

ONE HUNDRED FOURTEENTH CONGRESS
Congress of the United States
House of Representatives

COMMITTEE ON ENERGY AND COMMERCE

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WASHINGTON, DC 20515-6115

Majority (202) 225-2927
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July 13, 2016

The Honorable Gene L. Dodaro
Comptroller General
U.S. Government Accountability Office
441 G Street N.W.
Washington, DC 20548

Dear Mr. Dodaro:

The nationwide network of health centers in the federal Health Center Program is an important component of the health care safety net for vulnerable populations, including Medicaid beneficiaries, people who are uninsured, and others who may have difficulty obtaining access to health care. To fulfill the Health Center Program's mission of providing comprehensive, quality primary health care services for the medically underserved, the Department of Health and Human Services' Health Resources and Services Administration (HRSA) provides grants to eligible health centers under Section 330 of the Public Health Service Act.

Funding for the Health Center Program has increased substantially during the past decade. The Health Center Program's annual funding has nearly tripled from approximately \$1.8 billion to about \$5.1 billion, from fiscal year 2006 through fiscal year 2016. In 2015, Health Center Program grants helped fund more than 1,300 health centers, which operated over 9,000 service delivery sites across all states and served 22.9 million patients.

To receive program funds, health center grantees must comply with a number of program requirements, including requirements related to governance, management, and the provision of services. In addition, consistent with the longstanding Federal statutory restriction, commonly known as the Hyde Amendment, health centers are prohibited from using federal funds for abortion services.¹ To help health centers understand and comply with federal rules, HRSA provides funding through a cooperative agreement to the National Association of Community Health Centers (NACHC) to provide training and technical assistance to health centers.

¹ There are exceptions on this prohibition on the use of federal funds in cases of rape, incest or endangerment of the mother's life.

A recent investigation from the Office of Inspector General (OIG) for the Corporation for National & Community Services (CNCS), the federal agency that oversees AmeriCorps, raises serious questions about NACHC's interpretations of the prohibition on the use of federal funds for abortion services. The OIG found that between 2013 and 2015, NACHC allowed a few AmeriCorps members to provide emotional support (doula care) to women during abortion procedures at three New York City clinics.² According to the OIG, "Investigators discovered that NACHC had disregarded the direction of CNCS's General Counsel in 2010 to include in its training materials and member agreements the abortion prohibition precisely as stated in the Serve America Act. Instead, NACHC adopted a narrower restriction: "Providing or promoting abortions; Providing a direct referral for an abortion. A referral consists of a name, address, telephone number, and other relevant factual information, such as what insurance is accepted." The grantee continued to deviate from the prescribed language even after a 2011 Congressional hearing following CNCS's disclosure that two other grantees had committed abortion-related prohibited activities."

Given the OIG's findings and NACHC's role in advising health center grantees, I request that GAO describe:

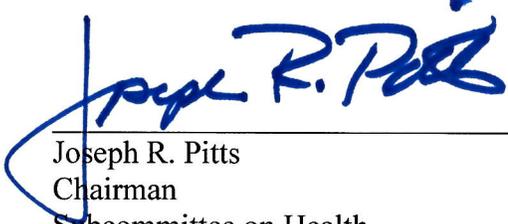
1. The sources and amounts of federal funds NACHC receives, as well as the terms for receiving such funds.
2. HRSA's oversight of NACHC, including how HRSA ensures that the organization provides appropriate guidance and technical assistance to health center grantees.
3. The information HRSA collects on grantee's provision of abortion services;
4. The procedures HRSA has in place to ensure health center grantees' compliance with the prohibition on the use of federal funds for abortion services and what improvements could be made to those procedures or the information HRSA collects to ensure that its grantees are complying with the Hyde amendment; and
5. The procedures health centers that provide abortion services have in place to ensure that federal dollars are not used in violation of the Hyde Amendment.

In addition, I request that GAO provide a listing of the health center grantees that provide abortion services, the specific services provided, and the affiliated sites that provide each service.

If you have any questions about this request, please contact Josh Trent or Adrianna Simonelli with the Committee on Energy and Commerce at (202) 225-2927.

² <https://www.cncoig.gov/news/closed-cases>, Case ID: 2016-003

Sincerely,



Joseph R. Pitts
Chairman
Subcommittee on Health