

Program Element #41: Family Health Services (FHS) – Family Planning Services (FPS)

1. **General Description of FHS – FPS.** Family Planning Services are the educational, comprehensive medical and social services necessary to aid individuals to determine freely the number and spacing of their children. This Program Element pertains to all Family Planning Services provided at the LPHA except for the Family Planning Expansion Project (FPEP).
2. **General Requirements.**
 - a. **Data Collection.** LPHA must provide client data, in accordance with 42 USC 701-709, to the Department, Office of Family Health with respect to each individual receiving any service supported in whole or in part with Family Health Services funds provided under this Agreement.
Citation 42 USC 701-709
 - b. **Administration.** LPHA may not use more than 10% of the funds awarded for Family Planning Services on indirect costs. For purposes of this Agreement, indirect costs are defined as “costs incurred by an organization that are not readily identifiable but are nevertheless necessary to the operation of the organization and the performance of its programs.” These costs include, but are not limited to, “costs of operating and maintaining facilities, for administrative salaries, equipment, depreciation, etc.” in accordance with 42 USC 701-709.
Citation 42 USC 701-709
 - c. **Sliding Fee Scale.** If any charges are imposed upon a client for the provision of Family Planning Services assisted by the State under this Program Element, such charges: (1) will be pursuant to a public sliding fee schedule of charges, (2) will not be imposed with respect to services provided to low-income clients, and (3) will be adjusted to reflect the income, resources, and family size of the client provided the services, in accordance with 42 USC 701-709.
Citation 42 CFR 59.5 (a) (7) and (a) (8)
 - d. **Disposition of Program Income Earned from Providing Family Planning Services with Funds Provided under this Agreement.** The Department requires that LPHA maintain separate fiscal accounts for program income collected from providing Family Planning Services. Program income collected under this Agreement subsection must be fully expended by the termination date of this Agreement and only for the provision of the services set forth in this Program Element Description, and may not be carried over into subsequent years.
Citation 45 CFR 74.21, 74.24, 92.20, 92.25
 - e. **Sanctioned Providers.** If Department notifies LPHA that a Provider has been sanctioned under Public Law 100-93, LPHA may, **consistent with 42 USC 701-709**, no longer pay or reimburse such Provider with funds provided to LPHA under this Agreement
 - f. **Fees.** Any fees collected for Family Planning Services shall be used only for Family Planning Services.
Citation 45 CFR 74.21, 74.24, 92.20, 92.25

3. **Definitions Specific to Family Planning Services.**

- a. **Ahlers & Associates:** Vendor for data processing as contracted by U.S. Department of Health and Human Services, Region X, Office of Family Planning. Contact information available from the Department of Human Services, Office of Family Health, Family Planning Program.
- b. **Client Visit Record or CVR:** Data collection tool for Family Planning encounters developed by U.S. Department of Health and Human Services, **Office of Population Affairs (OPA)**, Region X, Office of Family Planning, available from the Department of Human Services, Office of Family Health, Family Planning Program.
- c. **Family Planning:** When individuals can determine freely the number and spacing of their children.
- d. **Family Planning Services:** Clinical, informational, educational, social and referral services offered to anyone of reproductive age requesting family planning and reproductive health care.
- e. **Federal Poverty Level (FPL) Guidelines:** The poverty income guidelines prescribed by the U.S. Department of Health and Human Services, adjusted annually by the U.S. Department of Health and Human Services, and provided by the Office of Family Health by April of each year, which are to be used by LPHA in determining income eligibility for applicants.
- f. **Federal Title X Guidelines for Family Planning:** Title X Program Guidelines for Project Grants for Family Planning Services published by the Office of Population Affairs, Office of Public Health and Science, Office of Family Planning 2001.
- g. **Federal Title X Program:** A federal program designed to provide individuals the information and means to exercise personal choice in determining the number and spacing of their children. A broad range of effective and acceptable family planning methods and related preventive health services are available on a voluntary and confidential basis. Authorized under Title X of the Public Health Service Act (42 U.S.C § 300). The implementing regulations are found at 42 CFR Part 59.
- h. **Region X Infertility Prevention Project:** A project of the Centers for Disease Control & Prevention (CDC) to control Chlamydia through the collaborative efforts of sexually transmitted disease clinics, and Family Planning providers and public health laboratories.

4. **Procedural and Operational Requirements.** All Family Planning Services supported in whole or in part, directly or indirectly, with funds provided under this Agreement must be delivered in accordance with the following procedural and operational requirements:

- a. **LPHA must comply with the Federal Title X Guidelines for Family Planning**, and any subsequent program instructions issued by OPA, including the following:

i. Operation of clinical sites that are open to the public on an established schedule and have specified clinical personnel as well as ancillary staff who can provide Family Planning Services to the public;
Citation 42 CFR 59.5 (b)(3)

ii. Provide a broad range of contraceptive methods as defined in the Federal Title X Guidelines for Family Planning and as specified by the DHS OFH Family Planning program.
Citation 42 CFR 59.5 (a)(1)

iii. Provide an education program which includes community outreach to inform of available services and benefits of Family Planning.
Citation 42 CFR 59.5 (b)(3)

b. Unless this requirement is waived by Department, LPHA shall participate in the Region X Infertility Prevention Project for Chlamydia testing and adhere to that project's standards for identifying, screening and testing candidates. These standards are available for review at: <http://www.centerforhealthtraining.org/materials.html#r10.infert-n>
Citation 42 CFR 59.5 (a)(1)

5. **Reporting Obligations/Periodic Reporting Requirements.** In addition to the reporting obligations set forth in Section 8 of Exhibit E of this Agreement, LPHA shall submit to Department or other recipient, as indicated, the following written reports:

a. LPHA must submit an annual plan for Family Planning Services to Department, covering the period of July 1 through June 30 of the succeeding year. The Department will supply the due date, required format and current service data for use in completing the plan in accordance with Section 8 of Exhibit E of this Agreement.

b. Client encounter data must be collected using the CVR and submitted to Ahlers & Associates on a monthly basis. The data is collected to meet federal requirements, aid in program management and assist in evaluation purposes. The data is used by Region X of the U.S. Department of Health and Human Services, the State Family Planning Program, and the LPHA.
Citation 42 USC 701-709

c. LPHA must submit to Department a budget for Family Planning Services covering the period of July 1 through June 30 of the succeeding year. Department will provide required format and due date.
Citation 45 CFR 92.20

6. **Terms and Conditions Particular to LPHA Performance of Family Planning Services.** All Family Planning Services supported in whole or in part with funds provided under this Agreement must be delivered in compliance with the requirements of the Federal Title X Program as detailed in statutes and regulations, including but not limited to 42 USC 300 et seq., 42 CFR Part 50 subsection 301 et seq., and 42 CFR Part 59 et seq., the Program Instructions, the Title X Program Guidelines for Family Planning, and the Oregon Department of Human Services, Office of Family Health, Family Planning Program manual.