[DATE OF COMMENT]

Submitted via www.regulations.gov

Secretary Alex Azar
Department of Health and Human Services, Office for Civil Rights
Attention: Section 1557 NPRM, RIN 0945-AA11
Hubert H. Humphrey Building, Room 509F
200 Independence Avenue SW
Washington, DC 20201

**RE: Comments in Opposition to Section 1557 NPRM, RIN 0945-AA11, “Nondiscrimination in Health and Health Education Programs or Activities”**

To Whom It May Concern:

I am writing on behalf of [INSET ORGANIZATION NAME] to express our strong opposition to the proposed regulatory reform regarding Section 1557 of the Patient Protection and Affordable Care Act published in the Federal Register on June 14, 2019.

The mission of [INSERT ORGANIZATION NAME] is to [INSET MISSION]. We provide more than $[INSERT FUNDING TOTAL] annually to support charitable organizations working to [INSERT STATEMENT ON WORK OF GRANTEES].

We believe that the proposed change will undermine our work and the work of our grantees. It threatens the health and wellbeing of lesbian, gay, bisexual, and transgender people, as well as immigrants, women, and ultimately all Americans. [ADD 4-5 SENTENCES HERE ABOUT HOW THE PROPOSED CHANGES WOULD SPECIFICALLY AFFECT YOUR FOUNDATION’S MISSION AND WORK.]

As such, we oppose the proposed rules change, which will inflict unnecessary harm on the communities our foundations supports, particularly the more than one million transgender people living across the United States. The proposal to remove the protections of Section 1557 is counter to long-standing federal court decisions from across the country that classified discrimination on the basis of sexual orientation and gender identity as sex discrimination. Nearly seven million LGBT Americans live in states without any protections against sexual orientation and gender identity discrimination in public accommodation. Section 1557 was wisely added to clarify existing law that discrimination against LGBT persons in healthcare settings and in insurance benefits coverage is unlawful; the proposed rule change would sow confusion among healthcare workers and insurance companies and give the impression that such discrimination is permissible. [ADD SENTENCE RELATING THESE CONCERNS EXPLICITLY TO YOUR FOUNDATION’S MISSION AND WORK.]

Furthermore, the broad religious exemptions proposed in the change threaten to turn personal and religious beliefs into a smokescreen for discrimination. They could be used not only to deny care to LGBT individuals but also to prevent people from accessing needed reproductive healthcare, letting doctors decide who is “worthy” of treatment. Allowing medical providers to use their personal beliefs rather than their professional obligations to decide whom they will serve could result in a wide range of people being turned away from potentially life-saving care: LGBT people, unmarried people, or people who have had an abortion or need one. The result would be a “patchwork” of unequal access to reproductive healthcare across the country, where the nature and quality of care available would be based on the happenstance of geography rather than need. [ADD SENTENCE RELATING THESE CONCERNS EXPLICITLY TO YOUR FOUNDATION’S MISSION AND WORK.]

We also oppose the proposed rules change because of negative impact it will have on the health outcomes of immigrants. By eliminating not only vital anti-discrimination protections but also the requirement that health programs post notices about the availability of language access programs, the proposed change to Section 1557 makes it harder for people with limited English proficiency or other disabilities to access medical care. Without meaningful access to information about their rights to care, patients and their family members with limited English proficiency would be less able to file complaints with HHS or in courts if their rights are violated. Eliminating Section 1557’s specific mandate that discrimination based on immigration status is prohibited may discourage immigrants from seeking healthcare altogether, for fear that doing so would also subject them to increased scrutiny about their immigration status. Any segment of the population that is forced to forgo treatment poses a threat to the health of the entire population. [ADD SENTENCE RELATING THESE CONCERNS EXPLICITLY TO YOUR FOUNDATION’S MISSION AND WORK.]

For all the aforementioned reasons, we believe the proposed change to Section 1557 of the Patient Protection and Affordable Care is not only a step backwards but also highly inconsistent with the original intent of the law to expand access to healthcare and insurance. We hope you will reconsider the proposed change to Section of 1557 in the service of securing a healthier future for all Americans.

We thank you for your consideration.

Sincerely,

[INSERT NAME OF SIGNING EXECUTIVE]
[INSERT TITLE]
[INSERT ORGANIZATION NAME]

*[ADD ATTACHMENTS IF CITED]*