statement*).
2. Appointments for abortion may not be made by personnel.
 - a. Provision of transportation to persons to enable them to obtain abortions is not allowed.
3. Production and showing of movies that are biased toward and encourage abortion over other alternatives is prohibited.
4. Participating in debates, while representing a Title X clinic or on work time, in opposition to those opposed to abortion is prohibited.
5. Financial evidence demonstrates that Title X funds are not being used for abortion services and adequate separation exists between Title X and non-Title X activities (see MT TX FP Administrative Manual, Policy 3.6, *Title X Budget*).
6. Additional guidance on this topic can be found in the July 3, 2000, *Federal Register Notice* (see MT TX FP Administrative Manual, Resource 10.9 *Federal Register*) entitled *Provision of Abortion-Related Services in Family Planning Services Projects*, which is available at *65 Fed. Reg. 41281*, and the final rule entitled *Standards of Compliance for Abortion-Related Services in Family Planning Services Projects*, which is available at *65 Fed. Reg. 41270*.