

MAINE FAMILY PLANNING MATTERS

Winter 2018–2019

Stories and Facts for Friends of Maine Family Planning (MFP)

On the Ground . . .

Almost 25 years ago, Maine became one of a handful of states where the right to abortion care was preserved in state statute. Maine's Reproductive Privacy Act (RPA), passed by the Legislature in 1994 and signed into law by Republican Gov. John McKernan, codifies the tenets of *Roe v. Wade* by affirming a woman's right to end a pregnancy until viability, and beyond that when a woman's life or health are endangered by continuing the pregnancy.

It was thought at the time that no matter what happened to *Roe*—if it was hollowed out, if it was overturned—Maine women would continue to have the legal right to access abortion.

Twenty-five years later, on June 27, 2018, Justice Anthony Kennedy announced his retirement from the U.S. Supreme Court. Two weeks later, Donald Trump nominated Judge Brett Kavanaugh to fill Kennedy's seat. His eventual confirmation, combined with the April 7 confirmation of another Trump nominee, Neil Gorsuch, imperiled as never before the federal-level protection *Roe* has provided for the last 45 years.

Maine women were protected though, right?

Yes . . . for now.

State laws, like Maine's Reproductive Privacy Act, can be changed or repealed in the course of a single 4- to 6-month legislative session.



As it became clear over the summer that Kavanaugh would be confirmed and that federal-level legal access to abortion would likely end, Maine Family Planning staff met with our Board of Directors in emergency session, laying out the framework for a Voter Engagement Project. The goal was to make Maine voters aware of the existence of the Reproductive Privacy Act and acutely aware of the need to protect it by voting for candidates to state-level offices who support it.

The Board approved the Voter Engagement Project, and from August to Election Day, as many as 8 canvassers knocked on more than 3,500 doors in Lewiston/Auburn, Mt. Vernon and Belfast, having conversations with voters about the RPA and the need to ask candidates about their position on it. In addition, several thousand "door hangers" were left to explain the electoral stakes. Last, in the run-up to Election Day, Maine Family Planning ran full-page ads in the state's two largest circulation dailies, the *Bangor Daily News* and the *Portland Press Herald*. These were augmented by similar ads on social media and the Internet.

The result: We woke up on November 7 to what looks like a legislature predisposed to protecting access to abortion through the existing state law, and a governor who is equally committed to it.

The number of people reached by MFP's canvassers may seem modest, but keep this in mind: Many State House races are decided by a handful of votes and each House member represents just 8,800 people. Every conversation on this topic counts, just as every vote did.

As we view the uncivil, the uninspiring and possibly the unlawful events taking place in Washington, D.C., we will look homeward for solutions that allow Maine people to continue to exercise control over their reproductive futures.

(l-r) Emily Fortin,
Cait Vaughan, and
Jennifer Sorkin

maine family planning

... and in the Courts

When it comes to advancing and protecting access to reproductive health services, Maine Family Planning has not been idle. MFP is currently a co-plaintiff in two lawsuits:

- **Jenkins v. Almy:** A lawsuit filed jointly by the American Civil Liberties Union and the Planned Parenthood Federation of America, on behalf of Julie Jenkins, a Women's Health Care Nurse Practitioner employed by Maine Family Planning, and four other providers and their patients. The case challenges Maine's law that states that only physicians may perform abortions, which unreasonably prevents qualified Nurse Practitioners and Nurse Midwives from providing abortion care. The case argues that this restriction imposes unnecessary burdens on women seeking abortion, lacks any medical justification and violates federal constitutional guarantees of privacy and equal protection. Jenkins v. Almy is the first challenge to physician-only restrictions since the Supreme Court decision in Whole Women's Health v. Hellerstedt, which found that states cannot limit patient access to abortion without valid, fact-based medical evidence.

ACLU

- **Mabel Wadsworth Women's Health Center et al v. Ricker Hamilton:** Current Maine Department of Health and Human Services (DHHS) policy bans abortion coverage under the state's public insurance program, except in extremely limited circumstances. Together with Mabel Wadsworth Center and Planned Parenthood of Northern New England, MFP has challenged this policy in state court.

MaineCare (Maine's Medicaid program) does not cover abortion care for Medicaid-enrolled women, but it will cover a full range of pregnancy-related care for women who choose to carry their pregnancies to term. The lawsuit argues that this policy interferes with a woman's fundamental right to decide whether to continue a pregnancy and discriminates against women who decide to have an abortion.

This lawsuit has been heard by the Maine Supreme Judicial Court, with a decision expected any day.

In addition to these two ongoing cases, MFP is preparing to challenge the Trump Administration's proposed **Domestic Gag Rule**. In May 2018, the US/DHHS Office of Population Affairs released a Notice of Proposed Rulemaking that essentially mirrors the Reagan/Bush 1 era policy known as the "Domestic Gag Rule."

The Gag Rule prohibits organizations like Maine Family Planning from providing abortion services and federally funded family planning services at the same location.

