

2.6 VOLUNTARY PARTICIPATION

Policy: Title X family planning services are to be provided solely on a voluntary basis. (*Sections 1001 and 1007, PHS Act; 42 CFR 59.5 (a)(2)*). Individuals must NOT be subjected to coercion to receive services, or to use or not to use any particular method of family planning (*42 CFR 59.5 (a)(2)*). Acceptance of family planning services must NOT be a prerequisite to eligibility for, or receipt of, any other services or programs offered (*Section 1007, PHS Act; 42 CFR 59.5 (a)(2)*).

Procedure:

1. Sub-recipients must assure that family planning services are to be provided solely on a voluntary basis.
2. Clinic personnel must be informed during staff orientation that they may be subject to prosecution under Federal law if they coerce or attempt to coerce any person to undergo an abortion or sterilization procedure (*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 1.5, *Prohibition of Abortion*).
3. Documentation shows that staff have been educated and trained annually on voluntary participation; they may be subject to prosecution for coercion of abortion, sterilization or any method of family planning. This may be accomplished through an orientation checklist (see MT TX FP Administrative Manual, Policy 4.3, *Training*, MT TX FP Administrative Manual, Sample 8.11 *Sample Orientation Checklist*; MT TX FP Administrative Manual, Sample 8.12 *Acknowledgement Statement*).
4. For further guidance on the clinical voluntary participation requirement (see MT TX FP Administrative Manual, Policy 2.13 *Consents*).