

Meet the physician battling the government's Title X gag rule

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Arguments challenging the Trump administration's new gag rule that dictates what physicians can and cannot talk about reproductive health care options with their patients in the Title X program will be heard Tuesday, April 23, at the U.S. District Court in Portland, Oregon.

The Title X program ensures that every person has access to basic, preventive reproductive health care, such as birth control, cancer screenings, STI testing and treatment regardless of where they live or if they have health insurance. Roughly 4,000 clinics received Title X funds that accounted for 19% of their revenue (\$244.6 million) in 2017.

One man following the case closely is AMA member Tom Ewing, MD. He ought to be, because his name is on the lawsuit as a plaintiff, along with the AMA, Planned Parenthood and its affiliates, and the Oregon Medical Association.

A family physician for more than 30 years, Dr. Ewing, of Eugene, Oregon, serves as the vice president of medical services for Planned Parenthood of Southwestern Oregon. Dr. Ewing recently spoke with the AMA about why he chose to get involved in this legal battle and why it matters for American physicians and their patients.

AMA: Why is this fight so important to you as a family physician?

Dr. Ewing: The Title X rule sets a giant negative precedent in the sense of government intrusion into the patient-physician relationship. We refer to it as a gag rule because it prevents me from providing my patients with information about the full spectrum of safe, legal options for their medical decision-making. That is an extremely startling precedent and intrusion.

Think about this in the context of any other medical condition. Run the scenario with similar prohibitions on explanations of the full spectrum of medical choices for diabetes or heart disease. It would be like the government prohibiting me from referring my patients for care they need to manage their conditions. That—objectively speaking—means not providing patients with all the information

they need to make smart decisions about their health care or their lives.

It is stark just how much of an invasion the gag order is on the patient-physician relationship.

AMA: What motivated your career decision to get involved in reproductive care and family planning?

Dr. Ewing: My career has been pretty varied. One constant in my career—and what I set out to do when I finished my residency—was to move to a community in which I could feel that I was an integral part. It was important to me to be in a community where I could form deep relationships and feel like I’ve made a difference.

The trend over time with contraception technology is that it has had a major impact in terms of giving people more control over their lives and health care, as well as contributing to the decline in unintended pregnancy rates and the decreasing rate of teen pregnancies. I could keep going down a list of studied, evidence-based impacts that access to reproductive health care provides. And return to the reality that 40% of the patients in America that are seen under Title X are seen by a Planned Parenthood affiliate—and this gag rule threatens their access.

AMA: AMA President Barbara L. McAneny, MD, has written that this rule would “decimate the Title X program,” which for decades has filled this vital family-planning role in the U.S. health system. What part of the picture are the program’s critics missing?

Dr. Ewing: The challenge of doing preventive services is that the consequences are that nothing dramatic happened—other than changing numbers and impacting personal family stories across time. Family planning gives women and families tools to make decisions about their families and their futures. It is, by and large, the opposite of dramatic. It results in a happy, loved, supported family—and that’s not front-page news nowadays.

Facebook Live from the courthouse

The AMA is headed to court to fight the administration’s Title X family planning program gag rule, which dictates what information physicians can and can’t provide to their patients. Hear from Brian Vandenberg, AMA General Counsel, right before and immediately after our lawyers argue in the courtroom on behalf of physicians’ freedom of speech. Visit our Facebook page to tune in Tuesday, 4/23 at 12:30 p.m. PT.