



March 26, 2013

Hon. Jan Brewer, Governor, State of Arizona

Hon. Andy Biggs, President, Arizona Senate

Hon. Andy Tobin, Speaker, Arizona House of Representatives

RE: Abortion Funding and Medicaid Expansion

Dear Gov. Brewer, President Biggs, and Speaker Tobin:

Today, I will be sharing this letter first with you three and then with concerned members of your caucuses.

Throughout our history, Center for Arizona Policy has worked with you and other lawmakers to ensure that taxpayer dollars do not subsidize the dangerous and deadly practices of the abortion industry, either directly or indirectly. While CAP remains neutral on the core issue of whether health care services in the state should be expanded to 133% of the Federal Poverty Level, the ongoing debate on Medicaid expansion, however, has revealed that the expansion would result in further taxpayer funding of abortion providers.

A legal opinion issued March 22 by Alliance Defending Freedom stated that “expanding Medicaid pursuant to the Patient Protection and Affordable Care Act (PPACA) would necessarily result in increased funding of abortion providers in Arizona and would subsidize abortions.”

In 2012, the Arizona Legislature passed and Gov. Brewer signed HB 2800 to prohibit abortion providers from receiving Medicaid funding. Pursuant to litigation filed by Planned Parenthood, a federal court has enjoined that law with the litigation currently pending before the Ninth Circuit Court of Appeals.

In that litigation, a state expert testified that “monies received from Medicaid are used to cover the general administrative expenses which support all medical services provided by (Planned Parenthood Arizona) including abortion services.”

Not surprisingly, as Arizona’s largest abortion provider and a benefactor of the Medicaid expansion in its current state, Planned Parenthood has issued a statement in support of the proposed plan.

Center for Arizona Policy, Inc.  
PO Box 97250  
Phoenix, AZ 85060-7250  
602.424.2525  
602.424.2530 fax  
[www.azpolicy.org](http://www.azpolicy.org)

The simple reality is that abortion is not health care. Yet until the courts recognize this fundamental fact, expanding Medicaid in Arizona will provide more dollars to perform abortions within our state.

**Center for Arizona Policy, therefore, urges any expansion of Medicaid services to be conditioned on the guarantee that no increased funding to abortion providers results.**

**We further recommend the consideration of the following language be added to any Medicaid related legislation:**

*For the purpose of funding expanded family planning services, pregnancy testing and follow-up services, it is provided that none of these funds may be expended for the purpose of performing, assisting or encouraging abortion, and further provided that none of these funds may be expended to directly or indirectly subsidize abortion services or administrative expenses relating thereto, or to refer for abortions, and such expenditures shall be subject to verification by audit by a duly authorized State agency; provided, however, that nondirective counseling relating to the pregnancy may be provided and nothing in this section requires an agency receiving federal funds pursuant to Title X of the Public Health Services Act to refrain from performing any service required pursuant to Title X, regulations adopted pursuant to Title X or the Title X Program Guidelines for Project Grants for Family Planning Services as published by the U.S. Department of Health and Human Services in order to remain eligible to receive Title X funds.*

Under the leadership of all three of you, Arizona lawmakers have stood incredibly strong in defense of life and the rights of taxpayers to not fund an industry responsible for harming women and ending the lives of nearly 13,000 preborn children in Arizona in 2012 alone.

Thank you for your consideration of our request.

Sincerely,



Cathi Herrod

President