



Catherine E. Heigel, Director

*Promoting and protecting the health of the public and the environment*

January 8, 2016

The Honorable Gary Clary  
Ad Hoc Committee Chairman  
Legislative Oversight Committee  
PO Box 11867  
Columbia, SC 29211

Dear Chairman Clary:

In response to the ad hoc committee's request for additional information, dated December 14, 2015, please see the enclosed document.

Since the committee's last meeting, DHEC has identified one contractual arrangement made between an agency grant recipient and its subcontractor. Attached you also will find a supplemental five-year history of DHEC's interactions with Planned Parenthood. Although this information does not concern a current contract, I am providing this information in an effort to continue serving the committee in an open and complete manner.

I look forward to appearing before the committee on Monday, January 11, 2016. If I can be of further assistance, please do not hesitate to let me know.

Sincerely,

Catherine E. Heigel

Enclosures

**DHEC'S RESPONSES TO THE AD HOC COMMITTEE'S**  
**DECEMBER 14, 2015 QUESTIONS**

- 1. Is the agency's relationship with abortion providers in South Carolina of such a nature so as to allow the agency to be in a position to ascertain any information pertaining to an abortion provider's possible acceptance of reimbursements for the donation of fetal tissue?**

Yes. The Department inspects abortion clinics to determine compliance with applicable departmental regulations. Regulation 61-12, Standards for Licensing Abortion Clinics, requires abortion clinics to manage products of conception resulting from the abortion procedure in accordance with the requirements for pathological waste pursuant to Regulation 61-105, Infectious Waste Management. Regulation 61-105 provides that products of conception must be incinerated, cremated, interred, or donated for medical research. If during the course of an inspection of an abortion clinic the Department uncovers evidence that the abortion clinic has donated the products of conception for medical research, the Department has the authority to obtain verification of the donation. Attempts at verifying the donation may include an inquiry by the Department into the purpose and the circumstances and important details regarding the donation, including whether the clinic received payment for or accepted reimbursements related to the donation. However, previous Department inspections have not uncovered evidence of abortion clinics donating fetal tissue for medical research or for any other reason or purpose.

- **If yes, has the agency made any referrals to law enforcement pertaining to an abortion provider's acceptance of reimbursements for the donation of fetal tissue?**

No, because previous Department inspections have not uncovered evidence of an abortion provider's acceptance of reimbursements for the donation of fetal tissue.

- 2. Has the agency provided any state funding to Planned Parenthood or any other abortion provider for pregnancy prevention or comprehensive health education instruction?**

No. DHEC does not provide any state funding to Planned Parenthood or any other abortion provider for pregnancy prevention or comprehensive health education instruction.

However, the Department has a three-year Title X Federal grant totaling \$6,435,900 that supports the Department's family planning clinical services in the state. Federal regulation requires family planning projects to offer pregnant women the opportunity to be provided information and counseling on each of the following options: prenatal care and delivery; infant care, foster care, or adoption; and pregnancy termination. If requested to provide such information and counseling, DHEC staff must: provide neutral, factual information and non-directive counseling on each of the options, and referral, upon request, with the exception of any

option(s) for which the pregnant woman indicates she does not wish to receive information and counseling.

- **If so, is there any difference in how the amount Planned Parenthood receives versus other abortion providers is determined?**

Not Applicable.

3. **What agency controls are in place so as to determine if abortion providers in South Carolina that receive funds from the agency for a specific purposes do not comingle those funds with other public or private funding?**

Not Applicable (see answer to question No. 2).

## SUPPLEMENTAL FIVE YEAR HISTORY OF DHEC'S INTERACTIONS WITH PLANNED PARENTHOOD

### BUREAU OF MATERNAL AND CHILD HEALTH

In 2011, DHEC was the recipient of the federal grant named The Personal Responsibility Education Program (PREP) from the Family and Youth Services Bureau (FYSB) at the U.S. Department of Health and Human Services (HHS). The goal of this grant was to educate young people on both abstinence and contraception to prevent pregnancy and sexually transmitted infections including HIV/AIDS. The target audiences for these grant funds are youth who are homeless, in foster care, live in rural areas, or come from racial or ethnic minority groups. PREP projects also offer services to prepare youth for adulthood by addressing subjects such as healthy relationships, positive adolescent development, financial literacy, parent-child communication skills, education and employment preparation skills, and healthy life skills. The PREP projects must replicate effective, evidence-based program models approved by FYSB.

DHEC contracted with the SC Campaign to Prevent Teen Pregnancy (The Campaign), due to its experience and expertise in the areas mentioned above, to: issue a competitive request for proposals for implementation of teen pregnancy prevention programs, identify the organizations with the strongest proposal to receive mini-grant funding to implement one of the three evidence-based programs (Safer Choices, Making Proud Choices!, and What Could You Do?). The Campaign serves as the fiscal agent for disbursing mini-grant funds, developing and implementing training assistance case plans, and organizing (with DHEC) the annual site visits to sub-grantees.

In 2011, The Campaign awarded a PREP mini grant to Planned Parenthood Systems (PP) through the process mentioned above. The federal dollars came to DHEC, were granted to The Campaign, then were awarded to PP for the PREP program implementation. PP received approximately \$33,000.

The signed contract between The Campaign and PP, signed on August 25, 2011, states in section III: Terms of Agreement, b. grantee responsibilities, v.: *The Grantee cannot use the funds to pay for clinical services or research.* Also, the grantee agreed, in the contract, to allow and participate in annual site visits to be conducted by either DHEC or The Campaign.

DHEC performed two separate site visits during the fiscal year on November 4, 2011, and June 4, 2012, and found:

- Nov. 4, 2011 – DHEC staff met with PP's Vice President of Education and the organization's Program Director at their Columbia office. DHEC staff explained more about PREP as a federal grant and the role of DHEC as administrator, The Campaign as fiscal agent and provider of training and technical assistance, and USC's Arnold School of Public Health as evaluator. Feedback was received and further discussions were held regarding challenges facing the PP program, accomplishments, needs and questions.

- June 4, 2012 – DHEC staff met with the program director off-site at Bud’s Mentoring Center on Beltline Blvd. in Columbia, providing a first-hand view of services being offered. Additional discussions focused on training, technical assistance and the evaluation process, as well as a look at challenges, accomplishments and needs. DHEC staff were able to observe a session of the educational class “Making Proud Choices” that included 5 participants being mentored at the center.

PP was funded only that one year and has not been funded again since. DHEC did not have a role in selecting PP for the grant. The Campaign also awarded grants to 9 other entities that grant year.