

About Section 1557 of the Affordable Care Act

Section 1557 is the nondiscrimination law in the Affordable Care Act (ACA). Section 1557 addresses the ACA's goals of expanding access to health care and coverage, eliminating barriers, and reducing health disparities.

Section 1557 prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in certain health programs and activities. Section 1557 builds upon longstanding nondiscrimination laws and provides new civil rights protections. The final rule implementing Section 1557 can be found at 45 C.F.R. § 92.

What Entities Must Comply?

All health programs and activities that receive Federal financial assistance from the U.S. Department of Health and Human Services. Examples of types of covered entities: hospitals, health clinics, physicians' practices, community health centers, nursing homes, rehabilitation centers, health insurance issuers, State Medicaid agencies, etc. Federal financial assistance includes grants, property, Medicaid, Medicare Parts A, C and D payments, and tax credits and cost-sharing subsidies under Title I of the ACA. (Medicare Part B is not included.)

What Must Be Done?

Section 1557 requires covered entities to do the following:

- Ensure protection of individuals against sex discrimination
- Ensure meaningful access for individuals with Limited English Proficiency
- Ensure effective communication with and accessibility for individuals with disabilities
- Provide protection for coverage of health insurance
- Notify individuals that the covered entity does not discriminate on the basis of race, color, national origin, sex, age or disability by posting notices of nondiscrimination
- Notify individuals that the covered entity provides qualified interpreters to ensure meaningful access by posting taglines in at least the top 15 non-English languages spoken in the State
- Entities who employ 15 or more persons must designate a compliance coordinator, and develop a grievance procedure

Detailed information can be found at: www.hhs.gov/civil-rights/for-individuals/section-1557

The OCR website can provide you with further information, including:

- Final rule
- Fact sheets on key provisions
- Sample policies and resources in English and other languages
- Training materials
- Where to file a complaint
- Contact information for OCR