



Protecting Healthcare Quality, Access and Choice of Providers

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Patients' Rights Group Condemns Flawed Guidance on Provider Non-Discrimination Law

Coalition for Patients' Rights coordinates response on behalf of over 3.5 million healthcare professionals to government Request for Information regarding flawed ACA FAQ

JULY 2014, WASHINGTON – The Coalition for Patients' Rights (CPR), an organization representing over 3.5 million health professionals, has urged the federal government to take action on a challenge that is impeding patients from accessing the care provider of their choice.

Under the Affordable Care Act (codified as Section 2706(a) of the Public Health Service Act), private health insurers in any given state must include and reimburse licensed or certified health care providers in insurance plans. The provision, titled "Nondiscrimination in Health Care," specifies that insurers "shall not discriminate with respect to participation under the plan or coverage against any health care provider who is acting within the scope of that provider's license or certification under applicable State law." The intent is to give consumers greater choice among the types of health care providers they visit, particularly holistic health care providers such as naturopathic physicians, chiropractors, and nutrition specialists.

Many insurers, however, are either excluding such licensed providers entirely from participation in health insurance plans or are not allowing them to participate to the full extent permitted under applicable state law. Consequently, millions of patients are being prevented from obtaining services from their chosen provider on a level playing field with other, already covered, provider types.

In recent [comments](#) delivered to the US Departments of Health and Human Services, Labor, and the Treasury, CPR called for the federal government to rescind a Frequently Asked Questions (FAQ) document, issued by the three departments in April, 2013, that ignores the congressional intent of Section 2707(a) and has allowed insurers to exclude entire classes of licensed health care providers. In its response to the Departments' collective Request for Information regarding implementation of Section 2706(a), the CPR called for corrective action that will clearly instruct insurers of their obligation to follow the law based on congressional intent in crafting it

"The promise of the non-discrimination provision of the Affordable Care Act is for patients to have access to their choice of licensed health care provider," said Michael Jawer, Director of Government and Public Affairs for the American Association of Naturopathic Physicians, a member association of the Coalition for Patients' Rights. "The way this statute is interpreted will have tremendous impact on whether lawmakers' original vision is fulfilled. If clear and accurate guidance is provided, not only will patients immediately benefit but the shortage of primary care professions will begin to be addressed. Health care professionals such as those represented by the CPR want to serve patients as fully as our licenses allow."

CPR is a national multidisciplinary coalition of more than 35 professional organizations representing more than 3.5 million licensed and certified healthcare professionals committed to ensuring comprehensive choices for all patients. CPR supports efforts to address the negative effects of provider discrimination on patients, particularly restrictions on access to patient centered, prevention oriented care.

To view CPR's comments to the federal government on this issue, please click [here](#).

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About the Coalition for Patients' Rights™

A national coalition of more than 35 professional membership organizations, the Coalition for Patients' Rights (CPR) represents more than three million licensed and certified healthcare professionals and is committed to ensuring comprehensive healthcare choices for all patients. Formed in 2006, the Coalition supports a patient's right to choose the healthcare professional who best meets their health needs. To that end, the CPR advocates for the ability of all healthcare professionals to practice to the full extent of their ability, training, certification and licensure and works to ensure that transparent, patient-centered scope of practice guidelines promote consumer access to safe, high-quality and cost-effective healthcare.

The Coalition is comprised of a diverse array of healthcare professionals, including registered nurses, naturopathic doctors, psychologists, speech-language pathologists, audiologists, marriage and family therapists, occupational therapists, physical therapists, advanced practice registered nurses (certified registered nurse anesthetists, nurse practitioners, certified nurse-midwives and clinical nurse specialists), foot and ankle surgeons and chiropractors. To view a full list of members and learn more about the Coalition, visit www.patientsrightscoalition.org.