



Building healthy foundations for Missouri families.

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FOR IMMEDIATE RELEASE

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**Provider Restrictions on Medicaid Family Planning Program
will Negatively Impact Healthcare Safety Net**

The State of Missouri has, once again, put politics ahead of Missourians' health.

On August 5, 2020, the Missouri Department of Social Services issued a public notice of its intention to apply for a federal family planning waiver with restrictions on what types of providers can be reimbursed for family planning services – providers who perform or promote abortions, or affiliates with providers who do so would be prohibited from reimbursement under the waiver.

The Extended Women's Health Services Program currently has 51,101 enrollees who receive low- to no-cost family planning services through the program, including birth control, sexually transmitted infection testing, and cancer screenings.

"The current need for publicly-funded family planning services already outweighs the capacity of the current healthcare safety net network," said Michelle Trupiano, Executive Director for Missouri Family Health Council, Inc. "The proposed changes to the Extended Women's Health Services Program would place an undue hardship on the remaining safety net providers, resulting in increased wait times for services. Patients will be the ones left scrambling to find ways around these restrictions."

Twenty-two percent of women of reproductive age in Missouri are in need of publicly funded reproductive healthcare, including family planning services, but in some areas of the state that number is as high as 38%¹. Eliminating highly qualified providers like Planned Parenthood from the Extended Women's Health Services Program will exacerbate access barriers throughout the state.

"While we applaud DSS' attempt to provide increased access to contraceptive supplies and information on reproductive healthcare, this goal cannot be achieved under the waiver as it's currently written," said Trupiano. "DSS should be finding ways to increase access to qualified, expert providers rather than restricting access based solely on ideological differences."

To learn more about MFHC and its reproductive healthcare initiatives, visit www.MFHC.org.

¹ Jon Snow Institute. (2011-2016). Family planning Mappist tool. Retrieved from <http://maps.jsi.com/titlexmappist/index.html>.



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Background and History

Missouri previously had a 1115 Medicaid waiver to provide family planning services to uninsured women below 200% of the federal poverty level from 2007-2017. The program was a 90-10 match, with the federal government paying for 90% of the program and the State of Missouri paying for 10% of the program.

During the 2016 legislative session, the General Assembly did not fund the waiver or draw down the 90% match, and instead created a state-funded program with \$10,790,923 out of general revenue funds. This was a fiscally irresponsible, politically motivated attack aimed to prevent abortion providers from being part of the program, despite the fact that the program does not fund abortion services. The state has funded the program for the last three years, but has barred abortion providers from participating. In June 2020, [Missouri's Supreme Court ruled that Missouri could not legislate through the budget and overturned the state's ban on abortion providers](#) (Note: The Supreme Court ruled on the process of legislating through the budget, not on the merits of the case – banning abortion providers.)

Missouri is once again applying for the 1115 Medicaid waiver, which would draw down federal funds for the family planning program. However, the state is including language in the application that would waive the longstanding federal “freedom of choice” protection [42 U.S.C. § 1396a(a)(23)] for the purpose of excluding providers who perform or promote abortions, or affiliates with providers who do so. Historically, both the Centers for Medicare & Medicaid Services (CMS) and the courts have consistently made clear that § 1396a(a)(23) prohibits states from excluding providers from Medicaid for reasons other than their fitness to provide covered services, or to appropriately bill for such services. However, in January 2020, [CMS approved Texas' 1115 waiver application](#) that included provider restrictions.

[The Missouri Department of Social Services has issued a public notice](#) of its intention to apply for the federal family planning waiver with provider restrictions. As part of the process, there will be a public hearing on Monday, August 17 between 2:30 p.m. and 4:00 p.m., along with the ability to provide written comments.

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Missouri Family Health Council, Inc. (MFHC) champions access for every individual to culturally sensitive, quality, sexual and reproductive health education and services. MFHC is proud to support systems of care throughout the state, with particular emphasis on safety net providers, in delivering patient-centered reproductive healthcare to all those who seek services. Our programming is focused on removing cost barriers, specifically for the uninsured, and supporting health centers through quality training, analysis, and collaboration.