

From: Rainer, Melanie Fontes (OS/IOS) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel <Melanie.Rainer@hhs.gov>

Pryor, Rachel (HHS/OS/IOS) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1e87a6df2de041fcb673dd5e40029b87-Pryor, Rach <Rachel.Pryor@hhs.gov>;

Lynk, Beth (CMS/OC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a669e91bf954cd79ed93895a3c8639d-L7ZE <Florence.Lynk@cms.hhs.gov>;

To: Briskin, Perrie (CMS/CMCS) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7af37c2a2d3546b2a8f21cee19cb7ecd-BOKJ <Perrie.Briskin@cms.hhs.gov>;

Katch, Hannah (CMS/OA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4ac6b74b459a46aaa7e997cb9e74a848-KSDJ <Hannah.Katch@cms.hhs.gov>

Subject: Re: 19th News: Florida Medicaid agency on trans healthcare

Date: 2022/06/02 19:14:47

Priority: Normal

Type: Note

(b)(5)

Get Outlook for iOS

From: Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>

Sent: Thursday, June 2, 2022 7:12:01 PM

To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>

Subject: Re: 19th News: Florida Medicaid agency on trans healthcare

(b)(5)

Get Outlook for iOS

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>

Sent: Thursday, June 2, 2022 7:10:58 PM

To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>

Subject: FW: 19th News: Florida Medicaid agency on trans healthcare

(b)(5)

(b)(5)

From: Rainer, Melanie Fontes (OS/IOS)

Sent: Thursday, June 2, 2022 7:04 PM

To: Kim, Hannah (HHS/ASPA) <Hannah.Kim@hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>; Howden, Catherine (CMS/OC) <Catherine.Howden@cms.hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Lemar, Naweed (OS/ASPA) <Naweed.Lemar@hhs.gov>; Hall, Bill (HHS/ASPA) <bill.hall@hhs.gov>

Cc: Sarvana, Adam (HHS/OASH) <Adam.Sarvana@hhs.gov>; Seigfreid, Kimberly (HHS/OASH) <Kimberly.Seigfreid@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>

Subject: Re: 19th News: Florida Medicaid agency on trans healthcare

Adding Rachel, Paul and Mark

(b)(5)

(b)(5)

Melanie

Get [Outlook for iOS](#)

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>
Sent: Thursday, June 2, 2022 6:53 PM
To: Kim, Hannah (HHS/ASPA) <Hannah.Kim@hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>; Howden, Catherine (CMS/OC) <Catherine.Howden@cms.hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Lemar, Naweed (OS/ASPA) <Naweed.Lemar@hhs.gov>; Hall, Bill (HHS/ASPA) <bill.hall@hhs.gov>
Cc: Sarvana, Adam (HHS/OASH) <Adam.Sarvana@hhs.gov>; Seigfreid, Kimberly (HHS/OASH) <Kimberly.Seigfreid@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>
Subject: Re: 19th News: Florida Medicaid agency on trans healthcare

Hi.

(b)(5)

Melanie

Get [Outlook for iOS](#)

From: Kim, Hannah (HHS/ASPA) <Hannah.Kim@hhs.gov>
Sent: Thursday, June 2, 2022 6:49 PM
To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>; Howden, Catherine (CMS/OC) <Catherine.Howden@cms.hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Lemar, Naweed (OS/ASPA) <Naweed.Lemar@hhs.gov>; Hall, Bill (HHS/ASPA) <bill.hall@hhs.gov>

Cc: Sarvana, Adam (HHS/OASH) <Adam.Sarvana@hhs.gov>; Seigfreid, Kimberly (HHS/OASH) <Kimberly.Seigfreid@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>
Subject: Re: 19th News: Florida Medicaid agency on trans healthcare

+ @Broido, Tara (HHS/OASH) @Lemar, Naweed (OS/ASPA) @Hall, Bill (HHS/ASPA)

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>

Sent: Thursday, June 2, 2022 6:40:36 PM

To: Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>; Howden, Catherine (CMS/OC) <Catherine.Howden@cms.hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Kim, Hannah (HHS/ASPA) <Hannah.Kim@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>

Cc: Sarvana, Adam (HHS/OASH) <Adam.Sarvana@hhs.gov>; Seigfreid, Kimberly (HHS/OASH) <Kimberly.Seigfreid@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>

Subject: RE: 19th News: Florida Medicaid agency on trans healthcare

+ Melanie, Hannah and Liz

From: Lynk, Beth (CMS/OC)

Sent: Thursday, June 2, 2022 6:40 PM

To: Briskin, Perrie (CMS/CMCS) <perrie.briskin@cms.hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>; Howden, Catherine (CMS/OC) <catherine.howden@cms.hhs.gov>; Katch, Hannah (CMS/OA) <hannah.katch@cms.hhs.gov>

Cc: Sarvana, Adam (HHS/OASH) <Adam.Sarvana@hhs.gov>; Seigfreid, Kimberly (HHS/OASH) <Kimberly.Seigfreid@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>

Subject: RE: 19th News: Florida Medicaid agency on trans healthcare

+ Melanie, Liz and Hannnah, as well.

(b)(5)

From: Briskin, Perrie (CMS/CMCS)

Sent: Thursday, June 2, 2022 5:50 PM

To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>; Howden, Catherine (CMS/OC) <Catherine.Howden@cms.hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>

Cc: Sarvana, Adam (HHS/OASH) <Adam.Sarvana@hhs.gov>; Seigfreid, Kimberly (HHS/OASH) <Kimberly.Seigfreid@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>

Subject: RE: 19th News: Florida Medicaid agency on trans healthcare

(b)(5)

From: Lynk, Beth (CMS/OC)

Sent: Thursday, June 2, 2022 5:36 PM

To: Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>; Howden, Catherine (CMS/OC) <Catherine.Howden@cms.hhs.gov>; Briskin, Perrie (CMS/CMCS) <Perrie.Briskin@cms.hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>

Cc: Sarvana, Adam (HHS/OASH) <Adam.Sarvana@hhs.gov>; Seigfreid, Kimberly (HHS/OASH)

<Kimberly.Seigfreid@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>

Subject: RE: 19th News: Florida Medicaid agency on trans healthcare

Thank you, Tara. ++ a few folks on our end. We'll follow up.

Beth Lynk

From: Broido, Tara (HHS/OASH)

Sent: Thursday, June 2, 2022 5:18 PM

To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>

Cc: Sarvana, Adam (HHS/OASH) <Adam.Sarvana@hhs.gov>; Seigfreid, Kimberly (HHS/OASH)

<Kimberly.Seigfreid@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>

Subject: FW: 19th News: Florida Medicaid agency on trans healthcare

Hi Beth,

(b)(5)

(b)(5)

Thanks,
Tara

From: Orion Rummmler <orummler@19thnews.org>

Sent: Thursday, June 2, 2022 5:05 PM

To: Seigfreid, Kimberly (HHS/OASH) <Kimberly.Seigfreid@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>

Subject: 19th News: Florida Medicaid agency on trans healthcare

Hi, I'm Orion, reporter with 19th News (nonprofit newsroom covering politics/gender.) I'm reaching out to see whether HHS plans to take action, or any response, to Florida's Agency for Health Care Administration finding that gender-affirming care does not meet medical standards to be covered by Medicaid in the state. **(I am awaiting clarity from Florida's agency on if their finding only applies to minors, or also to adults.)**

Especially seeking comment from HHS after the agency said in its recent annual policy report that ACA health insurance plans that exclude coverage of gender-affirming treatment for transgender people are discriminatory.

What actions if any does the agency plan to take? &What response? Thank you very much, I'm at (b)(6) and on Eastern Time.

--



photo

Orion Rummmler (he/him)



Reporter at The 19th

Address 3267 Bee Caves Rd.
Suite 107-353 Austin, TX 78746


Mobile (b)(6)

Email orummler@19thnews.org

Website 19thnews.org

 https://lh5.googleusercontent.com/tkRl_3uOZF6fpaVmJLxll9JMrhRpeyJdRFu-eU14mtQGX_PUTUVCFW4INJakZ-BVtpS107sG1bP6YaPmAo0FSh0q08sWvVQdv8eduob8clcZBS_T_-KZUXVZ_W36w1uQbtysYtty 

<https://lh3.googleusercontent.com/Ts42UCTWhOfZgnexFUIq1v2AePWlBv5C-am--mD2HfYxCaO3Nw3V0U4SAfJSzE7KkJddO1FGYPYHcRq->

eO9AFkefzZficHSsjMzIgUTlh_meORyOqoJHSA93YZT9NdNR6fbulhYB 

https://lh6.googleusercontent.com/I4InOqvayLahtWdTkVyEKuH7R9Ck5f_PyVU6O9ta5-qN1abl6VYGgeZNXTeSAOISLIja-QJU64wH6oDpSu0jCOu3aSO0VSYqtXKU_2FE93fvK7UNS0lduluf-E52sS5n2F2Z-BE

Sender:	Rainer, Melanie Fontes (OS/IOS) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel <Melanie.Rainer@hhs.gov>
Recipient:	Pryor, Rachel (HHS/OS/IOS) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1e87a6df2de041fcb673dd5e40029b87-Pryor, Rach <Rachel.Pryor@hhs.gov>; Lynk, Beth (CMS/OC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a669e91bf954cd79ed93895a3c8639d-L7ZE <Florence.Lynk@cms.hhs.gov>; Briskin, Perrie (CMS/CMCS) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=7af37c2a2d3546b2a8f21cee19cb7ecd-BOKJ <Perrie.Briskin@cms.hhs.gov>; Katch, Hannah (CMS/OA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4ac6b74b459a46aaa7e997cb9e74a848-KSDJ <Hannah.Katch@cms.hhs.gov>
Sent Date:	2022/06/02 19:14:47

From:	Rainer, Melanie Fontes (OS/OCR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9C7242F10A494D45BAB72C452ECD9F80-RAINER, MEL>
To:	Ciccone, Caroline (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cc80a60f39a84204ad7c4191575500ec-Ciccone, Ca <Caroline.Ciccone@hhs.gov>
Subject:	RE: Tracking FL Actions on Gender Affirming Care
Date:	2022/11/28 13:42:00
Priority:	Normal
Type:	Note

Don't make me laugh

From: Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Sent: Monday, November 28, 2022 1:41 PM
To: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>
Subject: RE: Tracking FL Actions on Gender Affirming Care

The original email was from October 31 so I have no idea what happened here

From: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>
Sent: Monday, November 28, 2022 1:36 PM
To: Zelenko, Leslie (HHS/ASL) <Leslie.Zelenko@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>
Cc: Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>; Burns, Samira (HHS/ASPA) <Samira.Burns@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>
Subject: RE: Tracking FL Actions on Gender Affirming Care

Oh, we already put something out on this, but then there was a weird thing with how it was reported by politico.

From: Zelenko, Leslie (HHS/ASL) <Leslie.Zelenko@hhs.gov>
Sent: Monday, November 28, 2022 1:35 PM
To: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>
Cc: Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>; Burns, Samira (HHS/ASPA) <Samira.Burns@hhs.gov>; Pryor, Rachel

(HHS/OS/IOS) <Rachel.Pryor@hhs.gov>

Subject: RE: Tracking FL Actions on Gender Affirming Care

Yes and to be clear my email was from last month, so not sure if it is still appropriate or timely for us.

