

118TH CONGRESS
2D SESSION

H. R. 7059

To amend the Public Health Service Act to authorize a grant program to increase capacity for providing abortion services and other sexual and reproductive health care, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 2024

Ms. CARAVEO (for herself, Ms. CHU, Ms. ESCOBAR, Ms. JACOBS, Ms. NORTON, Ms. TLAIB, Mrs. HAYES, Ms. WILD, Mr. CONNOLLY, Ms. SALINAS, Ms. SCHAKOWSKY, Mrs. CHERFILUS-McCORMICK, Ms. TITUS, Ms. CRAIG, Ms. CROCKETT, Ms. VELÁZQUEZ, Mr. TAKANO, Ms. McCLELLAN, Ms. ADAMS, Ms. LEE of California, Mr. ROBERT GARCIA of California, Ms. ROSS, Mrs. WATSON COLEMAN, Ms. CASTOR of Florida, Ms. WILLIAMS of Georgia, Ms. STANSBURY, Mr. TRONE, Mr. FROST, Ms. BROWNLEY, Ms. PETTERSEN, Mrs. FLETCHER, Mr. CASTEN, Ms. LEE of Pennsylvania, Mr. ALLRED, Ms. STEVENS, Ms. SPANBERGER, Mr. DAVIS of Illinois, Ms. MENG, Ms. LEE of Nevada, Ms. LOIS FRANKEL of Florida, Mr. MULLIN, Mr. GOLDMAN of New York, Mr. SMITH of Washington, Mrs. TRAHAN, Mr. VARGAS, Mr. LARSON of Connecticut, Ms. WILSON of Florida, Mr. JOHNSON of Georgia, Mr. MOSKOWITZ, Ms. DEGETTE, Ms. TOKUDA, Ms. GARCIA of Texas, Ms. BARRAGÁN, Mr. KHANNA, Ms. DEAN of Pennsylvania, Mrs. TORRES of California, Mr. ESPAILLAT, Mrs. SYKES, Mr. SORENSEN, Mrs. RAMIREZ, Mr. IVEY, Mr. CARSON, Mr. COHEN, and Ms. BALINT) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Public Health Service Act to authorize a grant program to increase capacity for providing abortion services and other sexual and reproductive health care, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Abortion Care Capac-

5 ity Enhancement and Support Services Act of 2024” or

6 the “ACCESS Act of 2024”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

9 (1) On June 24, 2022, in *Dobbs v. Jackson*

10 *Women’s Health Organization*, the Supreme Court

11 overturned *Roe v. Wade*, which had guaranteed the

12 constitutional right to abortion. Following the deci-

13 sion, States were able to increase restrictions or ban

14 access to abortion, which has exacerbated the abor-

15 tion access crisis. Under this legal framework, abor-

16 tion access varies widely by State.

17 (2) Compared to April 2022, the number of

18 abortions per month by June 2023 had dropped to

19 zero in at least 12 States with abortion bans in

20 place, while other States saw increases of over 2,000

21 abortions.

22 (3) States that do not have an abortion ban or

23 restrictions have experienced increased numbers of

24 out-of-State patients seeking abortion services. Pa-

25 tients traveling for abortion services doubled in re-

1 cent years with one in five patients crossing State
2 lines to obtain an abortion in 2023, compared to one
3 in ten in 2020.

4 (4) Abortion providers in States where abortion
5 is legal have experienced an increase in the number
6 of patients from out of State. This influx in patients
7 has increased the demand for abortion services and
8 strained the reproductive health care systems in
9 many States.

10 (5) The influx of out-of-State patients has also
11 increased the backlogs in services and wait times for
12 appointments in multiple States following increases
13 in abortion bans and restrictions. To date, many fa-
14 cilities across the country still have reported wait
15 times of a week or longer for abortion services.

16 (6) The challenges to access abortion dispro-
17 portionately impact individuals of color, low-income in-
18 dividuals, LGBTQ+ individuals, youth, and others
19 who face existing barriers to access health care in
20 their communities.

21 (7) Over 15 million reproductive-age women of
22 color live in States that have banned or are likely to
23 ban abortion following the Dobbs decision. Addition-
24 ally, women of color, low-income women, young
25 women, and women living in rural communities have

1 been disproportionately impacted by travel for abor-
2 tion services.

