

Senate Bill 418

Ensure Equal Access to Care for All

Senator Caroline Menjivar (D – San Fernando Valley)

SUMMARY

SB 418 codifies federal regulations issued under Section 1557 of the Affordable Care Act (ACA) in state law that ensure basic protections from discrimination in any health program or activity that receives government funding. Under the current Presidential Administration, these protections are at risk. This bill enshrines California's values and protects health insurance enrollees from discrimination.

PROBLEM

Within the first month of the Trump Administration, the president issued sixty-four executive orders. One of them is Executive Order 14187, which was full of blatantly false and wholly misguided information with the intent to restrict gender-affirming care for young people.

Executive Order 14187 directed the Secretary of Health and Human Services to review the legality of Section 1557 of the ACA.ⁱ This section makes it unlawful for any health care provider who receives funding from the federal government to refuse to treat an individual—or to otherwise discriminate against the individual—based on race, color, national origin, sex, age or disability. Since then, all information on Section 1557 has been removed from federal government websites.

These executive orders have already had immediate negative impact. St. John's Community Health, which operates a network of clinics to provide free and low-cost services in the Los Angeles area, had their grant of \$1.6 million for transgender health and support services terminated by the Centers for Disease Control and Prevention.ⁱⁱ Children's Hospital LA temporarily paused their hormonal therapy services for patients under the age of 19 who were seeking these services for gender affirming purposes.ⁱⁱⁱ

BACKGROUND

In 2024, the federal Department of Health and Human Services issued a final rule related to the ACA to

advance health equity and reduce disparities in health care. The final rule provides greater clarity on Section 1557, which prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in any health program or activity that receives Federal financial assistance, State-based health insurance Exchanges, and HHS health programs and activities.^{iv} Specifically, the final rule defines discrimination based on sex to include discrimination based on sex characteristics, pregnancy or related conditions, sexual orientation, gender identity, and sex stereotypes.

This rule is crucial in supporting multiple vulnerable communities from discrimination including LGBTQ+ (especially transgender individuals), non-English speaking individuals, and women seeking abortion care services, along with many others who have historically struggled to access medical care.

SOLUTION

Given the unfortunately high possibility that the Trump Administration will rollback the final rule associated with Section 1557 of the ACA, SB 418 takes a proactive step to codify these protections in state law to ensure health care access for all in California.

STATUS

Introduced – February 18, 2025

SUPPORT

None listed

CONTACT

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ⁱ Executive Order No. 14187. "Protecting Children from Chemical and Surgical Mutilation." Federal Register 90, no. 21 (February 3, 2025). 8771-8773.

ⁱⁱ Kristen Hwang. "LA clinics lose funding for transgender health care as Trump executive orders take hold." CalMatters. <https://calmatters.org/health/2025/02/trump-executive-order-transgender-health/>

ⁱⁱⁱ Emily Alpert Reyes. "Children's Hospital L.A. stops initiating hormonal therapy for transgender patients under 19." Los Angeles

Times. <https://www.latimes.com/california/story/2025-02-04/childrens-hospital-to-stop-initiating-hormonal-therapy-for-trans-patients-under-19>

^{iv} Lindsey Dawson, Laurie Sobel, Kaye Pestaina, Jennifer Kates, Samantha Artiga, and Alice Burns. "The Biden Administration's Final Rule on Section 1557 Non-Discrimination Regulations under ACA." KFF. <https://www.kff.org/affordable-care-act/issue-brief/the-biden-administrations-final-rule-on-section-1557-non-discrimination-regulations-under-the-aca/>. May 15, 2024.

