

MEMORANDUM

TO: Members of the House Committees on Ways and Means, Energy and Commerce, and Education and Labor
FROM: National Health Equity Coalition
DATE: May 19, 2009
RE: Addressing health disparities in health reform legislation

The National Health Equity coalition commends the House Committees on Ways and Means, Energy and Commerce, and Education and Labor for their leadership in crafting health reform legislation. This memorandum provides specific legislative language that would achieve the principles recommended in a letter initiated by the coalition and submitted on March 4, 2009 to improve health equity for all Americans in health reform legislation currently being developed by your committees.

Health and health care inequality exact a huge human and economic toll on the nation. Their persistence means that millions of Americans and their families suffer needlessly from a high burden of illness and mortality. Health inequality leaves these Americans less able to contribute to the nation's economy and productivity, and to participate fully in social, civic and political affairs in their communities. Health reform legislation presents a unique opportunity to address the deficiencies in our nation's health system and work towards the elimination of health disparities. It is also an opportunity to ensure that government programs adhere to civil rights laws that address "unintentional" racial disparities (Title VI of the Civil Rights Act of 1964), including those that safeguard health and other economic needs, so that available resources are utilized in a manner that supports achievement of the highest attainable standard of health for every individual.

The following recommends specific legislative language, where available, that accompanies the principles in the above-mentioned letter:

- **Sustain and support the role of traditional safety-net providers:** Health reform legislation should assess the impact of health insurance expansion programs on safety net institutions, such as community health centers and public hospitals, and provide additional financial resources or other support where needed.
- **Ensure access to a medical home:** The Medical Homes Act of 2007, S. 2376, introduced by Senator Richard Durbin.
- **Expand community-based prevention and wellness:**
 - The Health Empowerment Zone Act of 2009, H.R. 2233, introduced by Representative Donna Christensen.
 - Codifying the CDC's Racial and Ethnic Approaches to Community Health (REACH) program.
 - Grants and demonstration programs, such as those in Title II of the Minority Health Improvement and Health Disparity Elimination Act, S. 1576 and H.R. 3333, introduced by Senator Edward Kennedy and Representative Jesse Jackson, 110th Congress.
 - The Community Health Workers Act of 2009, S. 319, introduced by Senator Bingaman.
- **Increase diversity among the health professions and address shortage areas:** Language is available under Title II of the Health Equity and Accountability Act, H.R. 3014, introduced by Representative Hilda Solis, 110th Congress. However, members of the Congressional Tri-Caucus are expected to introduce a similar, but stronger bill.

- **Incorporate universal adoption of cultural and linguistic competence in health care settings:** Language is available under Title I of the Health Equity and Accountability Act, H.R. 3014, introduced by Representative Hilda Solis. However, members of the Congressional Tri-Caucus are expected to introduce legislation with significantly stronger language to address this issue.
- **Develop a strategy and standardized measures for collecting, monitoring and reporting data on health disparities:** Language is available under Title IV of the Minority Health Improvement and Health Disparity Elimination Act, S. 1576 and H.R. 3333, and Title III of the Health Equity and Accountability Act, H.R. 3014. However, members of the Congressional Tri-Caucus are expected to introduce a similar, but stronger bill.
- **Improve interagency collaboration and implement health impact assessments:** The HIA Act of 2008, S. 3571, introduced by Senator Robert Menendez. Also, the Healthy Places Act of 2007, S. 1067 and H.R. 398, introduced by Senator Barak Obama and Representative Hilda Solis.
 - **Assure environmental justice:** Although not specifically addressed in the March 4 letter, a related issue is the disproportionate impact of environmental degradation on communities of color. To ensure enforcement of environmental laws, Executive Order 12898 should be codified, as proposed in the Environmental Justice Act of 2007, H.R. 1103, introduced by Representative Hilda Solis.
- **Encourage the adoption of quality improvement programs that address the health care challenges and needs of underserved communities:** Quality improvement and pay-for-performance policies must take into account the needs and challenges of populations and communities that have traditionally suffered health disparities and barriers to health services, and reward efforts that reduce disparities and barriers. Studies must be done to ensure that efforts to improve quality of care for the general population do not inadvertently exacerbate health disparities.
- **Support efforts to improve the health of minorities and disparity populations living in rural and frontier communities:** Language is available under Title V, Sections 513-518 of the Health Equity and Accountability Act, H.R. 3014. However, members of the Congressional Tri-Caucus are expected to introduce a similar, but stronger bill.
- **Establish an Office of Urban Health:** The Department of Health and Human Services should establish an Office of Urban Health within the Health Resources and Services Administration to administer grant programs and provide technical assistance and counseling to improve urban health and support urban health research.
- **Reduce barriers to enrollment in public health insurance programs:** Title II, Section 251 of the Access to Affordable Health Care Act, S. 158, introduced by Senator Susan Collins, 110th Congress. Also, Title II, Sections 399R, 399T and 399W of the Minority Health Improvement and Health Disparity Elimination Act, S. 1576 and H.R. 3333.
- **Foster greater equality through the enforcement of civil rights laws that impact health:** Language is available under Title IV, Sections 3041 and 3042 of the Health Equity and Accountability Act, H.R. 3014. Also, the Restoring Equal Justice Act of 2009 is expected to be introduced soon by Senator Patrick Leahy.

We hope that you will continue to address the needs of minority and health disparity populations throughout health reform legislation. Please feel free to contact the following members of our steering committee if you have any questions or need additional information.

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