

DEI Presentation Important Key Points

Introduction

On April 27, 2024, the Biden Administration's Department of Health and Human Services (HHS) finalized long-awaited [revised regulations implementing Section 1557](#) of the Affordable Care Act (ACA). Section 1557 prohibits discrimination on the basis of race, color, national origin, age, disability, or sex and applies to health programs and activities receiving federal financial assistance (referred to as covered entities). In broad terms, it prevents covered entities from discriminating against certain protected groups in providing health care services, insurance coverage and program participation. The rule has staggered effective dates starting on July 5, 2024. In broad terms, 1557 provides nondiscrimination health care protections to individuals in protected groups, including prohibiting denial of benefits, coverage, program participation, and otherwise unequal treatment based on these factors. The administration also released a [FAQ](#) and [press release](#). Section 1557 houses the law's major nondiscrimination provisions by incorporating protections from existing civil rights laws. These laws include Title VI of the Civil Rights Act of 1964 (race, color, and national origin), Title IX of the Education Amendments of 1972 (sex), the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973 (disability). Notably, Section 1557 is the first federal civil rights law to prohibit discrimination on the basis of sex in health care. Section 1557's protections took effect when the ACA was enacted on March 23, 2010, but much of the law's reach has been determined by implementation guidance issued by different Presidential administrations, reflecting different interpretations and priorities. Across the Obama, Trump, and Biden administrations, the 1557 implementing regulations have volleyed back and forth in their interpretations, particularly related to the scope of entities covered by the law and the law's ability to provide nondiscrimination protections based on sexual orientation and gender identity and pregnancy related conditions. These debates, and ensuing litigation, are likely to continue, and will be particularly dependent on the outcome of the 2024 Presidential election.

DEI Presentation Important Key Points

[FAQs to Accompany the Estimates of Top 15 Languages Spoken | HHS.gov](#)

[Strengthening Nondiscrimination Protections and Advancing Civil Rights in Health Care through Section 1557 of the Affordable Care Act: Fact Sheet | HHS.gov](#)

[State Trade Expansion Program \(STEP\) | U.S. Small Business Administration \(sba.gov\)](#)

[Home \(neh.gov\)](#)

[Health Resources and Services Administration | HRSA](#)

[National Institute on Minority Health and Health Disparities \(nih.gov\)](#)

[Connecticut United Ways - United Way of Connecticut \(ctunitedway.org\)](#)