



September 16, 2008

The Honorable Michael O. Leavitt
Office of Public Health and Science
Department of Health and Human Services
Hubert H. Humphrey Building
200 Independence Avenue, SW
Room 728E
Washington, DC 20201
ATTN: Brenda Destro

Docket ID: HHS-OS-2008-0011—‘Provider Conscience Regulation’

Dear Secretary Leavitt:

On behalf of the National Campaign to Prevent Teen and Unplanned Pregnancy, I write to express concern about the Department of Health and Human Services’ (DHHS) proposed provider conscience regulation. Without further clarification, the proposed regulation could have an adverse effect on access to contraceptive services, which could exacerbate the nation’s high rates of both teen pregnancy and unintended pregnancy.

The National Campaign is a nonprofit, nonpartisan organization whose mission is to improve the lives and future prospects of children and families and, in particular, to help ensure that children are born into stable, two-parent families who are committed to and ready for the demanding task of raising the next generation. Our specific strategy for reaching this goal is to prevent teen pregnancy and unintended pregnancy, especially among single, young adults.

Reducing teen and unintended pregnancy is a powerful way to make progress on other critical issues facing the nation. Lower rates of both teen and unintended pregnancy lead to less poverty, more opportunities for young men and women to complete their education or achieve other life goals, a reduced burden on taxpayers, and fewer situations in which men and women make the difficult decision to seek abortion. For example, the 22 percent decrease in the abortion rate between 1987 and 2001 was largely driven by the decline in teen pregnancy.

Contraceptive services play a critical role in preventing teen and unintended pregnancy. In 2004 alone, the contraceptive services provided at publicly funded clinics helped women avoid 1.4 million unintended pregnancies, which would likely have resulted in about 640,000 unintended births and 600,000 abortions. Currently, 62 million women in the United States are in their childbearing years, and more than half (62 percent) are using some form of contraception

to prevent pregnancy. In fact, 98 percent of sexually experienced women have used at least one contraceptive method. Even so, it is still the case that half of the 6.4 million pregnancies in this country are unintended—more than 3 million annually—which underscores the need to support access to and the effective use of contraception.

Given the key role played by contraception in preventing teen and unintended pregnancy, the National Campaign strongly believes that it is important that the provider conscience regulation not impede access to and use of contraception. We respectfully request that DHHS clarify that contraceptive services and the full range of contraceptive methods including emergency contraception are specifically excluded from the list of services, procedures, or prescriptions that health care entities and affiliates can refuse to provide according to three nondiscrimination statutes—the Church Amendments, the Weldon Amendment, and the Public Health Service Act § 245. This clarification is a necessary step to support a combination of responsible values and behavior by both men and women and responsible policies in both the public and private sectors.

Thank you for the consideration of this request. Should you need additional information, please do not hesitate to contact Andrea Kane, the National Campaign's Senior Director of Policy and Partnerships at (202) 478-8554 or at akane@thenc.org.

Sincerely,

A handwritten signature in black ink that reads "Sarah Brown". The signature is written in a cursive, flowing style.

Sarah S. Brown