

**641—75.3(88GA,ch85) Distribution of grant funds.** Distribution of grant funds utilizing the following prioritization shall be made in a manner that continues access to family planning services.

**75.3(1) Priority.** The department shall distribute all grant funds received to applicants in the following order of priority:

*a.* Public entities that provide family planning services including state, county, or local community health clinics; federally qualified health centers; and community action organizations.

*b.* Nonpublic entities that, in addition to family planning services, provide required primary health services as described in 42 U.S.C. §254b(b)(1)(A).

*c.* Nonpublic entities that provide family planning services but do not provide required primary health services as described in 42 U.S.C. §254b(b)(1)(A).

**75.3(2) Funds restrictions—abortion.**

*a.* Funds shall not be distributed to any entity that performs abortions, promotes abortions, maintains or operates a facility where abortions are performed or promoted, contracts or subcontracts with an entity that performs or promotes abortions, becomes or continues to be an affiliate of any entity that performs or promotes abortions, or regularly makes referrals to an entity that performs or promotes abortions or maintains or operates a facility where abortions are performed.

*b.* This prohibition shall not be interpreted to include a nonpublic entity that is a distinct location of a nonprofit health care delivery system, if the distinct location provides family planning services but does not perform abortions or maintain or operate as a facility where abortions are performed.

*c.* For the purposes of these rules, “abortion” does not include any of the following:

(1) The treatment of a woman for a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death.

(2) The treatment of a woman for a spontaneous abortion, commonly known as miscarriage, when not all of the products of human conception are expelled.

**75.3(3) Distinct provider identification number and attestation.**

*a.* Each distinct location of a nonprofit health care delivery system receiving funds from the department under these rules shall be assigned a unique identification number by the department.

*b.* Each distinct location of a nonprofit health care delivery system receiving funds from the department under these rules shall provide to the department, on forms provided by the department, a signed attestation that abortions are not performed at the distinct location.

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