This provision particularly affects Maine Family Planning, which is the only non-Planned Parenthood Title X grantee in the country that also provides abortion services, trains family practice residents in providing these services and aggressively advocates for access to them.

When and if the rule is implemented, Title X providers would not be able to discuss all the pregnancy-related options or give clear information about where to access abortion services—even if explicitly requested. This would leave our patients in the dark at a critical moment, with more hoops to jump through just to access safe and legal health care. The Gag Rule clearly compromises medical ethics.

Finally, the Gag Rule eliminates the requirement that family planning programs provide medically accurate health care and the full range of proven contraceptive methods. Under the proposed rule, a Title X recipient could offer just one method, such as "natural family planning," and still meet the federal criteria. This would allow the administration to take taxpayer funds away from quality health care providers and funnel it into crisis pregnancy centers, abstinence-only advocates and other biased, non-medical organizations.

In light of the very likely prospect that the Trump Administration will implement the Gag Rule as proposed, during the summer MFP began to explore the range of legal options available to stop or delay the Gag Rule's implementation. In support of these objectives, in September MFP retained the Center for Reproductive Rights (CRR) to prepare to challenge the Gag Rule in federal court as soon as it is finalized. We expect to be just one of many legal challenges to this dangerous rule.

**CENTER
FOR
REPRODUCTIVE
RIGHTS**



George Hill, MFP's President & CEO, Recipient of Dr. Wendy J. Wolf Health Leadership Award

The Maine Health Access Foundation (MeHAF) has named George A. Hill, President & CEO of Maine Family Planning, as the recipient of its 2018 Dr. Wendy J. Wolf Health Leadership Award.

FROM THE AWARD CITATION

"George Hill has relentlessly pursued access to primary care and reproductive health services for his entire career. Under his leadership, MFP ensures that Maine people have access to affordable, high-quality family planning services. He has been a valiant advocate to ensure access to comprehensive reproductive health care, including abortion services when needed."



(l-r) Barbara Leonard, MeHAF President & CEO; Ted Sussman, MD, MeHAF Board of Directors; George Hill, MFP President & CEO; and Wendy J. Wolf, MD

Barbara Leonard, President & CEO of MeHAF said, "George's attention to critical emerging health issues has kept MFP at the cutting edge of bringing high-quality reproductive care to the entire state. The recent work to ensure access to critical care and counseling for women with opioid dependence is a great example of his forward-thinking leadership."

MFP Receives CDC Pump Handle Award

The Maine Center for Disease Control and Prevention has chosen Maine Family Planning as one of the recipients for the 2018 Pump Handle Award for its important contributions to helping reduce the impact of infectious diseases in Maine.

The Pump Handle Award is dedicated to the memory of Dr. John Snow, the Father of Epidemiology. Dr. Snow recognized the connection between water sources and disease.

Sara Hayes and Katrine Alcaide, Nurse Practitioners with Maine Family Planning, accepted the award at the 2018 Division of Disease Surveillance's Annual Infectious Disease Conference.

Your Gift to Our Annual Fund Supports More Than 22,000 Maine Women, Men, and Teens

If you already have made your charitable gift to our 2018–2019 Annual Fund, **thank you**.

If you haven't made your gift yet, time is running out!

The calendar year ends Monday, December 31, 2018. To make a difference in the lives of thousands of Maine women, men, and teens, please **make your gift today**.

- Your gift ensures reproductive and sexual health care for all.
- Your gift ensures sexuality education that works for young people in Maine.
- Your gift ensures advocacy for your rights at all levels of government.

Make 12 Gifts in 12 Months!

Become a **Reproductive Justice Champion** by joining MFP's Monthly Giving Program.

MAIL your check to MFP in the enclosed postage-paid envelope.

MAKE YOUR GIFT ONLINE at mainefamilyplanning.org and choose the DONATE button.

CALL 207.622.7524 x3930 to make your gift over the phone.

Thank you!

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P.O. Box 587 ■ Augusta, ME 04332-0587  
207.622.7524 ■ mainefamilyplanning.org

Maine Families in Hancock County (Office in Ellsworth)
WIC Nutrition Program in Hancock & Washington Counties
(Offices in Calais, Ellsworth, & Machias)

18 Maine Family Planning Health Centers

Augusta Family Planning & Harris/DeJong Center for Reproductive Health	Fort Kent Family Planning
Bangor Family Planning	Houlton Family Planning
Belfast Family Planning & Open Door Transgender Health Care	Lewiston Family Planning & Open Door Transgender Health Care
Calais Family Planning	Machias Family Planning
Damariscotta Family Planning	Norway Family Planning
Dexter Family Planning	Presque Isle Family Planning
Ellsworth Family Planning & Primary Care	Rockland Family Planning
Farmington Family Planning	Rumford Family Planning
	Skowhegan Family Planning
	Waterville Family Planning & Open Door Transgender Health Care

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