Thanks,

Leslie

From: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>

Sent: Monday, November 28, 2022 1:32 PM

To: Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>; Zelenko, Leslie (HHS/ASL) <Leslie.Zelenko@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>

Cc: Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>; Burns, Samira (HHS/ASPA) <Samira.Burns@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>

Subject: RE: Tracking FL Actions on Gender Affirming Care

(b)(5)

Melanie

From: Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>

Sent: Monday, November 28, 2022 1:29 PM

To: Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>; Zelenko, Leslie (HHS/ASL) <Leslie.Zelenko@hhs.gov>; Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>

Cc: Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>; Burns, Samira (HHS/ASPA) <Samira.Burns@hhs.gov>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>

Subject: RE: Tracking FL Actions on Gender Affirming Care

Plus others, we'll work through preparations

From: Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>

Sent: Monday, November 28, 2022 10:47 AM

To: Zelenko, Leslie (HHS/ASL) <Leslie.Zelenko@hhs.gov>; Zuniga, Ilse (HHS/ASPA)

<Ilse.Zuniga@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>

Subject: RE: Tracking FL Actions on Gender Affirming Care

Yes to tracking. + @Ciccone, Caroline (HHS/ASPA) who leads our health care comms portfolio

From: Zelenko, Leslie (HHS/ASL) <Leslie.Zelenko@hhs.gov>

Sent: Monday, October 31, 2022 1:20 PM

To: Zuniga, Ilse (HHS/ASPA) <Ilse.Zuniga@hhs.gov>; Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>

Subject: Tracking FL Actions on Gender Affirming Care

Hey guys,

(b)(5)

Thanks,
Leslie

FLORIDA MOVES TOWARD BAN OF GENDER-AFFIRMING CARE —

A joint committee of the state's medical boards on Friday moved closer toward banning gender-affirming care for transgender kids in Florida, POLITICO's Arek Sarkissian reports.

Members from the Florida Board of Medicine and the state Board of Osteopathic Medicine approved rulemaking language that would ban children from taking hormones or undergoing surgery to treat gender dysphoria.

Both boards are scheduled to meet on Nov. 4, when they'll vote to finalize the rule.

Leslie Zelenko
Office of the Assistant Secretary for Legislation

Department of Health and Human Services
(202) 578-8576

Sender:	Rainer, Melanie Fontes (OS/OCR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9C7242F10A494D45BAB72C452ECD9F80-RAINER, MEL>
Recipient:	Ciccone, Caroline (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cc80a60f39a84204ad7c4191575500ec-Ciccone, Ca <Caroline.Ciccone@hhs.gov>
Sent Date:	2022/11/28 13:42:16
Delivered Date:	2022/11/28 13:42:00

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

From:	Rainer, Melanie Fontes (OS/OCR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9C7242F10A494D45BAB72C452ECD9F80-RAINER, MEL>
To:	Bagenstos, Samuel (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=afa71ea876614421a32eee5049c60e45-Bagenstos, <Samuel.Bagenstos@hhs.gov>; Seeger, Rachel (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3090ef9b170d45969add4ff475a95583-Rachel Seeg <Rachel.Seeger@hhs.gov>; Schuham, Aaron (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c4b426dc641841c0b8fc53bcc4f4b5a2-Schuham, Aa <Aaron.Schuham@hhs.gov>
CC:	Wiggins, Audrey (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ba0233584cf046d892c27f25674ff982-Wiggins, Au <Audrey.Wiggins@hhs.gov>; Greenberg, Mark H (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fdb0cbe5760845cc9a98373b9088d7f2-Greenberg, <Markh.Greenberg@hhs.gov>; Allen, Marc (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cc610a88e103410889da97b4a20e69b8-Allen, Marc <Marc.Allen@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91-(b)(6) (b)(6) Barron, Pamela (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d55f83440f074842ac94e1f27f11fa9e-Barron, Pam <Pamela.Barron@hhs.gov>; Jee, Lauren (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dc5a273e16824884903f0d2afc8cb225-Jee, Lauren <Lauren.Jee1@hhs.gov>; Frohboese, Robinsue (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=57b8853f66da4cb99818c9e2632f77f8-Frohboese, <Robinsue.Frohboese@HHS.GOV>
Subject:	RE: For Review and Approval: Texas Decision web update
Date:	2022/10/03 11:59:00
Priority:	Normal
Type:	Note

Rachel, I can't even read the document you sent. Can you send in a word document please so OGC can redline please?

From: Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>
Sent: Monday, October 3, 2022 11:56 AM
To: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>
Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Allen, Marc (HHS/OGC) <Marc.Allen@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>
Subject: RE: For Review and Approval: Texas Decision web update

(b)(5)

(b)(5)

Samuel R. Bagenstos
General Counsel
Department of Health and Human Services
200 Independence Ave., SW
Washington, DC 20201

(b)(6)

From: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>
Sent: Monday, October 3, 2022 11:51 AM
To: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>
Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Allen, Marc (HHS/OGC) <Marc.Allen@hhs.gov>; (b)(6) (b)(6) (b)(6) (HHS/OCR) (b)(6) Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>
Subject: For Review and Approval: Texas Decision web update
Importance: High

Hi folks,

(b)(5)

Best,
Rachel

From: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>
Sent: Sunday, October 2, 2022 10:01 PM
To: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; (b)(6) (b)(6) (HHS/OCR) (b)(6) Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>
Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>
Subject: Re: Texas Decision

Thanks Rachel.

Get [Outlook for iOS](#)

From: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>
Sent: Sunday, October 2, 2022 9:24:07 PM

To: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; (b) (6) (b)(6) (HHS/OCR) (b)(6) Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>
Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>
Subject: Re: Texas Decision

(b)(5)

Best,
Rachel

From: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>
Sent: Sunday, October 2, 2022 1:52 PM
To: Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; (b) (6) (b)(6) (HHS/OCR) (b)(6) Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>
Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>
Subject: Re: Texas Decision

Adding Rachel here to go can help get something on the website.

Melanie

Get Outlook for iOS

From: Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>
Sent: Sunday, October 2, 2022 1:46:10 PM
To: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; (b) (6) (b)(6) (HHS/OCR) (b)(6) Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>
Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>
Subject: RE: Texas Decision

(b)(5)

Samuel R. Bagenstos

General Counsel
Department of Health and Human Services
200 Independence Ave., SW
Washington, DC 20201

(b)(6)

From: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>
Sent: Sunday, October 2, 2022 1:41 PM
To: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; (b)(6) (b)(6) (HHS/OCR) (b)(6) Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>
Cc: Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>
Subject: Re: Texas Decision

(b)(5)

Get Outlook for iOS

From: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>
Sent: Sunday, October 2, 2022 9:05:27 AM
To: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; (b)(6) (b)(6) (b)(6) (HHS/OCR) (b)(6) Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>
Cc: Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>
Subject: Fwd: Texas Decision

(b)(5)

(b)(5)

Thanks.

From: Drezner, Michael L. (CIV) <Michael.L.Drezner@usdoj.gov>
Sent: Sunday, October 2, 2022 7:09 AM
To: Healy, Christopher (CIV) <Christopher.Healy@usdoj.gov>; Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; SHARYN TEJANI <SHARYN.TEJANI@eeoc.gov>; Allen, Marc (HHS/OGC) <Marc.Allen@hhs.gov>; ERIN NORRIS <ERIN.NORRIS@eeoc.gov>; GRAYSON WALKER <GRAYSON.WALKER@eeoc.gov>; KATHLEEN ORAM <KATHLEEN.ORAM@eeoc.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>
Cc: Wells, Carlotta (CIV) <Carlotta.Wells@usdoj.gov>; Tomlinson, Martin M. (CIV)

<Martin.M.Tomlinson@usdoj.gov>

Subject: Texas Decision

All,

(b)(5)

We will be in touch this week as we assess next steps. Best,

Michael Drezner

Trial Attorney

Federal Programs Branch, Civil Division

U.S. Department of Justice

Work: 202.514.4505

Cell: (b)(6)

Michael.L.Drezner@usdoj.gov

Sender: Rainer, Melanie Fontes (OS/OCR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9C7242F10A494D45BAB72C452ECD9F80-RAINER, MEL>

Bagenstos, Samuel (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=afa71ea876614421a32eee5049c60e45-Bagenstos, <Samuel.Bagenstos@hhs.gov>;

Seeger, Rachel (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3090ef9b170d45969add4ff475a95583-Rachel Seeg <Rachel.Seeger@hhs.gov>;

Schuham, Aaron (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c4b426dc641841c0b8fc53bcc4f4b5a2-Schuham, Aa <Aaron.Schuham@hhs.gov>;

Wiggins, Audrey (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ba0233584cf046d892c27f25674ff982-Wiggins, Au <Audrey.Wiggins@hhs.gov>;

Recipient: Greenberg, Mark H (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fdb0cbe5760845cc9a98373b9088d7f2-Greenberg, <Markh.Greenberg@hhs.gov>;

Allen, Marc (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cc610a88e103410889da97b4a20e69b8-Allen, Marc <Marc.Allen@hhs.gov>;

(b)(6) (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91-Dekervor, D (b)(6)

Barron, Pamela (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=d55f83440f074842ac94e1f27f11fa9e-Barron, Pam

<Pamela.Barron@hhs.gov>;
Jee, Lauren (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=dc5a273e16824884903f0d2afc8cb225-Jee, Lauren
<Lauren.Jee1@hhs.gov>;
Frohboese, Robinsue (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=57b8853f66da4cb99818c9e2632f77f8-Frohboese,
<Robinsue.Frohboese@HHS.GOV>

Sent Date: 2022/10/03 11:59:11

Delivered Date: 2022/10/03 11:59:00

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

From:	Rainer, Melanie Fontes (OS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel <Melanie.Rainer@hhs.gov>
To:	Seeger, Rachel (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3090ef9b170d45969add4ff475a95583-Rachel Seeg <Rachel.Seeger@hhs.gov>; Jee, Lauren (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dc5a273e16824884903f0d2afc8cb225-Jee, Lauren <Lauren.Jee1@hhs.gov>
CC:	Frohboese, Robinsue (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=57b8853f66da4cb99818c9e2632f77f8-Frohboese, <Robinsue.Frohboese@HHS.GOV>
Subject:	Re: Time Sensitive question about adding Texas Decision on OCR's Web
Date:	2022/10/03 22:18:21
Priority:	Normal
Type:	Note

(b)(5)

(b)(5)

Get Outlook for iOS

From: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>

Sent: Monday, October 3, 2022 9:50:04 PM

To: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>

Cc: Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>

Subject: Re: Time Sensitive question about adding Texas Decision on OCR's Web

I am available at your convenience. (b)(6)

(b)(6)

Thanks.

Get Outlook for iOS

From: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>

Sent: Monday, October 3, 2022 9:48 PM

To: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>

Cc: Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>

Subject: Fwd: Time Sensitive question about adding Texas Decision on OCR's Web

Let's talk about this tomorrow

Get Outlook for iOS

From: Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>

Sent: Monday, October 3, 2022 8:33:09 PM

To: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>

Subject: Re: Time Sensitive question about adding Texas Decision on OCR's Web

Agree.

Mark Greenberg (he/him)

Deputy General Counsel

Office of General Counsel

Department of Health and Human Services

Markh.greenberg@hhs.gov

(b)(6)

From: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>

Sent: Monday, October 3, 2022 8:31:29 PM

To: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>

Subject: Re: Time Sensitive question about adding Texas Decision on OCR's Web

Agree.

From: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>

Sent: Monday, October 3, 2022 7:40 PM

To: Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>

Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

From: Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>

Sent: Monday, October 3, 2022 7:37 PM

To: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Schuham, Aaron

(HHS/OGC) <Aaron.Schuham@hhs.gov>

Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

(b)(5)

Thanks, Robinsue

From: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>

Sent: Monday, October 3, 2022 7:31 PM

To: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>

Subject: Re: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

Thanks.

Get [Outlook for iOS](#)

From: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>

Sent: Monday, October 3, 2022 6:59:19 PM

To: Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>

Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

That works for us, Robinsue.

From: Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>

Sent: Monday, October 3, 2022 6:57 PM

To: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>

Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

(b)(5)

Thanks, Robinsue

From: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>
Sent: Monday, October 3, 2022 6:44 PM
To: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>
Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

From: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>
Sent: Monday, October 3, 2022 6:37 PM
To: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>
Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

From: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>
Sent: Monday, October 3, 2022 6:34 PM
To: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>
Cc: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>
Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

From: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>
Sent: Monday, October 3, 2022 6:29 PM
To: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>
Cc: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>
Subject: Re: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

Get [Outlook for iOS](#)

From: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>
Sent: Monday, October 3, 2022 6:26:06 PM

To: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>
Cc: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>
Subject: Re: Time Sensitive question about adding Texas Decision on OCR's Web

Thanks Audrey

Get [Outlook for iOS](#)

From: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>
Sent: Monday, October 3, 2022 6:23 PM
To: Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>
Cc: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>
Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

Aloha, Robinsue! (b)(5)

(b)(5)

(b)(5)

Thanks!.