3 (8) To address the challenges in accessing abor-
4 tion services, proper investments need to be made to
5 improve capacity to accommodate for both patients
6 in State and those coming from out of State to re-
7 ceive comprehensive and high-quality abortion serv-
8 ices and other sexual and reproductive health serv-
9 ices.

10 **SEC. 3. GRANTS TO INCREASE CAPACITY TO PROVIDE**
11 **ABORTION SERVICES AND OTHER SEXUAL**
12 **AND REPRODUCTIVE HEALTH CARE.**

13 Subpart V of part D of title III of the Public Health
14 Service Act (42 U.S.C. 256 et seq.) is amended by adding
15 at the end the following:

16 **“SEC. 340A-1. GRANTS TO INCREASE CAPACITY TO PROVIDE**
17 **ABORTION SERVICES AND OTHER SEXUAL**
18 **AND REPRODUCTIVE HEALTH CARE.**

19 “(a) IN GENERAL.—The Secretary shall carry out a
20 grant program consisting of awarding grants to eligible
21 entities to increase their capacity to provide abortion serv-
22 ices and other sexual and reproductive health care to indi-
23 viduals seeking to access abortion within or outside of
24 their States of residence.

1 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
2 a grant under this section, an entity shall—

3 “(1) be a hospital, clinic, or other health care
4 facility, university, nonprofit organization, commu-
5 nity-based organization, local governmental entity,
6 or Tribal government that, through programs, serv-
7 ices, or activities that are unbiased and medically
8 and factually accurate, provides or refers for abor-
9 tion services; and

10 “(2) be in a State, the District of Columbia, or
11 a commonwealth, territory, or possession of the
12 United States where abortion services are permis-
13 sible outside of exceptions for the life and health of
14 the pregnant person.

15 “(c) PRIORITY.—In awarding grants under this sec-
16 tion, the Secretary shall give priority to eligible entities
17 in States that, as determined by the Secretary, have expe-
18 rienced the highest increases of out-of-State patients seek-
19 ing abortion services and other sexual and reproductive
20 health care.

21 “(d) AUTHORIZED ACTIVITIES.—A grant under this
22 section may be used for any of the following supplies,
23 equipment, or services related to providing an abortion or
24 other sexual and reproductive health care:

1 “(1) Expanding the grantee’s facilities, such as
2 by creating more examination rooms, operation
3 rooms, recovery areas, and other additional locations
4 for care.

5 “(2) Purchasing medical supplies or equipment
6 to provide reproductive health care services.

7 “(3) Administering telehealth services, which
8 may include audio, video, and text messaging serv-
9 ices.

10 “(4) Contracting or hiring clinical and nonclin-
11 ical support staff, which may include intake coordi-
12 nators, health educators, doulas, midwives, coun-
13 selors, ultrasound technicians, and other relevant
14 health care personnel.

15 “(5) Training programs to increase clinical and
16 nonclinical support staff, which may include intake
17 coordinators, health educators, doulas, midwives,
18 counselors, ultrasound technicians, and other rel-
19 evant health care personnel.

20 “(6) Creating and disseminating medically ac-
21 curate, culturally and linguistically appropriate, ac-
22 cessible educational materials and resources for pa-
23 tients.

24 “(7) Interpretation and translation services.

25 “(8) Referrals and counseling.

1 “(9) Recovery care.

2 “(e) APPLICATION.—To seek a grant under this sec-
3 tion, an eligible entity shall submit an application to the
4 Secretary at such time, in such manner, and containing
5 such information as the Secretary may require, including
6 a plan for increasing capacity as described in subsection
7 (a).

8 “(f) PROHIBITION AGAINST EXCLUSION OF QUALI-
9 FIED ELIGIBLE ENTITIES.—No Federal agency, grantee,
10 subrecipient, or other entity shall, in the course of admin-
11 istering or carrying out any program or activity under this
12 section, act in a manner which has the effect of excluding,
13 limiting, or restricting the participation of any entity that
14 would otherwise be eligible to apply for funds, on the basis
15 of any factor unrelated to the entity’s qualifications to ef-
16 fectively carry out the program or activity.

17 “(g) DEFINITION.—In this section, the term ‘abor-
18 tion services’ means a medical or surgical abortion and
19 any medical or non-medical supplies, equipment, or serv-
20 ices related to and provided in conjunction with an abor-
21 tion.

22 “(h) AUTHORIZATION OF APPROPRIATIONS.—To
23 carry out this section, there is authorized to be appro-

1 priated \$200,000,000 for each of fiscal years 2024
2 through 2028.”.

○