



For Immediate Release
Friday, June 26th, 2020

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Pritzker Administration Affirms Illinois Nondiscrimination Protections in Response to Recent Trump Administration ACA Rule Change

(Chicago) Today, the State of Illinois released guidance that affirms Illinois nondiscrimination protections on the basis of sexual orientation and gender identity.

“From day one, my administration has sought to protect LGBTQ+ individuals, including by expanding HIV preventative care and treatment, funding gender-affirming surgeries, fostering affirming and inclusive classrooms in which LGBTQ+ students are able to thrive, and ensuring LGBTQ+ students see themselves reflected in the curriculum,” said Governor JB Pritzker. “That work becomes even more urgent when the federal government hands down policy decisions that undermine people’s basic humanity. As we live through exceedingly difficult times, we must unite against all forms of hate and show empathy and compassion for one another — especially as we fight for full equality and justice for all of our country’s residents.”

On June 12, 2020, the fourth anniversary of the Pulse massacre where 49 members of the LGBTQ+ community and allies lost their lives, the U.S. Department of Health and Human Services (HHS) announced it will remove the explicit nondiscrimination protections for transgender individuals and other vulnerable populations under the Affordable Care Act (ACA). Not only does this removal completely undermine a major pillar of the historic ACA legislation, it creates confusion about the right of everyone in the LGBTQ+ community, and specifically transgender individuals, to receive healthcare free from discrimination.

Fortunately, in Illinois, there is no confusion. The Illinois Human Rights Act, the Illinois Insurance Code, and the Illinois Administrative Code prohibit discrimination on the basis of

sexual orientation and gender identity in healthcare settings, including in the offering and provision of health insurance coverage.

To assist Illinois employers with compliance, the Illinois Department of Human Rights (IDHR), the Illinois Department of Healthcare and Family Services (HFS), and the Illinois Department of Insurance (IDOI) developed [legal guidance](#) that highlights the existing state-mandated nondiscrimination protections and reminds the Illinois healthcare community of their ongoing obligations to deliver healthcare services in a non-discriminatory manner.

“No one should be discriminated against because of who they are or who they love”, said **IDHR Director Jim Bennett**. “Illinois is a state where everyone’s identities are affirmed. Our healthcare systems must be safe places for the LGBTQ+ community to seek care and the Illinois Department of Human Rights’ team of investigators and lawyers will be there to enforce the protections our laws afford.”

“There is absolutely no place for discrimination in healthcare or anywhere,” said **HFS Director Theresa Eagleson**. “As the largest health insurer in the state, HFS will do all we can to stand for equity and access for everyone. This administration will protect healthcare equity for all of our customers and members. With this guidance today, we are recommitting to ensuring that all of our healthcare and social service provider partners understand this mandate.”

“We are disappointed that the Trump Administration is continuing its attack on the nondiscrimination protections for gender identity and sexual orientation provided by the Affordable Care Act,” said **IDOI Director Robert Muriel**. “The Department expects health insurance companies to continue providing quality coverage to all Illinoisans. We will pursue all options available to protect against all forms of gender-related and sexual orientation discrimination in the provision of health insurance coverage under Illinois law.”

Anyone who feels they have been a victim of discrimination can reach out to the IDHR via email at IDHR.Intake@Illinois.Gov and file a charge of discrimination. The IDHR has developed an [FAQ](#) to provide information on the Department’s amended procedures during the COVID-19 pandemic. For additional questions, please call (312) 814-6200 or visit <https://www2.illinois.gov/dhr>.

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