From: Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>
Sent: Monday, October 3, 2022 5:59 PM
To: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>
Cc: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>
Subject: Time Sensitive question about adding Texas Decision on OCR's Web
Importance: High

Hi Aaron and Audrey,

(b)(5)

(b)(5)

Many thanks, Robinsue

Sender:	Rainer, Melanie Fontes (OS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel <Melanie.Rainer@hhs.gov>
Recipient:	Seeger, Rachel (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3090ef9b170d45969add4ff475a95583-Rachel Seeg <Rachel.Seeger@hhs.gov>; Jee, Lauren (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dc5a273e16824884903f0d2afc8cb225-Jee, Lauren <Lauren.Jee1@hhs.gov>; Frohboese, Robinsue (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=57b8853f66da4cb99818c9e2632f77f8-Frohboese, <Robinsue.Frohboese@HHS.GOV>
Sent Date:	2022/10/03 22:18:20
Delivered Date:	2022/10/03 22:18:21

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

From: Rainer, Melanie Fontes (OS/OCR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9C7242F10A494D45BAB72C452ECD9F80-RAINER, MEL>
Jee, Lauren (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dc5a273e16824884903f0d2afc8cb225-Jee, Lauren <Lauren.Jee1@hhs.gov>;
(b) (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91 (b)(6)
To: (b)(6)
Eng, Adrian (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=12aa973ac7274d72944c46da117a4179-Eng, Adrian <Adrian.Eng@hhs.gov>;
Lynk, Beth (CMS/OC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a669e91bf954cd79ed93895a3c8639d-L7ZE <florence.lynk@cms.hhs.gov>
CC: Seeger, Rachel (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3090ef9b170d45969add4ff475a95583-Rachel Seeg <Rachel.Seeger@hhs.gov>;
Jones, Kamara (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=05cef78e341b467099676c353121c1ed-Jones, Kama <Kamara.Jones@hhs.gov>
Subject: RE: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM
Date: 2022/09/09 18:34:00
Priority: Normal
Type: Note

Here is what Beth sent-

(b)(5)

From: Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>
Sent: Friday, September 9, 2022 6:32 PM
To: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>
Cc: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>
Subject: RE: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

Looping Melanie- she said that Beth Lynk sent a joint statement from reporter.

From: Jee, Lauren (HHS/OCR)
Sent: Friday, September 9, 2022 6:15 PM
To: (b) (b)(6) (b)(6) (HHS/OCR) <Dylan.Dekervor@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>
Cc: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Jones, Kamara (HHS/ASPA)

<Kamara.Jones@hhs.gov>

Subject: RE: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

Adrian,

Sharing two other chains we have that could be it- still trying to confirm with Rachel.

From: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6)

Sent: Friday, September 9, 2022 6:08 PM

To: Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>

Cc: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Jones, Kamara (HHS/ASPA)

<Kamara.Jones@hhs.gov>

Subject: Re: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

(b)(5)

(b)(6) (b)(6) (b) (b)(6) (she/her)

(b)(6)

From: Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>

Sent: Friday, September 9, 2022 6:03:22 PM

To: Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR)

(b)(6)

Cc: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Jones, Kamara (HHS/ASPA)

<Kamara.Jones@hhs.gov>

Subject: RE: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

Sure just tried you

From: Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>

Sent: Friday, September 9, 2022 6:00 PM

To: Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR)

(b)(6)

Cc: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Jones, Kamara (HHS/ASPA)

<Kamara.Jones@hhs.gov>

Subject: RE: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

Lauren – I did not talk to this reporter. Can you give me a ring happy to talk more about this.

Adrian Eng-Gastelum

Acting-Deputy Assistant Secretary for Public Affairs, Human Services
U.S. Department of Health and Human Services
(202) 819-6601 | adrian.eng@hhs.gov

From: Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>

Sent: Friday, September 9, 2022 5:59 PM

To: Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR)

(b)(6)

Cc: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>

Subject: RE: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

(b)(5)

From: Eng, Adrian (HHS/ASPA) Adrian.Eng@hhs.gov

Sent: Friday, September 9, 2022 1:01 PM

To: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6)

Cc: Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>

Subject: Re: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

(b)(5)

Adrian Eng-Gastelum

Acting-Deputy Assistant Secretary for Public Affairs, Human Services

U.S. Department of Health and Human Services
(202) 819-6601 | adrian.eng@hhs.gov

From: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6)
Sent: Friday, September 9, 2022 12:59:17 PM
To: Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>
Cc: Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>
Subject: RE: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

Hi Adrian,

(b)(5)

Thanks,

(b)(6)

(b)(6) (b)(6) (b) (b)(6) Esq., MSW (she/her)
Senior Advisor to the Director
Phone: (b)(6) (b)(6)
Email: (b)(6)

From: (b) (b)(6) (b)(6) (HHS/OCR)
Sent: Thursday, September 8, 2022 1:35 PM
To: Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>
Cc: Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>
Subject: RE: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

Hi Adrian,

(b)(5)

<https://thehill.com/changing-america/respect/equality/3632728-floridas-medicaid-ban-on-gender-affirming-care-likely-violates-affordable-care-act-health-department-says/>

Thanks,

(b)(6)

(b)(6) (b)(6) (b) (b)(6) Esq., MSW (she/her)
Senior Advisor to the Director
Phone: (b)(6) (b)(6)
Email: (b)(6)

From: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>

Sent: Thursday, September 1, 2022 11:05 AM

To: Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Wolff, Kate (OS/IOS) <Kate.Wolff@hhs.gov>; Jones, Alyssa (ACF) <Alyssa.Jones@acf.hhs.gov>; Burns, Samira (ACF) <Samira.Burns@acf.hhs.gov>

Cc: Bates, Carla (HHS/ASPA) <Carla.Bates@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>; (b)(6) (b)(6) (HHS/OCR) (b)(6)

Subject: RE: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

Looping in Lauren and (b)(6) Thanks, Adrian!

From: Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>

Sent: Thursday, September 1, 2022 11:03 AM

To: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Wolff, Kate (OS/IOS) <Kate.Wolff@hhs.gov>; Jones, Alyssa (ACF) <Alyssa.Jones@acf.hhs.gov>; Burns, Samira (ACF) <Samira.Burns@acf.hhs.gov>

Cc: Bates, Carla (HHS/ASPA) <Carla.Bates@hhs.gov>

Subject: FOR REVIEW: Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

Hi everyone,

(b)(5)

Adrian Eng-Gastelum

Acting-Deputy Assistant Secretary for Public Affairs, Human Services

U.S. Department of Health and Human Services

(202) 819-6601 | adrian.eng@hhs.gov

From: noreply@salesforce.com <noreply@salesforce.com> **On Behalf Of** ASPA StEP

Sent: Thursday, September 1, 2022 10:58 AM

To: Lopez, Onelio (HHS/OCR) <Onelio.Lopez@HHS.GOV>; Roman, David (OS/OCR) <David.Roman@hhs.gov>; Lemar, Naweed (OS/ASPA) <Naweed.Lemar@hhs.gov>; Lassiter, Jane (SAMHSA) <Jane.Lassiter@samhsa.hhs.gov>; Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>; Orton, Kristann (OS/ASPA) <Kristann.Orton@hhs.gov>; jacob.brett-turner@hhs.gov; Ross, Lindsey (OS/ASPA) <Lindsey.Ross@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Bates, Carla (HHS/ASPA) <Carla.Bates@hhs.gov>; Silva, Jorge (HHS/ASPA) <Jorge.Silva@hhs.gov>; Formoso, Paula (HHS/ASPA) <Paula.Formoso@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>; Hall, Bill (HHS/ASPA) <bill.hall@hhs.gov>; Peck, Joshua (HHS/ASPA) <Joshua.Peck@hhs.gov>

Subject: Media Inquiry: OCR - Access to gender-affirming care, The Hill - ref:5003d000004gWXaAAM

A new or updated media inquiry has been submitted to ASPA for review.

- To Approve as is: reply all to this email and type, "Approved" on the first line.
- To Approve with edits: reply all to this email and type Approved on the first line and include "with edits" on the second line.
- To place On Hold: reply all to this email and type, "Hold" on the first line. Click on the link at the bottom of this email to open the inquiry in StEP.
- To Reject: reply all to this email and type, "Reject" on the first line.

ASPA StEP Number: 00010489

Press Officer / Contact Name: Rachel Seeger

Inquiry Type: Media Inquiry

Subject: Access to gender-affirming care

Topics: Civil Rights

Deadline: Thu Sep 1 11:55:21 EDT 2022

Reporters and Producers:

Contact	Role	Media Outlet
Brooke Migdon	Reporter	The Hill

Media Outlet: The Hill

Type of Media:

Online

Inquiry:

From: Brooke Migdon

Sent: Friday, August 26, 2022 10:51 AM

To: media@hhs.gov <media@hhs.gov>

Subject: Media Inquiry - The Hill

Good morning,

I hope this message finds you well! This is Brooke Migdon with The Hill.

I'm reaching out to see if there is an update or if I could potentially get some more details on what HHS has been/will be doing to promote expanded access to gender-affirming care, as the department was charged to do in June by the White House.

(<https://www.whitehouse.gov/briefing-room/statements-releases/2022/06/15/fact-sheet-president-biden-to-sign-historic-executive-order-advancing-lgbtqi-equality-during-pride-month/>)

Thank you in advance and I look forward to hearing back from you.

Best,

Brooke

Brooke Migdon

Staff Writer

Changing America, The Hill

e: bmigdon@thehill.com

c [b)(6)]

@bmigdon

Proposed Response/Driving Event:

(b)(5)

(b)(5)

For ASPA: Click [here](#) to review this inquiry in StEP.

For the Agency: Click [here](#) to review this inquiry in StEP.

Note - This email is sent from StEP (Strategic Engagement Platform) via StEPemails@hhs.gov.
If you have questions about this inquiry, please contact the StEP Help Desk
(StEPHelpdesk@hhs.gov.)

Sender:	Rainer, Melanie Fontes (OS/OCR) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9C7242F10A494D45BAB72C452ECD9F80-RAINER, MEL> Jee, Lauren (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dc5a273e16824884903f0d2afc8cb225-Jee, Lauren <Lauren.Jee1@hhs.gov>; (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91 (b)(6) (b)(6)
Recipient:	Eng, Adrian (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=12aa973ac7274d72944c46da117a4179-Eng, Adrian <Adrian.Eng@hhs.gov>; Lynk, Beth (CMS/OC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a669e91bf954cd79ed93895a3c8639d-L7ZE <florence.lynk@cms.hhs.gov>; Seeger, Rachel (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3090ef9b170d45969add4ff475a95583-Rachel Seeg <Rachel.Seeger@hhs.gov>; Jones, Kamara (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=05cef78e341b467099676c353121c1ed-Jones, Kama <Kamara.Jones@hhs.gov>
Sent Date:	2022/09/09 18:34:08
Delivered Date:	2022/09/09 18:34:00
From:	Lynk, Beth (CMS/OC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a669e91bf954cd79ed93895a3c8639d-L7ZE <Florence.Lynk@cms.hhs.gov>
To:	Rainer, Melanie Fontes (OS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel <Melanie.Rainer@hhs.gov>; Rodriguez, Paul (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=755d69b6e04e4aa8981d68258e0aaf7c-Rodriguez, <PaulR.Rodriguez@hhs.gov>; (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91-Dekervor, D (b)(6) Ciccione, Caroline (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cc80a60f39a84204ad7c4191575500ec-Ciccione, Ca <Caroline.Ciccione@hhs.gov>;

	Pryor, Rachel (HHS/OS/IOS) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1e87a6df2de041fcb673dd5e40029b87-Pryor, Rach <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=546fd81600e14830903adb3af34663f1-Smalley, El <Elizabeth.Smalley@hhs.gov>; Bagenstos, Samuel (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=afa71ea876614421a32eee5049c60e45-Bagenstos, <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4ac6b74b459a46aaa7e997cb9e74a848-KSDJ <Hannah.Katch@cms.hhs.gov>
CC:	Jones, Kamara (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=05cef78e341b467099676c353121c1ed-Jones, Kama <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=2c3cd5c5afe049b6a8b48c25324c7465-Broido, Tar <Tara.Broido@hhs.gov>
Subject:	RE: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade Florida decision regarding gender-affirming care in Medicaid
Date:	2022/08/15 10:26:44
Priority:	Normal
Type:	Note

We are closing this out with the response below. Thanks!

