

## Eli's Hospice Insider

### Hospice News: Revisions To Your Forms Based On Nondiscrimination Regs Proposed

**Trump administration rolls back Obama-era requirements.**

If you changed your patient notices, website, education materials and more back in 2016 when the **Centers for Medicare & Medicaid Services** revamped its nondiscrimination rules, it soon may be time to change them again.

**Why?** Back in 2016 CMS made a number of changes, including requiring provides to furnish "taglines" in the top 15 languages spoken by patients and addressing discrimination against transgender patients and based on sex stereotypes (see Eli's Hospice Insider, Vol. 9, No. 8).

Now, CMS under the **Trump** administration is pulling back those requirements. The previous final rule on the topic "introduced confusing and costly notice and tagline requirements that were not required by law, were inconsistent with tagline requirements required by other components of the Department and ... provided relatively minimal benefit to [Limited English Proficiency] individuals," CMS now says in a new proposed rule published in the June 14 Federal Register.

And the rule spends much time citing lawsuits, **Department of Justice** memos, and other materials that assert that gender or perceived gender is not a protected class against discrimination.

See the 50-page rule at [www.govinfo.gov/content/pkg/FR-2019-06-14/pdf/2019-11512.pdf](http://www.govinfo.gov/content/pkg/FR-2019-06-14/pdf/2019-11512.pdf). Comments are due by Aug. 13.