

ACA SECTION 1557 - ARE YOU IN COMPLIANCE? Legal Requirements Your Pharmacy Needs to Know About Nondiscrimination

In 2016, the Office of Civil Rights of the Department of Health and Human Services implemented Section 1557 of the ACA that prohibits discrimination based on race, color, national origin, gender, sex (including sexual identity and sexual expression), age, or disability in federally funded health care programs. Section 1557 also requires that providers, including pharmacies, must take reasonable steps to provide meaningful access to individuals with Limited English Proficiency and those with disabilities. Section 1557 gives patients the right to civil litigation if they are discriminated against or if a provider fails to comply.

Does this apply to your pharmacy? Yes, if you accept ANY payments from ANY government program including Medicare Parts A, C, and D, Medicaid, TriCare, Military, etc. In this program we will review the background and key provisions of Section 1557, and provide examples of how it applies to your pharmacy, what is needed for implementation, and the consequences for noncompliance.



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Denise Frank is a pharmacist with more than 30 years of experience, currently working as an independent consultant and a Senior Associate with Gates Healthcare Associates, Inc. in the areas of pharmacy practice, technician training, compounding, pharmacy and wholesaler accreditations, and operational and regulatory compliance. She is also the Program Director for an online technician training program for CareerStep, and a certified consultant for ACHC. She is a former member of the Minnesota Board of Pharmacy. In 2017, Denise was inducted as an ACA Fellow.

Previously serving as a surveyor and then the Accreditation and Inspection Services Manager for the National Association of Boards of Pharmacy (NABP), her responsibilities included development and maintenance of accreditation and inspection programs, and supervising NABP inspectors. Prior to this, she was an independent pharmacy owner, worked for a health-system, and was a pharmacy manager and district manager for a pharmacy chain.

Denise is also an active member of several national and state pharmacy organizations, and with the University of Minnesota College of Pharmacy serving as a mentor and a Pharmacy Alumni Society board member. And she participates yearly (for 20+ years) on a medical/surgical mission team providing services in the highlands of Guatemala. Denise contributes to her local community as a 25+ year member of the Princeton Lions Club. In 2017, she was the recipient of the Bowl of Hygeia award from the Minnesota Pharmacists Association.