



Written by [Dave Bohon](#) on November 1, 2012

State Judge Rescues Abortion Giant's Efforts Against Texas Defunding Law

Planned Parenthood has won a temporary victory in its efforts to block a Texas law that would defund abortion providers in the state's women's health program. In August a three-judge panel of the 5th U.S. Circuit Court of Appeals ruled in favor of the law, which prohibits the state from contracting under the Texas Women's Health Program with organizations that "perform or promote elective abortions or affiliate with entities that perform or promote elective abortions." The program provides such services as cancer screening, birth control, and other medical services to low-income women.



In September Planned Parenthood filed a request asking the full 5th Circuit Court to hear the case, arguing that the law, slated for implementation November 1, violated the abortion giant's First-Amendment-guaranteed rights of free speech and association.

While the court refused on October 25 to reconsider the three-judge ruling, a Texas district court judge trumped that decision the next day, issuing a restraining order that put the law's future in judicial limbo.

The [Los Angeles Times](#) reported that in issuing the order, Judge Amy Clark Meachum agreed with Planned Parenthood's argument that the law "is invalidated by the Texas Human Resources Code, which makes any provision 'inoperative' if it causes Texas to lose federal funds for the Women's Health Program...."

Pro-life Texas Governor Rick Perry responded to the latest setback, saying that "if there was ever any doubt that Planned Parenthood is more concerned about its own interests than those of Texas women, there is no longer. Having lost on its constitutional claims, Planned Parenthood has now turned to Travis County judges in a desperate effort to find some way to keep making money off Texas taxpayers. In Texas, we've chosen to protect innocent life. We will keep fighting for life, and we will ultimately prevail."

Texas health officials had insisted that the remaining clinics in the state could handle the vacuum in service that Planned Parenthood warned would occur with the loss of healthcare providers that also perform abortions. "We remain committed to enforcing state law and making sure women have access to family planning services," Dr. Kyl Janek, executive commissioner of the Texas Health and Human Services, assured. He promised that the state would offer women "as much help as they need to find a provider. We've got an online resource, and we've got people ready to take their calls and do all the research for them."

Planned Parenthood insisted that its absence would harm low-income women, many of whom also receive abortion services from the "family planning" organization. "Most of the providers in the program see a handful of patients, and my clients see tens of thousands," said Helene Krasnoff, one of Planned Parenthood's attorneys. She insisted that the case "has always been about protecting those



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women's access."

Planned Parenthood is considering its options in the case, which could include appealing the 5th Circuit Court's ruling against it to the U.S. Supreme Court. Meanwhile, the group's attorneys planned to ask Judge Clark-Meachum to replace her temporary restraining order with a temporary injunction, which would give the abortion giant time to regroup in its efforts to circumvent the will of Texas voters. Last March, the Obama Administration responded to the Texas defunding law, passed in 2011, announcing that it would refuse to grant a waiver to the state's Women's Health Program, a move that effectively ended federal funding for health services to over 100,000 women in the state. As of November 1 state health officials were moving ahead with implementation of its own state-financed program, at an estimated cost of \$36 million for 2013.

Marjorie Dannenfelser, president of the [Susan B. Anthony List](#), praised the state's efforts to cut off funding to abortion providers. "Abortion-centered organizations like Planned Parenthood neither need nor deserve taxpayer dollars," Dannenfelser said in a statement. "Texas has shown the rest of America what it means to be both pro-woman and pro-life.

[Baptist Press News](#) noted that nationwide, Planned Parenthood "reported performing 329,445 abortions in 2010, the most recent year for which statistics are available. Planned Parenthood and its affiliates received \$487.4 million in government grants, contracts, and reimbursements during its 2009-10 fiscal year."

Photo: An Amy Clark Meachum campaign advertisement.



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