



Written by [Dave Bohon](#) on June 1, 2013

Supreme Court Sidesteps Indiana Case Defunding Planned Parenthood

The Supreme Court has refused to consider an appeal of a lower court's ruling that overturned Indiana's de-funding of abortion giant Planned Parenthood. In 2011 Indiana became the [first state to target funding for Planned Parenthood](#) and other abortion providers when its legislature passed a bill, signed into law by then Governor Mitch Daniels, to cut \$3 million in federal Medicaid funding for the abortion business.



Planned Parenthood promptly sued to block the law, and in October 2012 a three-judge panel of the Seventh U.S. Circuit Court of Appeals came to Planned Parenthood's defense, [upholding a lower court's ruling](#) that the funding ban violates a federal statute allowing patients in state Medicaid programs to choose their healthcare providers. In its decision the panel returned the case to the lower court, ruling that the Indiana law "excludes a class of providers from Medicaid for reasons unrelated to provider qualifications."

The funding ban has been on hold since 2011, and with the High Court's May 28 refusal to hear the case, Planned Parenthood's lawsuit will go back to the lower court for what appears to be a final victory for the abortion giant. Several other states have followed Indiana's lead in de-funding Planned Parenthood, including Arizona, Florida, Kansas, New Hampshire, New Jersey, North Carolina, Tennessee, Texas, and Wisconsin. Pro-life leaders speculate that the Supreme Court's refusal to hear the case may impact laws in those states as well.

Betty Cockrum, president of Planned Parenthood of Indiana, applauded the High Court's decision. "This has been a long fight," she said, "but one that has been worthwhile because we've been fighting on behalf of our patients and their access to lifesaving, preventive care such as Pap tests, breast and testicular exams, birth control, and STD testing and treatment." Planned Parenthood's national manager, Cecile Richards, added that the Supreme Court's refusal "is not only a victory for Planned Parenthood's patients in Indiana, it is a victory for the nearly three million people who turn to Planned Parenthood health centers each year across the country."

But pro-life leaders challenged the notion that Planned Parenthood's Medicaid funding is dedicated to non-abortion "preventive" care, noting that the money can easily be funneled to Planned Parenthood's abortion business, and in any case it frees up other revenues to bankroll the company's lucrative baby-killing business. During 2010-2011 (the most recent year for which statistics are available), affiliates of Planned Parenthood performed 333,964 abortions, an all-time Planned Parenthood record. The "family planning" organization also set a record for funds received from federal, state, and local governments, raking in a whopping \$542.4 million in grants, reimbursements, and other kickbacks during the latest fiscal year.

Dr. Charmaine Yoest of [Americans United for Life](#), one of the pro-life groups battling to stop Planned Parenthood, responded to the High Court's refusal to take the case, saying that it "missed an



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opportunity to clarify, once and for all, that states may cut the abortion industry off from all sources of taxpayer funding. Big Abortion has no constitutional right to force Americans to support its deadly industry with tax dollars.”

Yoest noted that, as other states have done since, “Indiana made a well-reasoned determination that bankrolling the abortion industry violates the state’s public policy, and abortion providers are, therefore, not qualified to receive taxpayer funds, including Medicaid funds.”

Yoest added, however, that the Supreme Court’s refusal included a positive element. “While we are disappointed that the Supreme Court did not take this case,” she said, “the Court’s decision allows one aspect of the Seventh Circuit’s ruling to stand: it is constitutional for states to prohibit non-Medicaid public funds from being awarded to abortion providers.”



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