ASSEMBLY, No. 5802

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED NOVEMBER 7, 2019

Sponsored by:
Assemblyman LOUIS D. GREENWALD
District 6 (Burlington and Camden)
Assemblywoman JOANN DOWNEY
District 11 (Monmouth)
Assemblyman GORDON M. JOHNSON
District 37 (Bergen)
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

Co-Sponsored by:
Assemblymen Freiman, Armato, Mazzeo, Zwicker, Assemblywomen Vainieri Huttle, Reynolds-Jackson, Assemblymen Kennedy and Houghtaling

SYNOPSIS
Makes FY 2020 supplemental appropriation of $9.5 million to DOH for family planning services.

CURRENT VERSION OF TEXT
As introduced.
A SUPPLEMENT to "An Act making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, 2020 and regulating the disbursement thereof," approved June 30, 2019 (P.L.2019, c.150).

BE IT ENACTED by the Senate and the General Assembly of the State of New Jersey:

1. In addition to the amounts appropriated under P.L.2019, c.150, there is appropriated out of the General Fund the following sum for the purpose specified:

46 DEPARTMENT OF HEALTH
20 Physical and Mental Health
21 Health Services

GRANTS-IN-AID

<table>
<thead>
<tr>
<th>Grants-in-Aid:</th>
<th>($9,500,000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>02-4220 Family Health Services</td>
<td>$9,500,000</td>
</tr>
<tr>
<td>Total Funding Category Appropriation,</td>
<td></td>
</tr>
<tr>
<td>Statewide Program</td>
<td>$9,500,000</td>
</tr>
</tbody>
</table>

Of the amount herein appropriated for Family Planning Services, $9,500,000 shall be allocated, in a manner determined by the Commissioner of Health, to family planning providers: 1) who qualified as participating service providers under the Title X family planning program, authorized by the Public Health Service Act (42 U.S.C. s.300 et seq.), as established in statute and regulations on April 1, 2019, and 2) who subsequently became ineligible for federal funding provided through the Title X program due to the adoption of federal regulations prohibiting the use of Title X funds based on the provider’s core mission and not the provider’s ability to deliver family planning services. Eligible family planning providers pursuant to these provisions shall receive funding amounts as determined by the Commissioner of Health; however, such amounts shall not be greater than the average Title X grant amount received by the family planning provider over the two most recent program grant cycles, plus any non-recurring Title X grant funds.

2. This act shall take effect immediately.

STATEMENT

This bill proposes to supplement the Fiscal Year 2020 annual appropriations act by making an appropriation of $9.5 million from

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
the General Fund to the Department of Health (DOH) for Family Planning Services grants. This bill specifies that these funds are to be allocated, in a manner determined by the Commissioner of Health, to family planning providers: 1) who qualified as participating service providers under the Title X family planning program, authorized by the Public Health Service Act (42 U.S.C. s.300 et seq.), as established in statute and regulations on April 1, 2019, and 2) who subsequently became ineligible for federal funding provided through the Title X program due to the adoption of federal regulations prohibiting the use of Title X funds based the provider’s core mission and not the provider’s ability to deliver family planning services. Under the bill, eligible family planning providers pursuant to these provisions are to receive funding amounts as determined by the Commissioner of Health; however, such amounts are not be greater than the average Title X grant amount received by the family planning provider over the two most recent program grant cycles, plus any non-recurring Title X grant funds.

It is the sponsor’s intent that this supplemental appropriation will provide continuity and stability for the funding of family planning services provided to low income women in the State by replacing any federal funding that family planning providers will lose with the adoption of new federal regulations governing the use of Title X funding.

The New Jersey Family Planning League (NJFPL) is the Title X grantee in New Jersey, which subgrants funds to family planning providers. According to the National Family Planning and Reproductive Health Association, in federal fiscal year (FFY) 2017, New Jersey Title X providers received a total of $8.9 million to provide services to 99,844 patients, 90 percent of which were female. Of those patients, 72 percent, or 71,887, were served at Planned Parenthood service sites; 18 percent, or 17,971, were served at Federally Qualified Health Centers; 8 percent, or 7,986, were served at Family Planning Health Centers; and 1 percent, or 998, were served at local health departments. On August 19, 2019, Planned Parenthood announced that its New Jersey affiliates would withdraw from the Title X program rather than comply with the new Title X regulations, and compromise the organization’s core mission of providing women comprehensive information and access to reproductive healthcare.

In recent fiscal years, the DOH has allocated the entire State budget line for family planning services to the NJFPL for distribution throughout the State. The NJFPL, in turn, subgranted the funds to 10 provider agencies that oversee service sites across all 21 counties.