

Congress of the United States

Washington, DC 20515

September 17, 2021

The Honorable Xavier Becerra Secretary
U.S. Department of Health and Human Services
200 Independence Ave SW
Washington, DC 20201

Dear Secretary Becerra,

We write to draw your attention to critical funding shortfalls facing multiple family planning providers in New Hampshire and to urge the U.S. Department of Health and Human Services (HHS) to take immediate action to provide supplemental relief to the impacted family planning providers in our state.

On September 15th, New Hampshire's Executive Council voted to defund four of New Hampshire's nine family planning providers. Three of the providers who lost their state-level family planning funding, due to the Executive Council's vote, had previously withdrawn from the Title X program, in 2019, due to the so-called "Title X Gag Rule" and the limitations it set on the providers' ability to provide comprehensive care. In 2019, the State of New Hampshire included in its budget an additional \$3.2 million in state-level grant funding to support the program over a two-year period. These state funds were critical in supporting family planning providers who experienced the loss of Title X funds. Unfortunately, the New Hampshire legislature did not include this temporary funding in their most recent budget. Now, as a result of the Executive Council vote, multiple family planning providers are not receiving any federal or state funds to support their vital work, despite successfully demonstrating that state family planning funds do not support abortion services in compliance with an audit mandated by the State of New Hampshire.

As a result of the Executive Council's actions, multiple family planning providers are facing budgetary shortfalls that will impact the availability of health care to thousands of Granite Staters, mainly women, who rely on family planning providers for vital health care including breast cancer screenings, cervical cancer screenings, contraception and other reproductive health services. Low-income and rural women will be disproportionately impacted by the Executive Council's reckless decision. We are deeply concerned with the gap in access to health care that will be inevitable without immediate federal support.

In light of the emergent situation in New Hampshire, we request that HHS explore all available means to provide immediate support to the impacted family planning providers in our state. We appreciate HHS's efforts to rescind the harmful Title X Gag Rule and restore federal funding to the family planning providers, in New Hampshire and across the country. However, New

Congress of the United States

Washington, DC 20515

Hampshire's family planning providers are in need of immediate assistance. Therefore, we ask that supplemental funds be made available expeditiously and directly to providers to overcome the funding gap they are facing.

The State of New Hampshire was awarded \$63,120 in one-time, supplemental funds to support current Title X grantees. However, these funds were awarded to the State of New Hampshire Department of Health and Human Services, not directly to the family planning providers. Unfortunately, in order for these federal funds to be granted to family planning providers experiencing funding shortfalls, the contracts will need to be approved by the Executive Council, the same body that recently made clear they intend to defund the providers in need of assistance.

Section 2605 of the American Rescue Plan provided \$50 million in federal funds to support family planning programs. Given that the \$63,120 in supplemental funds previously awarded to the State of New Hampshire is not likely to reach the family planning providers it was intended to support, we request that HHS ensure that New Hampshire's allocation of family planning awards provided by the American Rescue Plan goes directly to the impacted providers in New Hampshire. We believe the unique and emergent situation in our state warrants immediate action to provide supplemental federal funds to bridge the gap in funding for these providers until the Title X program is fully restored.

We appreciate your urgent attention to this matter and our offices stand ready to work with you to deliver this critical relief to New Hampshire's family planning providers and the patients they serve.

Sincerely,



Jeanne Shaheen
United States Senator



Margaret Wood Hassan
United States Senator



Ann McLane Kuster
Member of Congress



Chris Pappas
Member of Congress