

# Provider Update

## Nondiscrimination and accessibility requirements update

**Summary:** On May 13, 2016, the Department of Health and Human Services Office of Civil Rights (DHHS OCR) released the Nondiscrimination in Health Programs and Activities Final Rule (Final Rule) to improve health equity under the Affordable Care Act (ACA). Section 1557 of the ACA prohibits discrimination on the basis of race, color, national origin, gender, gender identity, age or disability by providers, health programs and activities that a) receive financial assistance from the federal government, and b) are administered by any entity established under Title I of the ACA.

### **How does the Final Rule apply to managed care organizations?**

Amerigroup\* complies with all applicable federal civil rights laws and does not discriminate, exclude people or treat them differently on the basis of race, color, national origin, gender, gender identity, age or disability in its health programs and activities. Amerigroup provides free tools and services to people with disabilities to communicate effectively with us. Amerigroup also provides free language services to people whose primary language isn't English (e.g., qualified interpreters and information written in other languages).

We notified your Amerigroup patients these services can be obtained by calling the Member Services phone number on their member ID card.

### **Who can I talk to if Amerigroup isn't following these guidelines?**

If you or your patient believe that Amerigroup has failed to provide these services, or discriminated in any way on the basis of race, color, national origin, age, disability, gender or gender identity, you can file a grievance with our member advocate via:

- Mail: 823 Congress Ave., Suite 400, Austin, TX 78701
- Phone: 1-800-600-4441 (TTY: 711), and ask for a member advocate
- Email: dl-txmemberadvocates@anthem.com

If you or your patient need help filing a grievance, the member advocate is available to help. You or your patient can also file a civil rights complaint with the DHHS OCR:

- Online at the OCR complaint website: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>
- By mail to: U.S. Department of Health and Human Services, 200 Independence Ave. SW, Room 509F, HHH Building, Washington, DC 20201
- By phone at: 1-800-368-1019 (TTY/TTD: 1-800-537-7697)

Complaint forms are available at [www.hhs.gov/ocr/filing-with-ocr/index.html](http://www.hhs.gov/ocr/filing-with-ocr/index.html). For additional details about Section 1557 and the Final Rule, visit:

- The DHHS OCR information page:  
[www.hhs.gov/civil-rights/for-individuals/section-1557/index.html](http://www.hhs.gov/civil-rights/for-individuals/section-1557/index.html)
- Frequently asked questions published by the DHHS:  
[www.hhs.gov/sites/default/files/2016-05-13-section-1557-final-rule-external-faqs-508.pdf](http://www.hhs.gov/sites/default/files/2016-05-13-section-1557-final-rule-external-faqs-508.pdf)

*\*Amerigroup members in the Medicaid Rural Service Area and the STAR Kids program are served by Amerigroup Insurance Company; all other Amerigroup members in Texas are served by Amerigroup Texas, Inc.*