

Know Your Rights: Affordable Care Act Protections From Discrimination in Sexual, Reproductive, and Transgender Health Care

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The Affordable Care Act, also known as the ACA or ObamaCare, makes it illegal to discriminate against people based on race, ethnicity, the country they are from, limited English skills, disability, age, and sex in most health care situations. Sex discrimination can mean unfair treatment because you are a woman, LGBTQI+, or pregnant. We want to help you know your rights and what you can do if they are not respected. This information is for educational purposes only and is not legal advice.

Who needs to follow this law?

Anyone in health care who receives federal funding. This can include:

- Health care workers like doctors, nurses, pharmacists, and other staff, and their employers. For example, if they accept Medicare or Medicaid, they must follow these rules, even if you have different insurance.
- Title X family planning clinics ([find one near you](#)).
- Community health centers that get federal funding ([find one near you](#)).
- Most health insurance, including Medicare, Medicaid, and marketplace plans.
- Most hospitals.
- Some clinical trials.

What kinds of discrimination in sexual, reproductive, and transgender health care are illegal under the ACA?

The law may protect you from the following kinds of discrimination:

- Being treated unfairly based on your past, present, or future reproductive decisions, including abortion.
- Being denied birth control pills or an abortion because of your race or disability, even though your nurse provides this care to other people.

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- Being treated badly by your nurse because you are a teen parent or have HIV.
 - Being yelled at, scolded, or ignored during childbirth because of your race or limited English skills.
 - Being denied an HIV medication refill at your pharmacy even though others will refill it.
 - Being denied a refill for a medication you need for a health condition because the pharmacist or doctor thinks it could cause an abortion, even though you are not pregnant.
 - Being denied testing for breast or cervical cancer because you are disabled or transgender.
 - Being denied a translator or an interpreter for sexual, reproductive, or transgender health care.
 - Being denied coverage for the care you need (such as estrogen or testosterone) because you are transgender, even though your insurance covers this care for people who are not transgender.
 - Being told your wife cannot come to your pregnancy appointment while husbands are allowed.

Filing a Complaint

If you believe your rights were not respected, you can file a complaint with the federal government. You have 180 days from when you learned the discrimination occurred to file your complaint by mail, fax, e-mail, or via their [website](#). You do not need to give a lot of details; a few sentences are enough.

For health insurance discrimination, you can also file a complaint with your state insurance commissioner. To file a complaint, visit the National Insurance Commissioners' [website](#), select your state, and navigate to its consumer complaint page.

Some people who do not like sexual, reproductive, and transgender health care are attacking these protections in court. If you believe your rights were not respected, you should still file a complaint.

Need Help?

If you need legal help enforcing your rights, you may be eligible to receive free or low-cost legal support. [Find a legal aid organization in your area.](#)