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Sent: Sunday, August 14, 2022 5:46 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

Thank you!

Beth Lynk

Beth Lynk
Office of the Administrator
Centers for Medicare & Medicaid Services

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>
Sent: Sunday, August 14, 2022 4:31:08 PM
To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

Get Outlook for iOS

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Sent: Sunday, August 14, 2022 3:41:09 PM
To: Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Thanks!

Beth Lynk
Office of the Administrator
Centers for Medicare & Medicaid Services

From: Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>
Sent: Sunday, August 14, 2022 1:33:25 PM
To: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Ciccone, Caroline

(HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>

Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Ok here.

Paul R. Rodríguez

Deputy General Counsel

U.S. Department of Health and Human Services

(b)(6) (cell)

From: (b)(6) (b)(6) (b)(6) (HHS/OCR) (b)(6)

Sent: Friday, August 12, 2022 10:55 PM

To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>

Cc: Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>

Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Confirming that OCR received the below:

From: Musto, Julia <Julia.Musto@FOX.COM>

Sent: Friday, August 12, 2022 9:50 AM

To: OS OCR Media (OS/OCR) <ocrmedia@hhs.gov>

Subject: Comment for Fox News Digital
re

I'm writing to you today regarding a report that the Florida Agency for Health Care Administration has finalized rules that block Medicaid coverage for the treatment of gender dysphoria.

<https://www.politico.com/news/2022/08/11/florida-finalizes-ban-medicaid-transgender-treatments-00051259>

Previously, the state's health department called HHS guidance on the matter misleading.

Does HHS have a comment for us today?

Thank you so much for your time and assistance.

Best,
Julia

(b)(6) (b)(6) (b)(6) (she/her)
(b)(6)

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>
Sent: Friday, August 12, 2022 9:14:09 PM
To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

Get Outlook for iOS

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Sent: Friday, August 12, 2022 8:00:14 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

Beth Lynk
Office of the Administrator
Centers for Medicare & Medicaid Services

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>
Sent: Friday, August 12, 2022 5:43:45 PM
To: Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>
Cc: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>
Subject: RE: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Sam and Paul here too.

From: Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Sent: Friday, August 12, 2022 5:39 PM
To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>
Cc: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>
Subject: RE: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Plus Tara

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Sent: Friday, August 12, 2022 5:39 PM
To: Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Cc: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>
Subject: RE: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

I have not.

From: Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>
Sent: Friday, August 12, 2022 5:38 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Cc: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

Get Outlook for iOS

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>

Sent: Friday, August 12, 2022 5:35:04 PM

To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>

Cc: (b)(5) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>

Subject: RE: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>

Sent: Friday, August 12, 2022 5:29 PM

To: Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>

Subject: RE: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

Thanks!
Beth

From: Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>
Sent: Friday, August 12, 2022 5:26 PM
To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

Get Outlook for iOS

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Sent: Friday, August 12, 2022 5:15:18 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Subject: FW: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

Beth

From: Tross, Jason (CMS/OC) <Jason.Tross@cms.hhs.gov>
Sent: Friday, August 12, 2022 5:06 PM
To: Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Cc: Aldana, Karen (CMS/OC) <Karen.Aldana@cms.hhs.gov>; Richardson, Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Trucil, Daniel (CMS/OC) <Daniel.Trucil@cms.hhs.gov>; Chambers, Gwendolyn (CMS/OC) <Gwendolyn.Chambers@cms.hhs.gov>; Schinderle, Elizabeth (CMS/OC) <elizabeth.schinderle@cms.hhs.gov>
Subject: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Beth and Erin-

Seeking your urgent review of the below inquiries from Fox Digital and Los Angeles Blade on the Florida decision on gender-affirming care.

REPORTER NAMES/OUTLETS:

- * Julia Musto / Fox News Digital
- * Christopher Kane / Los Angeles Blade

TOPIC: Florida decision regarding gender-affirming care in Medicaid

DEADLINE FOR FEEDBACK: ASAP

DRAFT RESPONSE REVIEWED BY:

- • * CCHIO
- • * CMCS (Jason Stegmaier, Perrie Briskin)
- • * OGC (Barb Fisher)
- • * OL (Kate Kirchgraber)

STORY/BACKGROUND: Reporters from Fox News Digital and the *Los Angeles Blade* reached out on a decision by the Florida Agency for Health Care Administration to bar Medicaid coverage for gender-affirming care. The rule was published Wednesday and is slated to take effect August, 21, 2021. More information is available here: <https://www.washingtonpost.com/nation/2022/08/11/florida-transgender-medicaid/>. Both outlets are seeking commentary from CMS on the decision.

REPORTER'S QUESTIONS:

- • * **Julia Musto / Fox News Digital**
The AHCA has reportedly finalized rules that block Medicaid coverage for the treatment of gender dysphoria. Do the centers agree with this decision?
- • * **Christopher Kane / Los Angeles Blade**
Seeking comment on Florida's prohibition of Medicaid covering gender-affirming care.

DRAFT RESPONSE FOR REVIEW/APPROVAL

(b)(5)

Jason Tross
Deputy Director | Media Relations Group
Office of Communications | Centers for Medicare & Medicaid Services
200 Independence Ave. SW, Washington D.C. 20201

Sender:	Lynd, Beth (CMS/OC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0a669e91bf954cd79ed93895a3c8639d-L7ZE <Florence.Lynd@cms.hhs.gov>
Recipient:	Rainer, Melanie Fontes (OS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel <Melanie.Rainer@hhs.gov>; Rodriguez, Paul (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=755d69b6e04e4aa8981d68258e0aaf7c-Rodriguez, <PaulR.Rodriguez@hhs.gov>; (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91-Dekervor, D Ciccone, Caroline (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cc80a60f39a84204ad7c4191575500ec-Ciccone, Ca <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=1e87a6df2de041fcb673dd5e40029b87-Pryor, Rach <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=546fd81600e14830903adb3af34663f1-Smalley, El

<Elizabeth.Smalley@hhs.gov>;
Bagenstos, Samuel (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=afa71ea876614421a32eee5049c60e45-Bagenstos,
<Samuel.Bagenstos@hhs.gov>;
Katch, Hannah (CMS/OA) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=4ac6b74b459a46aaa7e997cb9e74a848-KSDJ
<Hannah.Katch@cms.hhs.gov>;
Jones, Kamara (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=05cef78e341b467099676c353121c1ed-Jones, Kama
<Kamara.Jones@hhs.gov>;
Broido, Tara (HHS/OASH) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=2c3cd5c5afe049b6a8b48c25324c7465-Broido, Tar
<Tara.Broido@hhs.gov>

Sent Date: 2022/08/15 10:26:42

Delivered Date: 2022/08/15 10:26:44

Rainer, Melanie Fontes (OS/IOS) /o=ExchangeLabs/ou=Exchange Administrative Group
From: (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel
<Melanie.Rainer@hhs.gov>
To: (b) (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91 (b)(6)
(b)(6)
Jee, Lauren (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=dc5a273e16824884903f0d2afc8cb225-Jee, Lauren
<Lauren.Jee1@hhs.gov>;
CC: Seeger, Rachel (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=3090ef9b170d45969add4ff475a95583-Rachel Seeg
<Rachel.Seeger@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida
decision regarding gender-affirming care in Medicaid
Date: 2022/08/14 16:30:26
Priority: Normal
Type: Note

Yes

Get Outlook for iOS

From: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6)
Sent: Sunday, August 14, 2022 3:42:24 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>
Cc: Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>; Seeger, Rachel (HHS/OCR)
<Rachel.Seeger@hhs.gov>
Subject: FW: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade |
Florida decision regarding gender-affirming care in Medicaid

(b)(6)

(b)(6) (b)(6) (b) (b)(6) Esq., MSW (she/her)
Phone: (b)(6) (b)(6)
Email: (b)(6)

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Sent: Sunday, August 14, 2022 3:41 PM
To: Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR)
(b)(6) Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Ciccone,
Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS)
<Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Bagenstos,
Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA)
<Hannah.Katch@cms.hhs.gov>
Cc: Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH)
<Tara.Broido@hhs.gov>

Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Thanks!

Beth Lynk
Office of the Administrator
Centers for Medicare & Medicaid Services

From: Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>

Sent: Sunday, August 14, 2022 1:33:25 PM

To: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>

Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Ok here.

Paul R. Rodriguez
Deputy General Counsel
U.S. Department of Health and Human Services
(b)(6) (cell)

From: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6)

Sent: Friday, August 12, 2022 10:55 PM

To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>

Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Confirming that OCR received the below:

From: Musto, Julia <Julia.Musto@FOX.COM>

Sent: Friday, August 12, 2022 9:50 AM

To: OS OCR Media (OS/OCR) <ocrmedia@hhs.gov>

Subject: Comment for Fox News Digital
re

I'm writing to you today regarding a report that the Florida Agency for Health Care Administration has finalized rules that block Medicaid coverage for the treatment of gender dysphoria.

<https://www.politico.com/news/2022/08/11/florida-finalizes-ban-medicaid-transgender-treatments-00051259>

Previously, the state's health department called HHS guidance on the matter misleading.

Does HHS have a comment for us today?

Thank you so much for your time and assistance.

Best,
Julia

(b)(6) (b)(6) (b)(6) (b)(6) (she/her)
(b)(6)

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>
Sent: Friday, August 12, 2022 9:14:09 PM
To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: (b)(6) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

ASPA I think OCR also got this question.

Get Outlook for iOS

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Sent: Friday, August 12, 2022 8:00:14 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: (b)(6) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Update here. This is what we are now looking to send. Thanks!

(b)(5)

Beth Lynk
Office of the Administrator
Centers for Medicare & Medicaid Services

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>
Sent: Friday, August 12, 2022 5:43:45 PM
To: Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Bagenstos, Samuel (HHS/OGC) <Samuel.Bagenstos@hhs.gov>
Cc: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>
Subject: RE: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Sam and Paul here too.

From: Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Sent: Friday, August 12, 2022 5:39 PM
To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>
Cc: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>; Broido, Tara (HHS/OASH) <Tara.Broido@hhs.gov>
Subject: RE: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Plus Tara

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Sent: Friday, August 12, 2022 5:39 PM
To: Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Cc: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>
Subject: RE: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

I have not.

From: Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>
Sent: Friday, August 12, 2022 5:38 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Cc: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Has anyone talked to WH comms or OASH comms?

