



Healthcare Policy Roundup

May 22, 2018

Catch the Highlights!

- *Lawmakers respond to Trump's "gag rule" announcement*
- *House Freedom Caucus sinks GOP farm bill over immigration vote*
- *State official confirms that Medicaid programs must cover claims for nonbinary individuals*

Questions? Comments?

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Lawmakers push back against proposed "gag rule":

Last week, the Trump Administration announced a controversial rule barring Title X grant recipients who provide family planning counselling from performing or referring patients to abortion services. Title X is a federal grant program that supports comprehensive family planning services for underserved communities. Many healthcare providers, including Community Healthcare Network, utilize this funding to provide a broad range of reproductive health services to patients at reduced or no cost.

Currently, Title X recipients such as Planned Parenthood are able to provide abortion services to patients if procedures are funded through alternate sources. Under the proposed "gag rule", providers who continue to offer these services would lose all Title X funding. The "gag rule" would also prevent Title X organizations from sharing information about or referring patients to abortion clinics.

While no rules have been published as yet, many lawmakers are speaking out against the proposed regulation. Last week, over 200 Democrats from the U.S. House and Senate signed a letter urging Secretary of Health and Human Services Alex Azar to reject the proposal. In New York State, Governor Andrew Cuomo penned a letter to Health Department Commissioner Dr. Howard Zucker directing the agency to "explore all avenues for legal action to counter the White House's attack on...access to comprehensive reproductive services."

In a recent [statement](#) to Crain's New York Business, Community Healthcare Network's President & CEO Robert Hayes remarked: "We receive more than \$1 million in federal Title X funds, but we will turn away that funding and find other ways to raise support to maintain our integrity and our patients' best interest. In New York, Title X funds are distributed to providers through sub grants from Public Health Solutions and the New York State Department of Health.

Freedom Caucus sinks GOP farm bill:

On Friday, conservative lawmakers sank a partisan farm bill after GOP leadership refused to vote on immigration legislation. The bill, which contains sweeping regulations on food and agriculture policy and is voted on every five years, is traditionally developed by a group of moderate lawmakers. However, conservative lawmakers sought to leverage support for midterm elections by passing single party legislation.



The bill died after a 48-hour standoff between GOP leadership and the House Freedom Caucus which threatened to hold the legislation hostage until the House voted on conservative immigration policy. Despite efforts to negotiate an immigration vote in June, the Caucus ultimately sank the bill.

The bill's rejection comes as welcome news to Democrats who staunchly opposed a provision mandating work requirements for recipients of the Supplemental Nutrition Assistance Program (SNAP), or food stamps. Senate Democrats and Republicans are currently working on a bipartisan version of the bill.

State rules that Medicaid programs must cover nonbinary individuals:

After more than a year of legal dispute, the New York State Office of Temporary and Disability Assistance (OTDA) overturned an insurance company's decision to deny coverage for breast reduction surgery requested by a nonbinary Medicaid recipient.

The case examined whether state Medicaid regulations for gender dysphoria treatment extended to gender nonconforming or nonbinary individuals. According to HealthFirst, the requested procedure did not constitute a medical necessity because the patient did not undergo hormone therapy prior to requesting surgery. Based on these criteria, the patient's insurer identified the procedure as purely "cosmetic."

The case was taken up by Legal Aid Society who argued that asking nonbinary patients to undergo hormone therapy prior to surgical procedures ran counter to the original intent of the state's regulations. OTDA Administrative Director Nigel Marks subsequently reversed the denial and ordered HealthFirst to approve the mammoplasty. Marks stated: "The distress associated with gender dysphoria is not limited to a desire to just be of the opposite gender, but may include a desire to be non-binary."



Community
Healthcare Network