



April 26, 2023

Susan E. Rice
Director, Domestic Policy Council
The White House
1600 Pennsylvania Ave NW
Washington, DC 20500

Melanie Fontes Rainer
Director, Office for Civil Rights
Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

Re: Health and Human Services Section 504 Regulations

Dear Directors Rice and Fontes Rainer:

The Consortium for Constituents with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration, and inclusion of children and adults with disabilities in all aspects of society free from racism, ableism, sexism, and xenophobia, as well as LGBTQ+ based discrimination and religious intolerance.

The undersigned members of CCD's Rights, Long Term Services and Supports, and Health Task Forces write to **urge you to issue the notice of proposed rulemaking for Section 504 regulations now.**

Section 504 regulations are of the utmost importance to the disability community. As we shared during the February 2022 listening session and in our [April 2022 letter](#), people with disabilities face discrimination in health care in numerous ways, including:

- Discrimination in organ transplants and medical futility decisions;
- Health care rationing during times of crisis;
- Inaccessible medical equipment;
- Discrimination in health care benefit design and coverage determinations;
- Inaccessible health care communications; and
- failure to ensure effective communication.

This year we will celebrate 50 years since Section 504 was enacted. However, Section 504 regulations have not been updated for decades and do not adequately address issues facing people with disabilities today. We are concerned that if the notice of proposed rulemaking is not issued imminently, that there will not be sufficient time for meaningful comment and response prior to the end of the Administration's first term. We also urge you to issue finalized Section 1557 rules as soon as possible, to strengthen protections against disability discrimination in health care.

In a year when we mourn the loss of Judy Heumann and remember how she led a 26-day sit-in to urge the federal government to implement Section 504 regulations, it would be particularly appropriate and meaningful for HHS to act swiftly to issue much-needed updates to these essential protections.

Please feel free to reach out to Jennifer Lav at lav@healthlaw.org with any questions or concerns.

Sincerely,

Access Ready
Allies for Independence
American Association of People with Disabilities
American Association on Health and Disability
American Council of the Blind
American Speech-Language-Hearing Association
Association of Assistive Technology Act Programs
Autistic Self Advocacy Network

Autistic Women & Nonbinary Network
Bazelon Center for Mental Health Law
Caring Across Generations
Christopher & Dana Reeve Foundation
CommunicationFIRST
Disability Rights Education and Defense Fund
Epilepsy Foundation
Family Voices
Justice in Aging
Lakeshore Foundation
Muscular Dystrophy Association
National Center for Parent Leadership, Advocacy, and Community Empowerment
(National PLACE)
National Disability Rights Network (NDRN)
National Down Syndrome Congress
National Health Law Program
Paralyzed Veterans of America
Perkins School for the Blind
RespectAbility
TASH
The Arc
United States International Council on Disabilities
World Institute on Disability

Cc: Alison Barkoff, Principal Deputy Administrator, ACL
Rachel Patterson, Director of Disability Policy, DPC
Jennifer Mathis, Deputy Assistant Attorney General, Civil Rights Division, DOJ
Sam Bagenstos, General Counsel, HHS