Get Outlook for iOS

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>
Sent: Friday, August 12, 2022 5:35:04 PM
To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Cc: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Jones, Kamara (HHS/ASPA) <Kamara.Jones@hhs.gov>
Subject: RE: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Sent: Friday, August 12, 2022 5:29 PM
To: Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Subject: RE: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

(b)(5)

Thanks!
Beth

From: Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>
Sent: Friday, August 12, 2022 5:26 PM
To: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Subject: Re: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

Get [Outlook for iOS](#)

From: Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Sent: Friday, August 12, 2022 5:15:18 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Smalley, Elizabeth (HHS/ASPA) <Elizabeth.Smalley@hhs.gov>; Ciccone, Caroline (HHS/ASPA) <Caroline.Ciccone@hhs.gov>
Subject: FW: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

(b)(5)

Beth

From: Tross, Jason (CMS/OC) <Jason.Tross@cms.hhs.gov>
Sent: Friday, August 12, 2022 5:06 PM
To: Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>; Lynk, Beth (CMS/OC) <Florence.Lynk@cms.hhs.gov>
Cc: Aldana, Karen (CMS/OC) <Karen.Aldana@cms.hhs.gov>; Richardson, Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; Trucil, Daniel (CMS/OC) <Daniel.Trucil@cms.hhs.gov>; Chambers, Gwendolyn (CMS/OC) <Gwendolyn.Chambers@cms.hhs.gov>; Schinderle, Elizabeth (CMS/OC) <elizabeth.schinderle@cms.hhs.gov>
Subject: For Hannah and Beth Review ASAP - Media Inquires: Fox Digital & Los Angeles Blade | Florida decision regarding gender-affirming care in Medicaid

Beth and Erin-

Seeking your urgent review of the below inquiries from Fox Digital and Los Angeles Blade on the Florida decision on gender-affirming care.

REPORTER NAMES/OUTLETS:

- Julia Musto / Fox News Digital
- Christopher Kane / *Los Angeles Blade*

TOPIC: Florida decision regarding gender-affirming care in Medicaid

DEADLINE FOR FEEDBACK: ASAP

DRAFT RESPONSE REVIEWED BY:

- CCIIO
- CMCS (Jason Stegmaier, Perrie Briskin)
- OGC (Barb Fisher)
- OL (Kate Kirchgraber)

STORY/BACKGROUND: Reporters from Fox News Digital and the *Los Angeles Blade* reached out on a decision by the Florida Agency for Health Care Administration to bar Medicaid coverage for gender-affirming care. The rule was published Wednesday and is slated to take effect August, 21, 2021. More information is available here: <https://www.washingtonpost.com/nation/2022/08/11/florida-transgender-medicare/>. Both outlets are seeking commentary from CMS on the decision.

REPORTER'S QUESTIONS:

- **Julia Musto / Fox News Digital**
The AHCA has reportedly finalized rules that block Medicaid coverage for the treatment of gender dysphoria. Do the centers agree with this decision?
- **Christopher Kane / Los Angeles Blade**
Seeking comment on Florida's prohibition of Medicaid covering gender-affirming care.

DRAFT RESPONSE FOR REVIEW/APPROVAL

(b)(5)

Jason Tross
Deputy Director | Media Relations Group
Office of Communications | Centers for Medicare & Medicaid Services
200 Independence Ave. SW, Washington D.C. 20201

Sender: Rainer, Melanie Fontes (OS/IOS) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel <Melanie.Rainer@hhs.gov>

(b) (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91 (b)(6)
(b)(6)

Recipient: Jee, Lauren (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=dc5a273e16824884903f0d2afc8cb225-Jee, Lauren
<Lauren.Jee1@hhs.gov>;
Seeger, Rachel (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=3090ef9b170d45969add4ff475a95583-Rachel Seeg
<Rachel.Seeger@hhs.gov>

Sent Date: 2022/08/14 16:30:25

Delivered Date: 2022/08/14 16:30:26

From:	Rainer, Melanie Fontes (OS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9C7242F10A494D45BAB72C452ECD9F80-RAINER, MEL>
To:	Clemencia, LaTanya (HHS/IOS) (CTR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ddcb1a258a28428e80db417c431ed29d-Clemencia, <LaTanya.Clemencia@hhs.gov>
Subject:	FW: EPSDT analysis - privileged
Date:	2022/03/21 15:24:00
Priority:	Normal
Type:	Note

Can you work with all the schedulers to get this on the calendar please?

Melanie Fontes Rainer (she/her/ella)
 Counselor to the Secretary
 U.S. Department of Health and Human Services
 Cell: (b)(6)
Melanie.Rainer@hhs.gov

From: Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Sent: Monday, March 21, 2022 3:02 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>
Cc: Richardson, Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; White, Virginia (HHS/IOS) <Virginia.White@hhs.gov>; Clemencia, LaTanya (HHS/IOS) (CTR) <LaTanya.Clemencia@hhs.gov>; Raymond, Jonathan (CMS/OA) <Jonathan.Raymond@cms.hhs.gov>; Tsai, Daniel (CMS/OA) <Daniel.Tsai@cms.hhs.gov>; Torres, Mariano (CMS/CMCS) <Mariano.Torres@cms.hhs.gov>
Subject: RE: EPSDT analysis - privileged

Thanks so much, Paul. Adding Dan (and Mario) here too.

(b)(5)

From: Rainer, Melanie Fontes (OS/IOS)
Sent: Monday, March 21, 2022 2:59 PM
To: Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>

Cc: Richardson, Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>; White, Virginia (HHS/IOS) <Virginia.White@hhs.gov>; Clemencia, LaTanya (HHS/IOS) (CTR) <LaTanya.Clemencia@hhs.gov>; Raymond, Jonathan (CMS/OA) <Jonathan.Raymond@cms.hhs.gov>
Subject: RE: EPSDT analysis - privileged

I think it would be helpful to discuss. Adding in Virginia, Latanya and Jonathan.

Melanie Fontes Rainer (she/her/ella)
Counselor to the Secretary
U.S. Department of Health and Human Services
Cell: (b)(6)
Melanie.Rainer@hhs.gov

From: Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>
Sent: Monday, March 21, 2022 2:56 PM
To: Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: Richardson, Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>
Subject: RE: EPSDT analysis - privileged

Hi Paul-

(b)(5)

Thanks, Rachel

From: Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>
Sent: Monday, March 21, 2022 2:52 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Pryor, Rachel (HHS/OS/IOS) <Rachel.Pryor@hhs.gov>; Katch, Hannah (CMS/OA) <Hannah.Katch@cms.hhs.gov>
Cc: Richardson, Erin (CMS/OA) <Erin.Richardson@cms.hhs.gov>
Subject: EPSDT analysis - privileged

PRIVILEGED AND CONFIDENTIAL
ATTORNEY CLIENT COMMUNICATION
ATTORNEY WORK PRODUCT

All,

(b)(5)

(b)(5)

Please let me know if it would be helpful to convene a group to discuss further.

Paul

Paul R. Rodríguez

Deputy General Counsel

U.S. Department of Health and Human Services

(b)(6) (cell)

Notice: The contents of this message and any attachments may be privileged and confidential. Please do not disseminate without the approval of the Office of the General Counsel. If you are not an intended recipient, or have received this message in error, please delete it without reading it and please do not print, copy, forward, disseminate, or otherwise use the information. Also, please notify the sender that you have received this communication in error. Your receipt of this message is not intended to waive any applicable privilege.

Sender:	Rainer, Melanie Fontes (OS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9C7242F10A494D45BAB72C452ECD9F80-RAINER, MEL>
Recipient:	Clemencia, LaTanya (HHS/IOS) (CTR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ddcb1a258a28428e80db417c431ed29d-Clemencia, <LaTanya.Clemencia@hhs.gov>
Sent Date:	2022/03/21 15:24:45
Delivered Date:	2022/03/21 15:24:00

From:	Rainer, Melanie Fontes (OS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9C7242F10A494D45BAB72C452ECD9F80-RAINER, MEL>
To:	Schuham, Aaron (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c4b426dc641841c0b8fc53bcc4f4b5a2-Schuham, Aa <Aaron.Schuham@hhs.gov>; Allen, Marc (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cc610a88e103410889da97b4a20e69b8-Allen, Marc <Marc.Allen@hhs.gov>; Rodriguez, Paul (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=755d69b6e04e4aa8981d68258e0aaf7c-Rodriguez, <PaulR.Rodriguez@hhs.gov>
CC:	Wiggins, Audrey (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ba0233584cf046d892c27f25674ff982-Wiggins, Au <Audrey.Wiggins@hhs.gov>
Subject:	RE: Some important feedback from our convo with CIV on TX enforcement matters -- One of us will try to send a debrief email shortly.
Date:	2022/03/17 15:13:00
Priority:	Normal
Type:	Note

What time? I am on the NSA moot, but could call if you have time in about 30 min

Melanie Fontes Rainer (she/her/ella)
Counselor to the Secretary
U.S. Department of Health and Human Services
Cell: (b)(6)
Melanie.Rainer@hhs.gov

From: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>
Sent: Thursday, March 17, 2022 3:03 PM
To: Allen, Marc (HHS/OGC) <Marc.Allen@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>
Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>
Subject: Re: Some important feedback from our convo with CIV on TX enforcement matters -- One of us will try to send a debrief email shortly.

Please call if you can. Important things are getting lost in the email.

Get [Outlook for iOS](#)

From: Allen, Marc (HHS/OGC) <Marc.Allen@hhs.gov>
Sent: Thursday, March 17, 2022 3:01:21 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>
Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>

Subject: RE: Some important feedback from our convo with CIV on TX enforcement matters -- One of us will try to send a debrief email shortly.

(b)(5)

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>

Sent: Thursday, March 17, 2022 3:00 PM

To: Allen, Marc (HHS/OGC) <Marc.Allen@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>

Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>

Subject: RE: Some important feedback from our convo with CIV on TX enforcement matters -- One of us will try to send a debrief email shortly.

(b)(5)

Melanie Fontes Rainer (she/her/ella)
Counselor to the Secretary
U.S. Department of Health and Human Services
Cell: (b)(6)
Melanie.Rainer@hhs.gov

From: Allen, Marc (HHS/OGC) <Marc.Allen@hhs.gov>

Sent: Thursday, March 17, 2022 2:49 PM

To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>

Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>

Subject: RE: Some important feedback from our convo with CIV on TX enforcement matters -- One of us will try to send a debrief email shortly.

(b)(5)

Marc

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>

Sent: Thursday, March 17, 2022 2:47 PM

To: Allen, Marc (HHS/OGC) <Marc.Allen@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>

Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>

Subject: RE: Some important feedback from our convo with CIV on TX enforcement matters -- One of us will try to send a debrief email shortly.

(b)(5)

Melanie Fontes Rainer (she/her/ella)
Counselor to the Secretary
U.S. Department of Health and Human Services
Cell (b)(6)
Melanie.Rainer@hhs.gov

From: Allen, Marc (HHS/OGC) <Marc.Allen@hhs.gov>

Sent: Thursday, March 17, 2022 2:45 PM

To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>

Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>

Subject: RE: Some important feedback from our convo with CIV on TX enforcement matters -- One of us will try to send a debrief email shortly.

(b)(5)

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>

Sent: Thursday, March 17, 2022 2:36 PM

To: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>

Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Allen, Marc (HHS/OGC) <Marc.Allen@hhs.gov>

Subject: RE: Some important feedback from our convo with CIV on TX enforcement matters -- One of us will try to send a debrief email shortly.

Someone can also call me, I am free for 10 min until 245

Melanie Fontes Rainer (she/her/ella)
Counselor to the Secretary
U.S. Department of Health and Human Services
Cell: (b)(6)
Melanie.Rainer@hhs.gov

From: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>

Sent: Thursday, March 17, 2022 2:35 PM

To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>

Cc: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Allen, Marc (HHS/OGC) <Marc.Allen@hhs.gov>

Subject: Some important feedback from our convo with CIV on TX enforcement matters -- One of us will try to send a debrief email shortly.

