

Patient Protections: Anti-Discrimination of Health Professionals – Health Care Reform Law (111-148)

Background: Provider discrimination by health insurers and group health plans is anti-competitive in nature. This practice limits or even denies patient choice and access to a range of beneficial providers and, in general, results in a less-than-optimal delivery system. Additionally, ensuring that providers are not discriminated against will encourage the placement of a wide range of skilled health care professionals, including midwives, in those areas of the nation that currently operate without sufficient numbers of health providers to adequately serve the public.

ACNM Position/Policy: ACNM is a strong supporter of this provision of the health care reform law.

Summary of Provisions

Section 1201 (and added Section 2706 of the Public Health Service Act) of the Patient Protection and Affordable Care Act imposes nondiscrimination requirements on group health plans and issuers in the individual and group markets with respect to plan participation. Although the provisions do not require a health plan to contract with every available health care provider, they do prevent health plans from excluding an entire type of provider from its network. These provisions will be implemented and enforced by the U.S. Department of Health and Human Services.

Timeline for Implementation: January 1, 2014

Impact on Nurse Midwives: The inclusion of strong nondiscrimination language on benefits and providers as an essential element of insurance reform will allow patients to choose their providers and the full range of health care services they need, which is critical for women wishing to access midwifery services.

References:

1. Patient Protection and Affordable Care Act, S.3590, 111th Congress, 2nd Sess (2010).