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## **Act now to help ensure abstinence education funding**

Christopher Dodson

The old adage is that no person should see how sausages or laws are made also applies to how laws are not made. Here is the strange and twisted story of how the state of North Dakota missed out on more than \$100,000 to fund abstinence education.

Beginning in the 1990s, the federal government provided grants to the states for the implementation of abstinence education programs. The state of North Dakota applied for and received the grants. Make a Sound Choice, which runs an excellent fact-based abstinence program in the state's schools and communities, received these funds from the state. In 2009, abstinence opponents convinced the new Congress to no longer fund real abstinence programs, and President Obama zeroed out all discretionary funding for the programs. Federal funding for abstinence education disappeared, but not for long.

In their drive to get health care reform enacted, the same president and congressional leaders who opposed abstinence education were willing to do almost anything - that is, other than prevent funding for abortion and protect religious liberties - to secure enough votes to obtain final passage. In the back and forth and hundreds of amendments, the abstinence grants were reauthorized. The reauthorization was part of the final legislative package that included the Patient Protection and Affordable Care Act, the federal health care reform law. It was not, however, part of the act itself. It was just one of several pieces of legislation that Congress passed along with the PPACA.

In North Dakota, a state department cannot receive and expend a federal grant without legislative approval. For some reason, when the state Department of Health submitted its budget proposal to the state legislature in January 2010, it included the abstinence grants as expenditures related to health care reform. As is often the case in appropriation bills, descriptions for specific items are not provided. In other words, abstinence grants did not appear in the bill.

The legislature last winter was deeply divided between those who opposed the federal health care reform law and resisted everything about it, and those who opposed or supported the law and were willing to enact at least that which they thought would be necessary for a smooth transition. Eventually, leadership decided that the legislature will take up health care reform legislation in the special session in November. The health care budget conference committee was contentious, but in the end it decided to eliminate all funding related to health care reform.

Remember, the abstinence grants were not part of the federal health care reform law itself. Moreover, abstinence has nothing to do with health care reform. In fact, the legislators on the committee did not have abstinence grants in mind when they eliminated any health care department expenditures for health care reform. Nevertheless, because the bill included abstinence grants under health care reform, the grants got the axe.

The abstinence grants did not suffer this fate alone. Federal grants to provide home visits to new mothers and children by nurses and other health professionals also fell victim. Those grants totaled more than \$1 million for the biennium and, ironically, had already been

awarded to the state. Now, however, the state could not spend the money. The conference committee made its decision the day before the session ended. Abstinence supporters quickly informed committee members and leadership of what they did. We were told that the removal was not intentional and since the grants were removed as part of health care reform, it could be restored when health care reform is addressed in November.

It may not be that simple. For one thing, Rep. George Kaiser, the state legislator chairing preparations for health care reform legislation for the special session, has said the grants are too removed from health care reform to be appropriate for the special session. In addition, the federal government's dead line to apply for the grants will likely have passed before November.

Nevertheless, it is not too late to authorize the ND Department of Health to seek the grants if possible. Readers should contact Rep. Kaiser and legislative leaders Rep. Al Carlson, Rep. Jerry Kelsh, Sen. Richard Wardner and Sen. Ryan Taylor and ask them to use the special session to restore the grant authorizations for abstinence education and home visitations that were inadvertently removed as part of health care reform.

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