Aaron D. Schuham
Associate General Counsel
Civil Rights Division
HHS/Office of the General Counsel
(b)(6) (c)

Sender:	Rainer, Melanie Fontes (OS/IOS) </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9C7242F10A494D45BAB72C452ECD9F80-RAINER, MEL>
	Schuham, Aaron (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c4b426dc641841c0b8fc53bcc4f4b5a2-Schuham, Aa < Aaron.Schuham@hhs.gov >;
	Allen, Marc (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=cc610a88e103410889da97b4a20e69b8-Allen, Marc < Marc.Allen@hhs.gov >;
Recipient:	Rodriguez, Paul (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=755d69b6e04e4aa8981d68258e0aaf7c-Rodriguez, < PaulR.Rodriguez@hhs.gov >;
	Wiggins, Audrey (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ba0233584cf046d892c27f25674ff982-Wiggins, Au < Audrey.Wiggins@hhs.gov >

Sent Date: 2022/03/17 15:13:38

Delivered Date: 2022/03/17 15:13:00

From: Rainer, Melanie Fontes (OS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel <Melanie.Rainer@hhs.gov>
Wiggins, Audrey (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ba0233584cf046d892c27f25674ff982-Wiggins, Au <Audrey.Wiggins@hhs.gov>;
Seeger, Rachel (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3090ef9b170d45969add4ff475a95583-Rachel Seeg <Rachel.Seeger@hhs.gov>;
To: Schuham, Aaron (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c4b426dc641841c0b8fc53bcc4f4b5a2-Schuham, Aa <Aaron.Schuham@hhs.gov>;
Frohboese, Robinsue (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=57b8853f66da4cb99818c9e2632f77f8-Frohboese, <Robinsue.Frohboese@HHS.GOV>
Subject: Re: Time Sensitive question about adding Texas Decision on OCR's Web
Date: 2022/10/03 18:49:28
Priority: Normal
Type: Note

(b)(5)

Get Outlook for iOS

From: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>
Sent: Monday, October 3, 2022 6:44:16 PM
To: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>
Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

From: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>
Sent: Monday, October 3, 2022 6:37 PM
To: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>
Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

From: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>
Sent: Monday, October 3, 2022 6:34 PM
To: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>

Cc: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>

Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

From: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>

Sent: Monday, October 3, 2022 6:29 PM

To: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>

Cc: Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>

Subject: Re: Time Sensitive question about adding Texas Decision on OCR's Web

Why it be needed on HIPAA guidance?

Get [Outlook for iOS](#)

From: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>

Sent: Monday, October 3, 2022 6:26:06 PM

To: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>; Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>

Cc: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>

Subject: Re: Time Sensitive question about adding Texas Decision on OCR's Web

Thanks Audrey

Get [Outlook for iOS](#)

From: Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>

Sent: Monday, October 3, 2022 6:23 PM

To: Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>

Cc: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>

Subject: RE: Time Sensitive question about adding Texas Decision on OCR's Web

(b)(5)

(b)(5)

Thanks!.

From: Frohboese, Robinsue (HHS/OCR) <Robinsue.Frohboese@HHS.GOV>

Sent: Monday, October 3, 2022 5:59 PM

To: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Wiggins, Audrey (HHS/OGC) <Audrey.Wiggins@hhs.gov>

Cc: Rainer, Melanie Fontes (OS/OCR) <Melanie.Rainer@hhs.gov>; Seeger, Rachel (HHS/OCR) <Rachel.Seeger@hhs.gov>

Subject: Time Sensitive question about adding Texas Decision on OCR's Web

Importance: High

Hi Aaron and Audrey,

(b)(5)

(b)(5)

Many thanks, Robinsue

Sender: Rainer, Melanie Fontes (OS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel <Melanie.Rainer@hhs.gov>

Recipient: Wiggins, Audrey (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ba0233584cf046d892c27f25674ff982-Wiggins, Au <Audrey.Wiggins@hhs.gov>;
Seeger, Rachel (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=3090ef9b170d45969add4ff475a95583-Rachel Seeg <Rachel.Seeger@hhs.gov>;
Schuham, Aaron (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c4b426dc641841c0b8fc53bcc4f4b5a2-Schuham, Aa <Aaron.Schuham@hhs.gov>;
Frohboese, Robinsue (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=57b8853f66da4cb99818c9e2632f77f8-Frohboese, <Robinsue.Frohboese@HHS.GOV>

Sent Date: 2022/10/03 18:49:28

From:	Lovenheim, Sarah (HHS/ASPA) /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=47F3AFC033DF47B1AAA46C8E43961DB5-GOLDFARB, S <Sarah.Lovenheim@hhs.gov>
To:	Silva, Jorge (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e359ddd1d20843a0896fbd09dd8fed4d-Silva, Jorg <Jorge.Silva@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel <Melanie.Rainer@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91 (b)(6) (b)(6) Greenberg, Mark H (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fdb0cbe5760845cc9a98373b9088d7f2-Greenberg, <MarkH.Greenberg@hhs.gov>; Rodriguez, Paul (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=755d69b6e04e4aa8981d68258e0aaf7c-Rodriguez, <PaulR.Rodriguez@hhs.gov>; Eng, Adrian (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=12aa973ac7274d72944c46da117a4179-Eng, Adrian <Adrian.Eng@hhs.gov>
Subject:	Re: Urgent -- Florida guidance on transgender youth
Date:	2022/04/20 14:12:44
Priority:	Normal
Type:	Note

Also we should not spell out department name in quote, in keeping with style. Thanks

Get Outlook for iOS

From: Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>
Sent: Wednesday, April 20, 2022 2:11:26 PM
To: Silva, Jorge (HHS/ASPA) <Jorge.Silva@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>
Subject: Re: Urgent -- Florida guidance on transgender youth

Last sentence should "HHS has issued"

Get Outlook for iOS

From: Silva, Jorge (HHS/ASPA) <Jorge.Silva@hhs.gov>
Sent: Wednesday, April 20, 2022 2:09:41 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>
Subject: RE: Urgent -- Florida guidance on transgender youth

(b)(5)

(b)(5)

Jorge Silva

Cell: (b)(6)

Jorge.Silva@hhs.gov

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>

Sent: Wednesday, April 20, 2022 1:56 PM

To: Silva, Jorge (HHS/ASPA) <Jorge.Silva@hhs.gov>; Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>; (b)(6) (b)(6) (HHS/OCR) (b)(6) Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>

Subject: RE: Urgent -- Florida guidance on transgender youth

(b)(5)

FYSA.

Melanie Fontes Rainer (she/her/ella)

Counselor to the Secretary

U.S. Department of Health and Human Services

Cell: (b)(6)

Melanie.Rainer@hhs.gov

From: Silva, Jorge (HHS/ASPA) <Jorge.Silva@hhs.gov>

Sent: Wednesday, April 20, 2022 1:09 PM

To: Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>; (b)(6) (b)(6) (HHS/OCR) (b)(6) Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>

Subject: RE: Urgent -- Florida guidance on transgender youth

Clean with one addition. @Rainer, Melanie Fontes (OS/IOS) @Greenberg, Mark H (HHS/OGC)

(b)(5)

(b)(5)

– HHS Spokesperson

Jorge Silva

Cell: (b)(6)

Jorge.Silva@hhs.gov

From: Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>

Sent: Wednesday, April 20, 2022 12:56 PM

To: Silva, Jorge (HHS/ASPA) <Jorge.Silva@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR)

(b)(6) Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Rainer,

Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Rodriguez, Paul (HHS/OGC)

<PaulR.Rodriguez@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>

Subject: RE: Urgent -- Florida guidance on transgender youth

(b)(5)

From: Silva, Jorge (HHS/ASPA) <Jorge.Silva@hhs.gov>

Sent: Wednesday, April 20, 2022 12:49 PM

To: Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>; (b) (b)(6) (b)(6) (HHS/OCR)

(b)(6) Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Rainer,

Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Rodriguez, Paul (HHS/OGC)

<PaulR.Rodriguez@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>

Subject: RE: Urgent -- Florida guidance on transgender youth

Melanie and Mark.

(b)(5)

Jorge Silva
Cell: (b)(6)
Jorge.Silva@hhs.gov

From: Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>
Sent: Wednesday, April 20, 2022 12:14 PM
To: (b)(6) (b)(6) (HHS/OCR) (b)(6) Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Silva, Jorge (HHS/ASPA) <Jorge.Silva@hhs.gov>; Eng, Adrian (HHS/ASPA) <Adrian.Eng@hhs.gov>
Subject: Re: Urgent -- Florida guidance on transgender youth

Thanks. Adding @Eng, Adrian (HHS/ASPA)

From: (b)(6) (b)(6) (HHS/OCR) (b)(6)
Sent: Wednesday, April 20, 2022 12:13 PM
To: Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Silva, Jorge (HHS/ASPA) <Jorge.Silva@hhs.gov>; Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>
Subject: RE: Urgent -- Florida guidance on transgender youth

(b)(5)

(b)(6) (b)(6) (b)(6) Esq., MSW (she/her)
Phone: (b)(6) (b)(6)
Email: (b)(6)

From: Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>
Sent: Wednesday, April 20, 2022 12:05 PM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Silva, Jorge (HHS/ASPA) <Jorge.Silva@hhs.gov>; (b)(6) (b)(6) (HHS/OCR) (b)(6) Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>
Subject: RE: Urgent -- Florida guidance on transgender youth

Melanie --- I couldn't get link below to work, but is this what they issued?
https://www.floridahealth.gov/documents/newsroom/press-releases/2022/04/20220420-gender-dysphoria-guidance.pdf?utm_medium=email&utm_source=govdelivery

(b)(5)

Mark Greenberg (he/him)
Deputy General Counsel
Office of General Counsel
U. S. Department of Health and Human Services
Markh.greenberg@hhs.gov

(b)(6)

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>
Sent: Wednesday, April 20, 2022 11:54 AM
To: Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>; Greenberg, Mark H (HHS/OGC) <MarkH.Greenberg@hhs.gov>; Silva, Jorge (HHS/ASPA) <Jorge.Silva@hhs.gov>; (b)(6) (b)(6) (b)(6) (HHS/OCR) <(b)(6)> Lovenheim, Sarah (HHS/ASPA) <Sarah.Lovenheim@hhs.gov>
Subject: Fwd: Urgent -- Florida guidance on transgender youth

Hi there,

(b)(5)

(b)(5)

<https://www.hhs.gov/sites/default/files/hhs-ocr-notice-and-guidance-gender-affirming-care.pdf>

Get [Outlook for iOS](#)

Hi HHS colleagues,

(b)(5)

>https://www.floridahealth.gov/documents/newsroom/press-releases/2022/04/20220420-gender-dysphoria-guidance.pdf?utm_source=floridahealth.gov&utm_medium=referral&utm_campaign=newsroom&utm_content=article&url_trace=7f2r5y6=https://www.floridahealth.gov/newsroom/2022/04/20220420-gender-dysphoria-press-release.pr.html< (b)(5)

(b)(5)

Thanks,
Jamie

Sender:	Lovenheim, Sarah (HHS/ASPA) /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=47F3AFC033DF47B1AAA46C8E43961DB5-GOLDFARB, S <Sarah.Lovenheim@hhs.gov>
Recipient:	Silva, Jorge (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e359ddd1d20843a0896fbd09dd8fed4d-Silva, Jorg <Jorge.Silva@hhs.gov>; Rainer, Melanie Fontes (OS/IOS) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9c7242f10a494d45bab72c452ecd9f80-Rainer, Mel <Melanie.Rainer@hhs.gov>; (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91 (b)(6) Greenberg, Mark H (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=fdb0cbe5760845cc9a98373b9088d7f2-Greenberg, <MarkH.Greenberg@hhs.gov>; Rodriguez, Paul (HHS/OGC) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=755d69b6e04e4aa8981d68258e0aaf7c-Rodriguez, <PaulR.Rodriguez@hhs.gov>; Eng, Adrian (HHS/ASPA) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=12aa973ac7274d72944c46da117a4179-Eng, Adrian <Adrian.Eng@hhs.gov>

Sent Date: 2022/04/20 14:12:42

Delivered Date: 2022/04/20 14:12:44

From: McLean, Rogelyn (CMS/CCIIO) /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B3063A31C945488CBACD479C115A6AC3-MWQD <Rogelyn.McLean@cms.hhs.gov>

To: (b) (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91 (b)(6) (b)(6)

Subject: RE: Section 1557 - OPM concerns summary

Date: 2022/04/19 10:33:46

Priority: Normal

Type: Note

Sounds great!

