

## The Joint Commission Is Disappointed with the Recent Finalized Revisions to Nondiscrimination Protections Under the Affordable Care Act

The Joint Commission is disappointed with the U.S. Department of Health and Human Services recent changes to the rule on nondiscrimination under Section 1557 of the Affordable Care Act. The final rule eliminates the definition of “discrimination based on sex,” which included discrimination on the basis of gender identity.

The Joint Commission is concerned that deleting the specific reference to gender identity may worsen inequalities of care for the lesbian, gay, bisexual, and transgender communities. Studies show that these patients often experience lower quality of care because of stigma, lack of awareness, and barriers to care. **The Joint Commission’s standards prohibit discrimination on the basis of sexual orientation and gender identity or expression.** The Joint Commission will continue to ensure that accredited health care organizations comply with The Joint Commission standards so patients from all communities are not subject to any type of discrimination.