

# Producer Online News

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## New ACA rule clarifies requirements for nondiscrimination

August 1, 2016

The recently released Nondiscrimination in Health Programs and Activities Rule, Affordable Care Act (ACA or health care reform law) Section 1557 (“Section 1557 Rule”), prohibits covered entities from discriminating on the basis of race, color, national origin, sex, age, or disability.

The rule includes clarifications and requirements for covered entities (including Anthem) that impact how Anthem administers benefits related to transgender services, and requires Anthem to add statements on materials provided to members about nondiscrimination, as well as information about language assistance.

Covered entities are defined as:

- Any health program or activity any part of which received funding from the U.S. Department of Health and Human Services (HHS)
- Any health program or activity that HHS itself administers
- Health Insurance Marketplaces (also called the exchange) and all plans offered by issuers that participate in those Marketplaces.

The details about the rule, and what steps Anthem is taking to comply, are in this [fact sheet](#). This includes the varying compliance dates for different parts of the rule.

For more details, see [the HHS Office of Civil Rights information page](#) as well as the [Frequently Asked Questions \(FAQs\) published by HHS](#).

Additionally, on June 14, 2016, the Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) issued a final regulation, effective August 15, 2016, on sex discrimination that applies to employers that hold federal contracts.

For an overview of the OFCCP Rule’s contents, see the fact sheet [OFCCP’s Sex Discrimination Final Rule](#) and these [FAQs](#). The FAQs indicate that OFCCP will consider good faith progress to take steps to change benefits policies and practices in analyzing whether enforcement action is appropriate, particularly in the period immediately following the rule’s effective date.

*This article applies to:*

- *California*
- *Small Group, Large Group, and Individual (under 65)*