



DEPARTMENT OF THE ATTORNEY GENERAL

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Hawaii Attorney General Joins Coalition Condemning the Trump Administration's Proposed Rule that Eliminates Anti-Discrimination Protections in Healthcare

HONOLULU – Attorney General Clare E. Connors today joined a coalition of 22 attorneys general in submitting a comment letter opposing the U.S. Department of Health and Human Services' (HHS) proposed rule to drastically undermine Section 1557 of the Patient Protection and Affordable Care Act (ACA), which prohibits discrimination in federal healthcare programs, benefits, and services. Specifically, Section 1557 prohibits discrimination on the basis of race, color, national origin, sex, disability, and age. The proposed rule would roll back anti-discrimination protections for women, LGBTQ individuals, individuals with limited English proficiency, and individuals with disabilities by undermining critical legal protections that guarantee healthcare as a right.

“The proposed rule undermines the principles of equity and nondiscrimination fundamental for the ACA and civil rights laws,” said Attorney General Connors. “Discrimination against women, the LGBTQ community, individuals with limited English proficiency and individuals with disabilities in the provision of healthcare is blatantly illegal and profoundly damages lives.”

The ACA prohibits discrimination in federal healthcare—from Medicaid, Medicare, and the healthcare exchanges, to federal healthcare grant programs providing safeguards against discrimination. Further, the ACA expressly seeks to provide equity in healthcare and prohibits any regulation that creates unreasonable barriers for individuals to obtain healthcare. The proposed rule contradicts this and other federal civil rights laws by sanctioning discrimination in our healthcare system. It will withdraw key protections, placing patients at greater risk of discrimination on the basis of race, color, national origin, sex, disability, and age.

In today's letter the attorneys general emphasize that the rule would undermine the robust anti-discrimination protections set under current law.

This would specifically harm:

- **Women:** The proposed rule reverses protections against discrimination on the basis of pregnancy, false pregnancy, termination of pregnancy, recovery from childbirth or related conditions. It would lead to the denial of service related to reproductive health, resulting in an increase in unintended pregnancies.
- **LGBTQ Individuals:** The proposed rule reverses protections against discrimination on the basis of sex stereotyping and gender identity. It would lead LGBTQ individuals, who already experience barriers to receiving medical services, to avoid seeking healthcare services.
- **Individuals with Limited English Proficiency:** The proposed rule reverses protections for nearly 25 million people in the United States who do not speak English “very well” and may be considered limited English proficient. It would reverse language assistance requirements that ensure individuals are able to communicate with their healthcare service and coverage providers.
- **Individuals Living with Disabilities:** The proposed rule seeks to reverse requirements set in place to ensure providers make reasonable modifications to policies, practices, or procedures when necessary, to avoid discrimination on the basis of disability.

Attorney General Connors joined a coalition led by California Attorney General Xavier Becerra and Massachusetts Attorney General Maura Healey in filing the comment letter, alongside the Attorneys General of Connecticut, Delaware, Illinois, Iowa, Kentucky, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Vermont, Virginia, Washington, and the District of Columbia.

A copy of the letter can be found [here](#).

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