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## Notice Regarding State Nondiscrimination Requirements

June 13, 2020

The Department of Health Care Services (DHCS) and its plans, providers, counties and other partners serve Medi-Cal beneficiaries of all ages, religions, abilities, sexual orientations, gender identities, races, ethnicities and national origins. We strive to improve the health and well-being of all Californians. This commitment is enshrined in state law, which provides protections beyond the minimum standards in federal law.

This commitment is undiminished by recent changes to federal regulations. On June 12, 2020, the U.S. Department of Health and Human Services (HHS) finalized a rule, citing Section 1557 of the Affordable Care Act (ACA), that eliminates preexisting federal rules protecting individuals from discrimination based on categories like gender identity and sexual orientation. In addition, the final rule eliminates federal requirements that Medicaid programs include taglines in significant communications that inform individuals with Limited English Proficiency about the availability of language assistance services.

We remind our plans, providers, counties and other partners that, regardless of the change in federal regulations, under California law,<sup>1</sup> no person may—on the basis of sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation—be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, administered or funded by the State. This includes, but is not limited to, the Medi-Cal program.

In addition, California law<sup>2</sup> requires DHCS, as well as managed care plans providing covered benefits to DHCS beneficiaries, to provide notice of the availability of free language assistance services in English and in the top 15 languages spoken by limited-English-proficient individuals in California.

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<sup>1</sup> California Government Code § 11135.

<sup>2</sup> California Welfare and Institutions Code §§ 14029.91, 14029.92.

In California, we are focused on building an inclusive and nondiscriminatory health care system. We strive to ensure that Californians of all identities—including those who may have special needs or vulnerabilities, and those who have faced discrimination and marginalization—have an opportunity to access affordable, high-quality health care.

Sincerely,

Original Signed By:

Jacey Cooper  
Chief Deputy Director  
Health Care Programs  
State Medicaid Director