

Judge to rule on Planned Parenthood funding in Louisiana

October 16 2015, by Kevin McGill

A federal judge said he will decide by Monday whether to block Gov. Bobby Jindal's attempt to cut off state Medicaid funding for Planned Parenthood's Louisiana clinics.

Jindal, a Republican presidential candidate, began the defunding effort after secretly recorded videos were released by an anti-abortion group purportedly showing Planned Parenthood illegally selling fetal tissue for profit. The videos led to similar defunding efforts by Planned Parenthood opponents in other states and in Congress.

Planned Parenthood denies the allegation and says the videos are misleading. An attorney for the Planned Parenthood affiliate with clinics in Louisiana, Planned Parenthood Gulf Coast, said the political enmity stirred up against the organization by the videos is no reason to cut off its Medicaid [funding](#), which goes for non-abortion services including cancer screenings, gynecology exams and other health services.

Without intervention from U.S. District Judge John deGravelles, the funding is expected to end early next week.

Planned Parenthood asked deGravelles for a temporary restraining order that would continue funding beyond a Monday cutoff date while the case remains pending.

Arguing for the state, attorney Jimmy Faircloth said Planned Parenthood's request is premature because the organization should first

go through a state administrative appeal process. Funding would continue during the required review, he said. "There is absolutely no harm to them at all," Faircloth said.

Carrie Flaxman, arguing for Planned Parenthood and some of its patients, said there is no legal requirement that the organization exhaust the state appeal process before going to federal court. She said patients affected by the fund cutoff have no such administrative appeal available.

Friday's hearing was conducted by telephone conference call because deGravelles was out of town. It was aired in an open courtroom at the federal courthouse in Baton Rouge.

Flaxman said the videos stirred up political opposition to Planned Parenthood but do not constitute a reason for cutting off funding that benefits an estimated 5,200 patients at two Louisiana clinics. The organization is not currently performing abortions in the state, according to Flaxman.

Faircloth said the videos were a catalyst for a hard look at Planned Parenthood's practices. But, he emphasized that the move to cut off Medicaid money was based on other factors.

For instance, the state cites a \$4.3 million settlement in Texas of claims that the organization billed government programs for services that weren't medically necessary or that weren't provided.

Planned Parenthood did not admit any wrongdoing in that 2013 settlement and says Louisiana officials knew about it even before it was formally entered in court.

DeGravelles sounded skeptical of Faircloth's argument, citing state law indicating that there would be no violation of the state's contract with

Planned Parenthood if the organization wasn't found legally liable.

The judge also asked Faircloth for specific examples of alleged misrepresentations Planned Parenthood allegedly made to the state and cited by the health department in a letter on the planned funding cutoff. Faircloth said he did not have the specific allegations available.

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