July 31, 2019

Secretary Alex Azar

Department of Health and Human Services

Hubert H. Humphrey Building, Room 509F,

200 Independence Avenue SW,

Washington, DC 20201

Re: Section 1557 NPRM, RIN 0945-AA11, “Nondiscrimination in Health and Health

Education Programs or Activities”

LGBT Life Center opposes the newly proposed regulation focusing on Section 1557 of the Health Care Rights Law.  It will jeopardize the health and well being of vulnerable populations such as the LGBTQ community.

If finalized, this proposed rule would severely threaten LGBTQ patients’ access to all forms of health care and create confusion among providers about their obligations. The proposed rule would encourage hospitals to deny care to LGBTQ people, and enable insurance companies to deny transgender people coverage for health care services that they cover for non-transgender people. This rule would also make it harder for people experiencing discrimination in health care to know and exercise their rights, including people with chronic health conditions like HIV.

LGBTQ people who reported experiencing discrimination in the year prior were [nearly 7 times](https://www.americanprogress.org/issues/lgbt/news/2018/01/18/445130/discrimination-prevents-lgbtq-people-accessing-health-care/) more likely to avoid doctor’s offices to avoid discrimination than LGBTQ people who had not experienced discrimination. An estimated 1 in 3 transgender people have [experienced](http://www.ustranssurvey.org/) direct discrimination from a health care provider. Additionally, 41% of LGBTQ people [surveyed](https://www.americanprogress.org/issues/lgbt/news/2018/01/18/445130/discrimination-prevents-lgbtq-people-accessing-health-care/) living in nonmetropolitan areas said it would be “very difficult” or “not possible” to find the same type of service at a different hospital if they were turned away.

Due to these statistics, much of the work done at LGBT Life Center focuses on connecting LGBTQ people to quality health care that addresses their specific needs –

including obtaining information on sexual health, support around HIV/AIDS, and hormone replacement therapy.

Health care providers and insurers should not be encouraged to pick and choose who to treat. This attempt to override the needs of LGBTQ people, among others, contradicts decades of federal court interpretations of the law. LGBT Life Center opposes the proposed regulation focused on changing Section 1557 of the Health Care Rights Law.

Sincerely,



Stacie Walls  
CEO, LGBT Life Center