From: (b) (b)(6) (b)(6) (HHS/OCR)

Sent: Tuesday, April 19, 2022 10:02 AM

To: McLean, Rogelyn (CMS/CCIIO) <Rogelyn.McLean@cms.hhs.gov>

Subject: RE: Section 1557 - OPM concerns summary

Happy to help! It gets me away from my own reg headache, haha.

(b)(5)

(b)(6) (b)(6) (b) (b)(6) Esq., MSW (she/her)

Phone: (b)(6) (b)(6)

Email: (b)(6)

From: McLean, Rogelyn (CMS/CCIIO) <Rogelyn.McLean@cms.hhs.gov>

Sent: Tuesday, April 19, 2022 9:56 AM

To: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6)

Subject: RE: Section 1557 - OPM concerns summary

(b)(5)

(b)(5)

And please call anytime for any reason!

Rog.

(b)(6)

From: (b)(6) (b)(6) (b)(6) (HHS/OCR)

Sent: Tuesday, April 19, 2022 9:48 AM

To: McLean, Rogelyn (CMS/CCIIO) <Rogelyn.McLean@cms.hhs.gov>

Subject: RE: Section 1557 - OPM concerns summary

Thanks, Rog! I unexpectedly had to come into the office so am running a little behind, but turning to this now!

(b)(6) (b)(6) (b)(6) Esq., MSW (she/her)

Phone: (b)(6) (b)(6)

Email: (b)(6)

From: McLean, Rogelyn (CMS/CCIIO) <Rogelyn.McLean@cms.hhs.gov>

Sent: Monday, April 18, 2022 10:44 PM

To: (b)(6) (b)(6) (b)(6) (HHS/OCR) (b)(6)

Subject: RE: Section 1557 - OPM concerns summary

Hi (b)(6) – I’ve been working on getting the email below out to you since 3pm! Now that Melanie has roped you in already, decided I should get it to you!

Rog.

(b)(6)

(b)(5)

(b)(5)

From: (b) (b)(6) (b)(6) (HHS/OCR)
Sent: Monday, April 11, 2022 10:12 AM
To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Bilek, Uri (OS/OGC) <Uri.Bilek@hhs.gov>; McLean, Rogelyn (CMS/CCIIO) <Rogelyn.McLean@cms.hhs.gov>
Cc: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>; Fisher, Barbara (HHS/OGC) <Barbara.Fisher@HHS.GOV>; LaCheen, Cary (OS/OGC) <Cary.LaCheen@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>
Subject: RE: Section 1557 - OPM concerns summary

Great, will send you the meeting invite for 10am tomorrow.

(b)(6) (b)(6) (b) (b)(6) Esq., MSW (she/her)
Phone: (b)(6) (b)(6)
Email: (b)(6)

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>
Sent: Monday, April 11, 2022 10:04 AM
To: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Bilek, Uri (OS/OGC) <Uri.Bilek@hhs.gov>; McLean, Rogelyn (CMS/CCIIO) <Rogelyn.McLean@cms.hhs.gov>
Cc: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>; Fisher, Barbara (HHS/OGC) <Barbara.Fisher@HHS.GOV>; LaCheen, Cary (OS/OGC) <Cary.LaCheen@hhs.gov>; Rodriguez, Paul (HHS/OGC) <PaulR.Rodriguez@hhs.gov>
Subject: RE: Section 1557 - OPM concerns summary

I would like to join if it works. I can do 10am and 4pm tomorrow.

Melanie Fontes Rainer (she/her/ella)
Counselor to the Secretary
U.S. Department of Health and Human Services
Cell: (b)(6)
Melanie.Rainer@hhs.gov

From: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6)
Sent: Monday, April 11, 2022 9:53 AM
To: Bilek, Uri (OS/OGC) <Uri.Bilek@hhs.gov>; McLean, Rogelyn (CMS/CCIIO) <Rogelyn.McLean@cms.hhs.gov>
Cc: Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>; Fisher, Barbara (HHS/OGC) <Barbara.Fisher@HHS.GOV>; LaCheen, Cary (OS/OGC) <Cary.LaCheen@hhs.gov>
Subject: RE: Section 1557 - OPM concerns summary

Uri,

(moving Melanie and Lauren to BCC for scheduling)

Do you have a preference for any of the below times?

- Monday (4/11): 4:30pm
- Tuesday (4/12): 10am, 4pm, 4:30pm

Best,

(b)(6)

(b)(6) (b)(6) (b)(6) Esq., MSW (she/her)

Phone: (b)(6) (b)(6)

Email: (b)(6)

From: Bilek, Uri (OS/OGC) <Uri.Bilek@hhs.gov>

Sent: Friday, April 8, 2022 7:49 PM

To: (b)(6) (b)(6) (b)(6) (HHS/OCR) (b)(6) McLean, Rogelyn (CMS/CCIIO)
<Rogelyn.McLean@cms.hhs.gov>

Cc: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Jee, Lauren (HHS/OCR)
<Lauren.Jee1@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Barron, Pamela
(HHS/OCR) <Pamela.Barron@hhs.gov>; Fisher, Barbara (HHS/OGC) <Barbara.Fisher@HHS.GOV>

Subject: RE: Section 1557 - OPM concerns summary

(b)(6)

(b)(5)

Regards,

Uri

Uri Bilek

Office of the General Counsel, CMS Division

U.S. Department of Health and Human Services

Rm 5300 Cohen Building | 330 Independence Ave., S.W. | Washington, D.C. 20201

Tel: (202) 260-6700

Uri.Bilek@hhs.gov

Notice: The contents of this message and any attachments may be privileged and confidential. Please do not disseminate without the approval of the Office of the General Counsel. If you are not an intended recipient, or have received this message in error, please delete it without reading it and please do not print, copy, forward, disseminate, or otherwise use the information. Also, please notify the sender that you have received this communication in error. Your receipt of this message is not intended to waive any applicable privilege.

From: (b)(6) (b)(6) (b)(6) (HHS/OCR) (b)(6)

Sent: Friday, April 8, 2022 6:38 PM

To: McLean, Rogelyn (CMS/CCIIO) <Rogelyn.McLean@cms.hhs.gov>; Bilek, Uri (OS/OGC)
<Uri.Bilek@hhs.gov>

Cc: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>; Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>; Schuham, Aaron (HHS/OGC) <Aaron.Schuham@hhs.gov>; Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>

Subject: Section 1557 - OPM concerns summary

Hi Rog and Uri,

(b)(5)

Thanks,

(b)(6)

(b)(6) (b)(6) (b)(6) Esq., MSW (she/her)

Phone: (b)(6) (b)(6)

Email: (b)(6)

From: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>

Sent: Friday, April 8, 2022 5:13 PM

To: Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>

Cc: (b)(6) (b)(6) (b)(6) (HHS/OCR) (b)(6) Barron, Pamela (HHS/OCR) <Pamela.Barron@hhs.gov>

Subject: RE: FOR REVIEW: Section 1557 - OPM concerns summary and related materials

(b)(5)

Melanie Fontes Rainer (she/her/ella)

Counselor to the Secretary

U.S. Department of Health and Human Services

Cell: (b)(6)

Melanie.Rainer@hhs.gov

From: Jee, Lauren (HHS/OCR) <Lauren.Jee1@hhs.gov>

Sent: Friday, April 8, 2022 5:05 PM

To: Rainer, Melanie Fontes (OS/IOS) <Melanie.Rainer@hhs.gov>

Cc: (b) (b)(6) (b)(6) (HHS/OCR) (b)(6) Barron, Pamela (HHS/OCR)
<Pamela.Barron@hhs.gov>

Subject: FOR REVIEW: Section 1557 - OPM concerns summary and related materials

Melanie,

Flagging this for you- thank you to (b)(6) for putting this together. Wanted to share in case you would like to discuss at the 9am 1557 meeting on Monday (4/11). CRD has also shared with Lisa and OGC.

(b)(5)

(b)(5)

(b)(5)

(b)(5)

McLean, Rogelyn (CMS/CCIIO) /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP
Sender: (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B3063A31C945488CBACD479C115A6AC3-MWQD
<Rogelyn.McLean@cms.hhs.gov>

Recipient: (b) (b)(6) (b)(6) (HHS/OCR) /o=ExchangeLabs/ou=Exchange Administrative Group
(FYDIBOHF23SPDLT)/cn=Recipients/cn=0bdec12ad0974eacababe032f2b37c91 (b)(6)
(b)(6)

Sent Date: 2022/04/19 10:33:44

Delivered Date: 2022/04/19 10:33:46

Message Flags: Unread

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Date: 2022/03/10 08:28:26

Priority: Normal

Type: Note

(b)(5)

(b)(5)

(b)(5)

Case 2:21-cv-00194-Z Document 26-1 Filed 03/09/22 Page 10 of 27 PageID 224

(b)(6) (b)(6) (b)(6) Esq., MSW (she/her) | Section Chief

Office for Civil Rights

U.S. Department of Health & Human Services

200 Independence Ave. S.W.

Washington, D.C. 20201

Phone: (b)(6) (b)(6)

Email: (b)(6)

Sent Date: 2022/03/10 08:20:58

Delivered Date: 2022/03/10 08:28:26

Message Flags: Unread Unsent

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

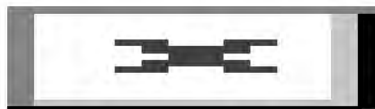
of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

From:	OCR Civil Rights Listserv (HHS/OCR) <OCRCivilRightsLists@HHS.GOV>
SentVia:	OCR-CIVIL RIGHTS DIVISION- LISTSERV <OCR-CIVILRIGHTS-LIST@LIST.NIH.GOV>
To:	<OCR-CIVILRIGHTS-LIST@LIST.NIH.GOV>
Subject:	Celebrating the 32nd Anniversary of the Americans with Disabilities Act
Date:	2022/07/26 18:37:16
Priority:	Normal
Type:	Note



Celebrating the 32nd Anniversary of the Americans with Disabilities Act: Defending People with Disabilities from Nondiscrimination July 26, 2022

By: Melanie Fontes Rainer, Acting Director, HHS Office for Civil Rights

On July 26, 1990, the Americans with Disabilities Act (ADA) was signed into law, affirming the inherent dignity of every person, regardless of disability. The ADA works in tandem with our other federal civil rights laws, including Section 504 of the Rehabilitation Act of 1973 (Section 504) and Section 1557 of the Affordable Care Act (ACA) (Section 1557), enforced by the Office for Civil Rights (OCR) at the U.S. Department of Health and Human Services (HHS), that protect people from discrimination on the basis on disability.

Today, as we commemorate the 32nd anniversary of the ADA, OCR is proud to continue its work of standing up against discrimination on the basis of disability and enforcing the ADA and other federal civil rights laws that guarantee equity, opportunity, inclusion, and independent living for people with disabilities, free of discrimination. Below are some key examples of this important work at HHS.

Achieving the Promise of the ADA through Enforcement

Over the past year, OCR has produced the following results through enforcement of the ADA, sending a strong message to the health care industry about the importance of ensuring nondiscrimination for people with disabilities:

- • **Resolving Allegations of Discriminatory Practices Regarding Patients Needing Opioid Use Disorder Treatment**

OCR and the United States (U.S.) Attorney's Offices for the District of Rhode Island and Massachusetts reached an agreement with twelve skilled nursing facilities in Rhode Island and Massachusetts operated by Genesis HealthCare, Inc., to resolve allegations that the facilities denied admission to prospective residents because they were taking an FDA-approved medical treatment to treat Opioid Use Disorder, in violation of the ADA, the Section 1557, and Section 504.

