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### **CITY JOINS OPPOSITION AGAINST TRUMP ADMINISTRATION PROPOSAL TO LIMIT CIVIL RIGHTS PROTECTIONS IN HEALTH SERVICES**

*City submitted public comments condemning federal HHS' proposed rule to significantly limit or eliminate civil rights protections in healthcare services for transgender communities, people with disabilities, individuals with limited English proficiency and those seeking access to reproductive healthcare, among others.*

**NEW YORK**—The City of New York announced today that it submitted two public comments in response to a U.S. Department of Health and Human Services proposed rule to eliminate or severely limit federal healthcare protections for key communities including transgender, non-binary and gender non-conforming people, people with disabilities, people seeking reproductive healthcare, and individuals with limited English proficiency. The City submitted a comment on behalf of itself and led a comment co-signed by the cities of Chicago; Seattle; Baltimore; Portland; OR; Bloomington, IN; and Providence, RI.

“The mission of the U.S. Department of Health and Human Services is to enhance the health and well-being of all Americans. Discrimination against trans, non-binary and other humans judged to be not worthy is morally wrong,” said **First Lady Chirlane McCray**. “New York City will take all measures necessary to prevent the Trump administration from eliminating protections that allow people access to life-saving and life-affirming medical care.”

“The proposed changes to the ACA’s landmark non-discrimination provision will fundamentally go against NYC Health + Hospitals’ mission of delivering high quality health services with compassion, dignity, and respect to all, without exception,” said **President and CEO of NYC Health + Hospitals Mitchell Katz, MD**. “We strongly believe that everyone should be able to have access to the healthcare they need, when they need it and where they need it.”

“This proposed rule is an attack on the health, civil rights and human rights of transgender people and the reproductive rights of women,” said **Health Commissioner Dr. Oxiris Barbot**. “It should offend everyone to their core and it must be fought from the courts to the street corners of every American city and town. This rule condones discrimination, perpetuates stigma and runs counter to everything we seek to achieve as an agency that promotes the health of New Yorkers.”

“The New York City Commission on Human Rights opposes the rollback of these protections,” said **Carmelyn P. Malalis, Chair and Commissioner of the New York City Commission on Human Rights**. “To remove protections based on gender expression, reproductive health care choices, disability, or national origin, as this rule would, is bad enough, but the proposed rule would make healthcare harder or even impossible for people to access based on any number of these factors. The Commission on Human Rights is committed to ensuring that people can access healthcare without harassment, intimidation or discrimination. We are pleased to be a part of this organized effort on behalf of the City to condemn this proposal.”

“Access to health care is a fundamental human right for all Americans, including the estimated 61 million of whom live with self-disclosed disabilities,” said **Mayor's Office for People with Disabilities Commissioner Victor Calise**. “The proposed changes to the Affordable Care Act as well as the suggested exemptions from auxiliary aids and services for covered entities with fewer than fifteen employees would place undue barriers on the disability community including individuals who are Deaf or hard-of-hearing, use a foreign sign language as their preferred mode of communication, or have limited English proficiency among other protected classes—all of whom are entitled to equal access to programs and services free from discrimination. MOPD stands with our agency partners in steadfastly opposing the proposed rule and strongly urges the Federal government to reconsider this action as it will adversely affect the lives of our constituents. ”

“By undermining the Affordable Care Act’s language access protections, this proposal threatens to destroy patient-provider communications for anyone who is more comfortable speaking about her health in a language other than English,” said **Bitta Mostofi, Commissioner of the Mayor’s Office of Immigrant Affairs**. “This unconscionable rule not only blatantly discriminates against immigrants with limited English proficiency, but imperils the well-being of all New Yorkers.”

“Attempts to target vulnerable populations or put New Yorkers in need at risk is an affront to our City that we intend to fight with everything we’ve got,” said **Department of Social Services Commissioner Steven Banks**. “No one should have to worry that they won’t be able to meet critical health needs, which could in turn create grave public health concerns for New Yorkers and the nation at large. We will continue to aggressively protect and defend the low-income New Yorkers we serve every day from any federal effort to deprive them of essential resources.”

"With this proposed rule, the Trump Administration is escalating its legally and morally reprehensible attacks on the rights and well-being of communities in desperate need of meaningful, life-saving healthcare access, including transgender and non-binary communities," said **Ashe McGovern, Executive Director of the NYC Unity Project**. "The City of New York, and our colleagues in cities across the country, are stating clearly that we will not stand for these actions. We will continue to fight back until our collective communities are able to exist more freely and openly, in every single area of our lives, including in our most basic need to access medically necessary healthcare.”

The U.S. Department of Health and Human Services (HHS) proposed rule would rollback key elements of current rules under Section 1557 of the Affordable Care Act (ACA) that clarify statutory nondiscrimination healthcare protections on the basis of gender identity, color, race, national origin, pregnancy, disability, and language access among others key areas. The proposal would strip away civil rights protections for tens of millions of Americans seeking access to health insurance and medically necessary health care services.

Specifically, HHS proposes to significantly narrow the reach of the current rules by exempting numerous health care insurance plans, employee benefit programs, and even certain HHS-administered programs from nondiscrimination mandates despite the fact that they receive substantial federal funding. The proposed rule would also eliminate protections against discriminatory actions that Congress specifically intended to address through Section 1557, including:

- Weakening language access protections for people with Limited English Proficiency (LEP) and with communication disabilities in their access to health insurance and health care services.
- Creating blanket religious objection exemptions to allow insurance entities and health care providers and staff to deny health care services and coverage to persons, irrespective of emergencies or limited medical care options, if they seek, have had, are recovering from, or are experiencing a medical condition related to an abortion.
- Eliminating non-discrimination protections for lesbian, gay, bisexual, and queer (LGBQ) people and particularly transgender, gender non-conforming, non-binary (TGNCNB) people in health insurance and health care settings.

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