



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

ANDREW M. CUOMO
GOVERNOR

July 30, 2018

The Honorable Alex M. Azar II
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Secretary Azar:

I write in response to the U.S. Department of Health and Human Services' June 1, 2018 Notice of Proposed Rulemaking (NPRM) relating to Title X of the Public Health Service Act. New York has a proud history of participation in the Title X program: using both federal Title X funds and our own state funding, the Family Planning Program provides foundational reproductive health services to New Yorkers who may not be able to afford them.

The NPRM's proposed rule threatens to reverse crucial expansions of access to reproductive health care, replacing a decades-long decrease in teen and unplanned pregnancies across the U.S. with unnecessary, unethical, and potentially illegal barriers for those seeking family planning services. If enacted, it will decrease the quality and availability of Title X services and impede the rights of New Yorkers – in particular the low-income, uninsured, underserved individuals of reproductive age who rely on the Title X safety net - to access the full range of reproductive health care. It will deny women the information necessary to make their own medical decisions and could eliminate the ability of pregnant women to give informed consent on their post-conception options. The proposed rule violates long-standing principles limiting the interference of Congress in the sovereignty of individual States and impairment of private contracts.

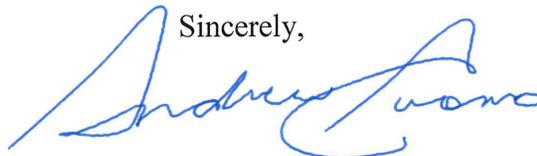
Critically, by limiting the information and services available to Title X clients, the proposed rules pose a grave danger for the health of women. The proposed rules would reduce the quality of health care services, prevent informed medical decision making and contraceptive choice, restrict provider speech, undermine the provider-patient relationship, upend confidentiality, and overall threaten the health and well-being of New Yorkers by arbitrarily separating family planning from prenatal care and women's health care. In sum, the proposed rules demonstrate a profound disregard for science and medical best practices, including pre and post conception standards set by HHS in consultation with 35 national experts and medical associations.

I am enclosing comments on the NPRM from the New York State Department of Health outlining the harm and legal affront that the proposed rules would inflict upon the state's Family Planning Program, the health of New Yorkers, and the landscape of health services.

New York will explore all legal avenues available to us to ensure that the proposed rules' attack does not threaten the health and wellbeing of New Yorkers and the integrity of New York's Family Planning Program. If the rules are enacted as proposed, it will be impossible for New York to continue its comprehensive Title X program.

I urge you to maintain the current rules for Title X.

Sincerely,



ANDREW M. CUOMO

Enclosures

Cc: President Donald Trump