



November 9, 2015

U.S. Department of Health and Human Services (HHS), Office for Civil Rights
Hubert H. Humphrey Building, Room 509F
200 Independence Avenue, SW
Washington, D.C. 20201

RE: RIN 0945-AA02 1557 Notice of Proposed Rulemaking, Nondiscrimination in Health Programs and Activities

To whom it may concern:

National Advocates for Pregnant Women (NAPW) respectfully submits these comments in response to the proposed rule on Section 1557 of the Affordable Care Act (“ACA Section 1557”). NAPW is a national legal non-profit organization that works to defend the civil and human rights of pregnant women. We thank the Administration for issuing the proposed rule on ACA Section 1557—the first federal civil rights law that prohibits sex discrimination in health care. We believe it will contribute to health equity, and increase affordability and accessibility of coverage and care for all individuals.

Our comment joins the comprehensive comments of the National Latina Institute on Reproductive Health (NLIRH), and numerous other civil society organizations, in urging the Administration **not to include** in this new Rule specific exemptions for health providers, health plans, or other covered entities on the basis of religious beliefs under §92.2 (b). As HHS noted in the proposed rule, certain protections for health care providers regarding religious beliefs already exist and these protections would not be displaced by ACA Section 1557. These existing exemptions already present a significant risk that people, especially women, LGBT, and low income communities, seeking reproductive health care will be denied necessary services due to the religious objections of others. Expanding religious exemptions any further will only exacerbate existing inequities that detrimentally limit people’s access to reproductive healthcare. We also join the comments submitted by NLIRH in urging that the rule explicitly prohibit discrimination on the basis of sexual orientation; affirm the rights of patients to receive accurate and complete medical information; and ensure that covered entities put the public on notice about any exemptions they do receive.

Thank you for issuing the proposed rule on ACA Section 1557. It is critical that HHS rejects any additional religious exemptions—such exemptions are sure to undermine the equality in access to healthcare that the ACA has set out to achieve.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Ainsworth", is positioned above the typed name.

Sara Ainsworth
Director of Legal Advocacy
National Advocates for Pregnant Women