

Some References Regarding Legal Protections Against Discrimination in Health Care Services

If a patient has been discriminated against because of race, color, national origin, **disability**, age, sex, or religion in programs or activities that HHS directly operates or to which HHS provides federal financial assistance, the patient may file a complaint with the HHS Office of Civil Rights. <https://www.hhs.gov/civil-rights/filing-a-complaint/index.html?language=en>

Nondiscrimination laws enforced by HHS: <https://www.hhs.gov/civil-rights/providers/laws-regulations-guidance/laws/index.html?language=es>

Article on the right to mental health and parity.
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4462778/>

Statement of United Nations on the right to mental health.
<https://www.ohchr.org/EN/Issues/Health/Pages/RightToMentalHealth.aspx>

Mental health services required by the Affordable Care Act.
<https://www.mentalhealth.gov/get-help/health-insurance>

In some states, a health plan should cover a second opinion.
<https://www.dmhc.ca.gov/HealthCareinCalifornia/GettheBestCare/CareofIllness.aspx>

Federal laws prohibiting discrimination in health care services.
<https://civilrights.findlaw.com/discrimination/disability-discrimination-in-health-care-and-health-services.html>

Title III of the ADA applies to doctors (https://www.ada.gov/ada_title_III.htm) and psychologists. (<https://www.apa.org/pi/disability/resources/publications/ada>)

The Mental Health Parity and Addiction Equity Act (MHPAEA, Pub.L. 110-343) makes it easier for Americans with mental health and substance use disorders to get the care they need by prohibiting certain discriminatory practices that limit insurance coverage for behavioral health treatment and services. MHPAEA requires coverage for mental health and substance use disorders to be no more restrictive than the coverage that generally is available for medical/surgical conditions. This requirement applies to criteria for medical necessity determinations.
<https://www.medicaid.gov/medicaid/benefits/behavioral-health-services/parity/index.html>