

October 3, 2022

Secretary Xavier Becerra
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Chiquita Brooks-LaSure
Administrator, Centers for Medicare & Medicaid Services
Hubert H. Humphrey Building
200 Independence Avenue, S.W., Room 445-G
Washington, D.C. 20201

Dear Secretary Becerra & Administrator Brooks-LaSure:

Consumers for Quality Care (CQC) is a coalition of advocates, former policymakers, and 30 patient and consumer advocacy organizations committed to providing a voice for patients in the health care debate. Along with our undersigned partners, we are writing to urge the Department of Health and Human Services (HHS) to finalize and adopt the proposed rule to revise Section 1557 of the Affordable Care Act (ACA).

The proposed rule would reinstate critical components of the original Obama-era 2016 rule that were reversed in a 2020 Trump-era regulation. Specifically, the proposed rule would reinstate explicit nondiscrimination protections for LGBTQ+ people and expand the ban on sex discrimination to include sexual orientation, gender identity, and pregnancy-related conditions. CQC applauds these changes, along with other provisions in the rule, as they will help prevent discrimination on the basis of race, color, national origin, sex, age, sexual orientation, and disability in certain health programs and activities.

The proposed rule also includes language to help protect nondiscriminatory access to telehealth services, an important provision that CQC wholly supports. During the pandemic, telehealth services helped safely ensure Americans could maintain access to critical health care services. Preserving access to these telehealth services will allow patients to continue to access the essential care they need, regardless of how far they live from a provider, their ability to take time off from work to get care, or any other circumstances that may make it difficult for them to be seen by a provider in person.

In addition to finalizing the proposed rule with the aforementioned provisions, CQC encourages HHS to further define and enforce nondiscrimination principles in federally funded and administered health care programs and activities. Preventative care, including comprehensive drug coverage for the prevention and treatment of disease, is essential in the fight against chronic disease. It is imperative that the administration protects access to that care to not only help reduce health care costs and medical debt for consumers, but also to support the overarching health and wellbeing of our communities.

HHS recognizes that discrimination in health programs and activities takes various forms and that a comprehensive set of rules and standards is needed in order to adequately protect individuals. CQC urges the Department of Health and Human Services (HHS) to move swiftly to finalize the proposed rule and reinstate essential provisions that protect consumers against discrimination in health care and support improved access to essential medical services.

Sincerely,
Consumers for Quality Care

Adult Health & Fitness Today
AIDS United
Asthma and Allergy Foundation of America
Autoimmune Association
Black Women's Health Imperative
Choose Healthy Life (CHL)
Color of Crohn's and Chronic Illness

Fatty Liver Foundation
First Focus on Children
Global Liver Institute
MANA, A National Latina Organization
National Consumers League
The Myositis Association (TMA)

