

**SPARK**

HOW DOES THE AFFORDABLE CARE ACT BENEFIT LGBTQQ AFRICAN-AMERICANS IN GEORGIA

NATIONAL DOMESTIC
WORKERS ALLIANCE
ATLANTA CHAPTER

NONDISCRIMINATION CLAUSE

Health insurers can no longer discriminate based on sexual orientation, gender identity, or gender expression.^{i,ii} Also, the ACA prohibits discrimination on the basis of pre-existing conditions, such as HIV or AIDS, which disproportionately impacts LGBTQQ people of color. Furthermore, trans and gender non-conforming people cannot be denied coverage based on the diagnosis of "gender identity disorder" or "gender dysphoria." It is now illegal for providers to refuse treatment to trans and gender non-conforming people simply because they are trans or gender non-conforming.^{iii iv}

MORE CARE FOR THOSE WITH HIV

Medicaid has traditionally only covered a person that meets certain categorical requirements. For the childless adult with HIV/AIDS, this has often meant that they are not Medicaid eligible until they become disabled by AIDS.^v This means that adults with HIV, even if they are poor enough to meet income requirements, are often ineligible for Medicaid. Through Medicaid expansion, adults meeting income requirements no longer have to be considered disabled to receive Medicaid coverage and thus, gain access to life-saving treatments.

COVERAGE FOR PARENTS

21% of all LGBTQQ couples are raising step children or adoptive children.^{vi} Unfortunately, biased policies and social stigma overlook these parents and mislabel them as childless adults. With Medicaid expansion, LGBTQQ parents making 138% of the FPL can be insured, despite Georgia's legal hurdles in marriage, adoption, step-parent recognition, and surrogacy/insemination discrimination.

Two Ways to Get Involved

Join SPARK, the Atlanta Chapter of the National Domestic Workers Alliance, and Moral Monday as we stand up for health equity!

Visit www.sparkrj.org to join our mailing list for the latest news, upcoming events, and opportunities to volunteer as we continue this push for healthy families!

Sources

i. US White House "The ACA Helps LGBTQ Americans" -- whitehouse.gov/sites/default/files/docs/the_aca_helps_lgbt_americans.pdf -- page 2

ii. Department of Health & Human Services, Centers for Medicare & Medicaid Services, Center for Consumer Information and Insurance Oversight "Frequently Asked Question on Coverage of Same-Sex Spouses" -- <http://go.cms.gov/1l8lQJr>

iii. Strong Families in partnership with SPARK "Where to Start, What to Ask: A Guide to LGBT People Choosing Healthcare Plans" -- <http://bit.ly/1npaTpn> -- page 14

iv. National Women's Law Center, "Nondiscrimination Protection in the Affordable Care Act: Section 1557" -- http://www.nwlc.org/sites/default/files/pdfs/general_1557_factsheet_6-3-13.pdf

v. The Henry J. Kaiser Family Foundation "Assessing the Impact of the Affordable Care Act on Health Insurance Coverage of People with HIV" --

<http://kff.org/report-section/assessing-the-impact-of-the-affordable-care-act-on-health-insurance-coverage-of-people-with-hiv-issue-brief/>

vi. US Census "Same Sex Households" -- <http://www.census.gov/prod/2011pubs/acsbr10-03.pdf>