

On June 12th, the Trump Administration announced changes to its interpretation of Section 1557 of the Affordable Care Act. These changes remove certain federal nondiscrimination in health care protections for members of the LGBTQ community, and in particular, for transgender individuals. Additionally, the change weakens federal requirements related to translation and language access. MassHealth submitted a letter in opposition to these changes on August 13, 2019 to the federal Department of Health and Human Services when they were first announced in draft form. Monday's Supreme Court decision concluding that Title VII of the Civil Rights Act protects LGBTQ individuals from employment discrimination may further impact the administration's changes to Section 1557.

**We want to expressly emphasize that these federal changes have not changed MassHealth's commitment to providing all medically necessary MassHealth services to LGBTQ individuals who are MassHealth members, including transgender members.** Nor do these federal changes affect our commitment to ensuring LGBTQ members can access MassHealth covered benefits free from unlawful discrimination. We want to reiterate that various other state laws and regulations, as well as MassHealth managed care contracts, continue to prohibit discrimination in health care for the LGBTQ community and require meaningful language access for MassHealth members. Plans and providers must continue to ensure compliance with these nondiscrimination requirements.

Thank you,

MassHealth