

February 20, 2020

ATTORNEY GENERAL RAOUL OPPOSES FEDERAL PROPOSALS TO ROLL BACK CRITICAL ANTI-DISCRIMINATION PROTECTIONS

Chicago — Attorney General Kwame Raoul, as part of a multistate coalition, opposed proposed federal rules that roll back critical safeguards that protect the rights of patients and students. The federal government's proposals would allow faith-based organizations to deny services by circumventing some requirements in federal law.

[In two comment letters](#), Attorney General Raoul and several attorneys general oppose rule changes proposed by the U.S. Department of Health and Human Services (HHS) and the U.S. Department of Education (DOE). In both letters, Raoul and the coalition argue that the proposed rule changes are arbitrary and could allow health care providers and schools to discriminate against individuals for faith-based reasons.

"We cannot allow the prejudices held by some to prevent others from receiving the medical services or educations they need and deserve," Raoul said. "I am committed to fighting proposals that will allow discrimination of already marginalized populations for any reason."

Raoul and the coalition submitted a letter to HHS opposing a rule change that would eliminate transparency requirements for faith-based providers that help patients understand their rights and access referrals to care from other providers. Raoul and the coalition contend the proposal fails to safeguard the rights of women, LGBTQ individuals, and low-income residents to obtain accurate information about their health care. Under the proposed rule, faith-based providers no longer would be required to notify patients of their rights, including their right to a referral. In the comment letter, Raoul and the coalition maintain that the proposal is arbitrary and capricious because it fails to consider evidence or adequately justify the proposed changes.

Raoul and the coalition also submitted a letter to the DOE opposing the department's proposed rule that would expand the criteria schools use to claim religious exemptions under Title IX of the Education Amendments Act of 1972 (Title IX). The expansion potentially would allow schools to discriminate against students or faculty on the basis of sex by citing the moral beliefs and practices of administrators, even if those practices have no connection with a religion. Raoul and the coalition argue the proposal could give schools wide latitude to discriminate against students or faculty on the basis of sex, significantly harming people who have experienced discrimination, sexual harassment, and violence. This kind of discrimination would disrupt students' academic trajectories and careers, and harm their mental and physical health. Raoul and the coalition argue the proposal is arbitrary and capricious because the federal government failed to provide any substantive reasoning that would justify this dramatic departure in policy.

Joining Raoul in submitting comments to HHS are the attorneys general of California, Connecticut, Delaware, the District of Columbia, Hawaii, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Vermont, Virginia, Washington, and Wisconsin. Joining Raoul in submitting a letter to the DOE are the attorneys general of Delaware, the District of Columbia, Hawaii, Maine, Maryland, Massachusetts, Michigan, New Jersey, Pennsylvania, Vermont, and Virginia.