

Virtual Leadership Day, May 25-26, 2021

## Promote Health Equity, Social Justice, and Eliminate Disparities

**Congress should pass legislation to promote health equity, social justice and eliminate racial/gender disparities in health care. Integral to that effort would be advancing policies to reduce discriminatory practices in law enforcement, bar discrimination based on sexual orientation and gender identity, collect race and ethnic data related to the Coronavirus disease (COVID-19) pandemic and health disparities and reduce pregnancy-related deaths among minority and other underserved women, as described below in the “What is ACP Asking of Congress” section.**

### What’s it all about?

Racial and ethnic minority populations in the U.S. experience disparities in their health and health care that arise from a combination of interacting factors, including racism and discrimination, social drivers of health, health care access and quality, individual behavior, and biology. Discrimination, racism, and violence in criminal justice and law enforcement policies can negatively affect the health and well-being of racial and ethnic minorities and result in the loss of life. The nation has witnessed the killing of George Floyd in Minneapolis, Minnesota and heard about the tragic results of a no-knock warrant served on Breanna Taylor in Louisville, Kentucky. There are wide-ranging racial and ethnic disparities throughout the criminal justice system, from law enforcement interactions to courtrooms and prisons. Those who are Black, Indigenous, and Latinx are [stopped](#), searched, and arrested at disproportionately high rates. ACP asserts that addressing biases in criminal justice and law enforcement is integral to a comprehensive public policy approach to reduce and eliminate health and health care disparities, as noted in ACP’s 2021 [position paper](#) on addressing disparities and discrimination.

The lesbian, gay, bisexual, and transgender (LGBT) community faces a common set of challenges both within and outside the health care system. Within the health care system, these challenges range from access to health care coverage and culturally competent care to state and federal policies that reinforce social stigma, marginalization, or discrimination. In addition, various state or federal laws not directly related to health care policy, such as employment, education, and housing policies, may affect the quality of life of LGBT persons and can affect their physical and mental health. ACP has [recommendations](#) to eliminate health disparities for LGBT individuals in the health care system.

There is a need to confront the public health effect of structural racism that is evidenced by the disproportionate [impact](#) of COVID-19 upon minority communities. Minorities are nearly three times more likely than whites to contract the disease. People of color are [disproportionately](#) affected by chronic health conditions such as diabetes, asthma, hepatitis, hypertension and maternal mortality. The federal government has failed to collect adequate data on COVID-19 testing, hospitalizations and deaths and research is needed to study the health effects of structural racism.

Since the U.S. Centers for Disease Control and Prevention’s Pregnancy Mortality Surveillance System was implemented, the number of reported pregnancy-related [deaths](#) in the United States steadily increased from 7.2 deaths per 100,000 live births in 1987 to 17.3 deaths per 100,000 live births in 2017. The crisis is most severe for Black mothers, who are dying at 3 to 4 times the rate of their White counterparts. Legislation is needed to curb this upward trend.

### What’s the current status in Congress and the Administration and what improvements are needed?

The House recently passed H.R. 1280, *the George Floyd Justice in Policing Act of 2021*. This legislation seeks to improve policing through the reduction of discriminatory practices among law enforcement officers and agencies, including overhauling qualified immunity for law enforcement, prohibiting racial profiling on the part of law enforcement and banning no-knock warrants in federal drug cases and chokeholds and carotid holds at the federal level. In the Senate, discussions are ongoing between Sens. Corey Booker (D-NJ) and Tim Scott (R-SC) on how to restructure qualified

immunity (whether the police can be sued individually or just the department), a major sticking point for Democrats and Republicans. The House also passed H.R. 5, *the Equality Act*. That bill would add sexual orientation to the Civil Rights Act of 1964 barring discrimination. Bicameral legislation has been introduced to address the public health effects of structural racism through two new research and data collection programs at the Centers for Disease Control (CDC).

“President Biden is putting equity at the center of the [agenda](#) with a whole of government approach to embed racial justice across Federal agencies, policies, and programs. And President Biden will take bold action to advance a comprehensive equity agenda to deliver criminal justice reform, end disparities in healthcare access and education, strengthen fair housing, and restore Federal respect for Tribal sovereignty, among other actions, so that everyone across America has the opportunity to fulfill their potential.” During his State of the Union address, President Biden called for passage of the above-mentioned bills and he has championed [policies](#) to improve Black maternal health.

ACP [supports](#) the following bills that have been introduced in the 117th Congress:

- *The George Floyd Justice in Policing Act of 2021* (H.R. 1280), which would increase accountability for law enforcement accountability, restrict use of certain police practices such as no-knock warrants and chokeholds, enhance transparency and data collection, and establish best practices and training requirements.
- *The Equality Act* (H.R. 5), which would prohibit discrimination based on sex, sexual orientation and gender identity in public accommodations and facilities, education, federal housing.
- *The Anti-Racism in Public Health Act of 2021* (H.R. 666/S. 162), which would address structural racism as a public health crisis and create two new programs in the Centers for Disease Control and Prevention (CDC) to collect and analyze data and to administer research and grant programs to address racism.
- *Black Maternal Health Momnibus Act of 2021* (H.R. 959/S. 346), which would make critical investments in social determinants that influence maternal health outcomes, provide funding to community-based organizations working to improve maternal health outcomes, study maternal health risks facing pregnant women and support Veteran Affairs maternity care coordination programs, diversify the perinatal workforce, improve data collection and quality measures, support moms with mental health issues, improve healthcare services for incarcerated moms, and promote innovative payment models.

### What is ACP asking of Congress?

ACP published a position paper entitled [Racism and Health in the United States: A Policy Statement From the American College of Physicians](#). Congress should increase its efforts to promote social justice, police reform and efforts to combat sexual orientation/racial discrimination, and maternal morbidity among pregnant minority women. We urge:

- ✓ **Senators to follow the actions of the House and pass the *George Floyd Justice in Policing Act of 2021* (H.R. 1280)**, which would overhaul qualified immunity for law enforcement, prohibit racial profiling on the part of law enforcement and ban no-knock warrants in federal drug cases and chokeholds and carotid holds at the federal level. It would also establish a federal registry of police misconduct to be maintained by the Department of Justice.
- ✓ **Senators to follow the actions of the House and pass *the Equality Act* (H.R. 5)**, which would prohibit discrimination based on sex, sexual orientation and gender identity in public accommodations and facilities, education, federal housing credit and the jury system. ACP [supports](#) policies that all Americans have the same access to employment, education, housing, and federal funding opportunities without the fear of discrimination based on sexual orientation or gender identity.
- ✓ **Senators and Representatives to cosponsor and pass the *Anti-Racism in Public Health Act of 2021* (H.R. 666/S. 162)**, which would establish within the CDC a National Center on Anti-racism and Health for data collection and research and a law enforcement violence prevention program.
- ✓ **Senators and Representatives to cosponsor and pass the *Black Maternal Health Momnibus Act of 2021* (H.R. 959/S. 346)**, which would reduce preventable maternal mortality and severe maternal morbidity in the U.S. and close disparities in maternal health outcomes, particularly among pregnant minority women.

### Where can I go to learn more?

[advocacy@acponline.org](mailto:advocacy@acponline.org); Digital version of this issue brief can be found at: [Policy Priority Issues | ACP Services](#)