

## Health Information Compliance Alert

### Industry Notes: OCR Updates Guidance on the Intersection of Gender, Civil Rights, and Privacy

The HHS Office for Civil Rights (OCR) issued a brief on transgender and gender nonconforming youths' rights to healthcare - with a reminder on the law and enforcement.

"The Department of Health & Human Services (HHS) stands with transgender and gender nonconforming youth and their families - and the significant majority of expert medical associations - in unequivocally stating that gender affirming care for minors, when medically appropriate and necessary, improves their physical and mental health," the guidance notes. OCR also mentions that restrictions and challenges to these patients' rights are considered abuse, illegal, and medically dangerous.



OCR investigates and enforces sexual discrimination under Section 1557 of the Affordable Care Act. Patients or caregivers can file complaints for discrimination as well as healthcare providers who've been prevented from administering care, the brief says.

Find more information, including how to file either a discrimination or HIPAA privacy complaint, at [www.hhs.gov/sites/default/files/hhs-ocr-notice-and-guidance-gender-affirming-care.pdf](http://www.hhs.gov/sites/default/files/hhs-ocr-notice-and-guidance-gender-affirming-care.pdf).