- • [Read the Press Release](#)
- • [Read the Voluntary Resolution Agreement](#)

- • **Working to Ensure Communication with Individuals Who are Deaf or Hard of Hearing**

OCR, in partnership with the U.S. Attorney's Office for the District of Connecticut, entered into a Voluntary Resolution Agreement with Backus Hospital, to ensure effective communication with individuals who are deaf or hard of hearing. The Agreement resolves a complaint filed with the U.S. Department of Justice (DOJ) on behalf of an individual who is deaf, alleging that Backus Hospital failed to provide timely auxiliary aids and services to effectively communicate with the patient during an inpatient stay in violation of the ADA, ACA, and Section 504. According to the complaint, despite requesting services upon arrival and receiving them during his emergency room stay, the complainant was not provided an interpreter or video remote interpreting services at critical points of care during his inpatient stay and relied on hand-written notes to communicate with doctors and staff during the hospital visit.

- • [Read the Press Release](#)
- • [Read the Voluntary Resolution Agreement](#)

- • **Working to Help Those Who are Deaf or Hard of Hearing with Appropriate Services and Equipment**

OCR, in partnership with the U.S. Attorney's Office for the District of Massachusetts, entered into a Voluntary Resolution Agreement with Baystate Medical Center (Baystate), to ensure effective communication with individuals who are deaf or hard of hearing under Section 504 and Section 1557 of the ACA. The Agreement resolves a complaint filed with DOJ on behalf of an individual who is deaf and utilizes American Sign Language (ASL), alleging that Baystate failed to furnish appropriate auxiliary aids and services necessary to effectively communicate with the patient. According to the complaint, despite requesting a qualified ASL interpreter prior to her scheduled arrival to induce labor, Baystate failed to take appropriate steps to ensure that its communications with her during labor and childbirth were effective.

- • [Read the Press Release](#)
- • [Read the Voluntary Resolution Agreement](#)

- • **Resolving Allegations of Discriminatory Practices Regarding Patients Needing Medication Assisted Treatment (MAT)**

OCR and U.S. Attorney's Office for the District of Massachusetts reached agreement with The Oaks, a skilled nursing facility in Massachusetts operated by Life Care Centers of America, Inc., to resolve allegations that the facility denied admission to a prospective resident because he was taking an FDA-approved medication to treat Opioid Use Disorder (OUD), in violation of Section 1557, Section 504, and the ADA. The investigation was opened after the U.S. Attorney's Office received information alleging that The Oaks had a practice of denying admission to individuals solely because the individuals were being treated with buprenorphine or methadone, medications used to treat OUD. The complainant was seeking admission to The Oaks for conditions other than OUD, but also needed the facility to administer medication for OUD, as they would administer medication for any other chronic illness. Under the terms of the agreement, The Oaks will, among other things, revise its admissions policy, and provide training to admissions personnel on Federal civil rights laws and OUD, to ensure that it will not deny admission to individuals with disabilities because they are taking a medication to treat OUD and will determine whether an individual with OUD is qualified for admission with or without reasonable accommodations. The Oaks will also pay the DOJ a civil penalty of \$5,000.

- • [Read the Press Release](#)
- • [Read the Voluntary Resolution Agreement](#)

- • **Addressing Discrimination Against Parents with Disabilities**

OCR and U.S. Attorney's Office for the District of Rhode Island reached an agreement with the Rhode Island Department of Children, Youth and Families (DCYF) to resolve alleged violations of the ADA and Section 504. The investigation was opened after OCR and the U.S. Attorney's Office received multiple complaints from parents with disabilities. Three complaints alleged that DCYF failed to provide sign language interpreter services to parents who are deaf during child protection investigations, including when DCYF removed their children from their homes. A fourth complaint alleged that DCYF based conclusions about the parental capacity on a parent's disabilities (epilepsy and intellectual disabilities) and failed to provide reasonable modifications to the parent's plan. Under the terms of the agreement, DCYF will, among other things, create and implement a policy on how it will communicate effectively with individuals who have communication disabilities including individuals who are deaf and hard of hearing. In addition, it will ensure sufficient contracts with

qualified interpreting services, provide training to all personnel on federal civil rights laws and accommodations for individuals with disabilities, designate an ADA coordinator, and report quarterly for three years.

- • [Read the Press Release](#)
- • [Read the Voluntary Resolution Agreement](#)

Making Clear that the ADA Guarantees the Rights of People with Disabilities to Nondiscrimination

• • Proposed Rule to Strengthen Nondiscrimination in Health Care

OCR issued a proposed rule revising Section 1557 of the Affordable Care Act that includes robust provisions to protect people from discrimination and supports the Biden-Harris Administration's priority of advancing equity and civil rights. Section 1557 prohibits discrimination on the basis of race, color, national origin, sex, or disability in certain health programs or activities and is one of the government's most powerful tools to ensure nondiscriminatory access to health care.

- • [Read the Press Release](#)
- • [Read the Fact Sheet in English and 16 languages](#)

• • Guidance to the Nation's Retail Pharmacies Clarifying Their Obligations to Ensure Access to Comprehensive Reproductive Health Care Services

OCR issued guidance to remind the roughly 60,000 pharmacies in the United States of the unique role pharmacies play in ensuring access to comprehensive reproductive health care services and the nondiscrimination obligations of pharmacies under federal civil rights laws. Under Section 1557 and Section 504, recipients of federal financial assistance are prohibited from excluding an individual from participation in, denying them the benefits of, or otherwise subjecting them to discrimination on the basis of sex and disability, among other bases, in their health programs and activities.

- • [Read the Press Release](#)
- • [Read the Guidance - PDF](#)

• • Reaffirming Support and Protection for LGBTQI+ Children and Youth

OCR issued guidance clearly stating that attempts to block access to gender affirming care may run afoul of federal civil rights laws that prohibit discrimination

on the basis of sex (Section 1557) and disability (ADA, Section 504, and Section 1557). The guidance clarifies that gender dysphoria, in some cases, may qualify as a disability under the laws. Therefore, restrictions that prevent otherwise qualified individuals from receiving medically necessary care on the basis of their gender dysphoria, gender dysphoria diagnosis, or perception of gender dysphoria may violate the ADA, Section 504, and Section 1557. This guidance is one of many steps HHS has taken to stand 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.

- • [Read the Press Release](#)
- • [Read the Guidance - PDF](#)

- • **Guidance for Health Care Providers on Civil Rights Protections for People with Disabilities**

OCR issued guidance making clear that in light of the continuing COVID-19 public health emergency, when resources can be scarce, it is vital that individuals with disabilities are not prevented from receiving needed health care benefits and services because of discrimination. The guidance clarifies that federal civil rights laws continue to apply to health care providers during a public health emergency, including to administering COVID-19 testing, medical supplies, and medication. These requirements also continue to apply to covered entities providing hospitalization, long-term care, intensive treatments, and critical care, such as oxygen therapy and mechanical ventilators. Additionally, federal civil rights laws apply to state Crisis Standard of Care plans, procedures, and related standards for triaging scarce resources that hospitals are required to follow. The FAQs remind health care providers of their obligations under law and provide examples of applicability. This guidance is one of many comprehensive action steps taken by HHS to support President Biden's *National Strategy for the COVID-19 Response and Pandemic Preparedness* to protect those most at risk, advance equity, and address disparities in rates of infection, illness, and death.

- • [Read the Press Release](#)
- • [Read the Guidance](#)
- • [More information about how OCR is protecting civil rights during COVID-19](#)

- • **Joint Guidance on “Long COVID” and Disability Rights Under the ADA, Section 504, and Section 1557**

With the rise of long COVID as a persistent and significant health issue, the HHS Office for Civil Rights (OCR) and the DOJ Civil Rights Division have joined together to provide this guidance. The guidance explains that long COVID can be a disability under the ADA, Section 504, and Section 1557, and explains how these laws may apply. Each of these federal laws protects people with disabilities from discrimination. The guidance also provides resources for additional information and best practices.

- • [Read the Press Release](#)
- • [Read the Guidance](#)

Learn More about the ADA

Together with our partners at the HHS Administration on Community Living (ACL), OCR created a [website](#) to celebrate the ADA by telling the story of how the ADA came to be, showcase some of the progress we have made as a country toward achieving its promise, and illustrate some of the work being done by OCR and ACL, as well as other partners within HHS and across government. The site also shines a spotlight on the impact of the ADA by letting people with disabilities share stories about their lives.

File a Complaint

If you believe that you or someone else has been discriminated against because of disability by an entity receiving financial assistance from HHS, you or your legal representative may [file a complaint](#) with OCR.

As we celebrate the 32nd anniversary of the signing of the ADA into law, it is a time to reflect on our history and accomplishments and look onward to our future. I am honored to join OCR as Acting Director, to continue advancing the work of our agency and our commitment to robust enforcement of the ADA. I look forward to working with our communities and partners as we advance this critical work.

Melanie Fontes Rainer
Acting Director, Office for Civil Rights
U.S. Department of Health and Human Services

Read the Blog post: <https://www.hhs.gov/blog/2022/07/26/celebrating-the-32nd-anniversary-of-the-ada.html>

###

Sender: OCR Civil Rights Listserv (HHS/OCR) <OCRCivilRightsLists@HHS.GOV>; OCR-CIVIL RIGHTS DIVISION-LISTSERV <OCR-CIVILRIGHTS-LIST@LIST.NIH.GOV>

Recipient: <OCR-CIVILRIGHTS-LIST@LIST.NIH.GOV>

Sent Date: 2022/07/26 18:32:33

Delivered Date: 2022/07/26 18:37:16

Message Flags: Unread

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(7)(C)

of the Freedom of Information Act

U.S. Department of Health and Human Services
Office for Civil Rights
Centralized Case Management Operations
200 Independence Ave., S.W.
Suite 515F, HHH Building
Washington, D.C. 20201
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818
TDD: (800) 537-7697
Email: ocrmail@hhs.gov

Burden Statement

Public reporting burden for the collection of information on this complaint form is estimated to average 45 minutes per response, including the time for reviewing instructions, gathering the data needed and entering and reviewing the information on the completed complaint form. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: HHS/OS Reports Clearance Officer, Office of Information Resources Management, 200 Independence Ave. S.W., Room 531H, Washington, D.C. 20201. **Please do not mail complaint form to this address.**



COMPLAINANT CONSENT FORM

The Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) has the authority to collect and receive material and information about you, including personnel and medical records, when they are relevant to its investigation of your complaint.

To investigate your complaint, OCR may need to reveal your identity or identifying information about you to persons at the entity or agency under investigation or to other persons, agencies, or entities. In some circumstances, OCR may refer your complaint to another government agency, as warranted.

The Privacy Act of 1974 protects certain federal records that contain personally identifiable information about you and, with your consent, allows OCR to use your name or other personal information, if necessary, to investigate your complaint.

Consent is voluntary, and it is not always needed in order to investigate your complaint; however, failure to give consent is likely to impede the investigation of your complaint and may result in the closure of your case.

Additionally, OCR may disclose information, including medical records and other personal information, which it has gathered during the course of its investigation in order to comply with a request under the Freedom of Information Act (FOIA) and may refer your complaint to another appropriate agency.

Under FOIA, OCR may be required to release information regarding the investigation of your complaint; however, we will make every effort, as permitted by law, to protect information that identifies individuals or that, if released, could constitute a clearly unwarranted invasion of personal privacy.

OCR will use any applicable protections in that law to safeguard information which could identify you, or other individuals, or that, if released, could constitute a clearly unwarranted invasion of personal privacy. OCR may be required to release some information regarding the investigation of your complaint under the Freedom of Information Act (FOIA), however, information concerning your complaint which could reveal your identity is protected from disclosure to third party requesters under FOIA.

Please read and review the documents entitled Notice to Complainants and Other Individuals Asked to Supply Information to the Office for Civil Rights and Protecting Personal Information in Complaint Investigations for further information regarding how OCR may obtain, use, and disclose your information while investigating your complaint.

In order to expedite the investigation of your complaint if it is accepted by OCR, please read, sign, and return one copy of this consent form to OCR with your complaint. Please make one copy for your records.



- As a complainant, I understand that in the course of the investigation of my complaint it may become necessary for OCR to reveal my identity or identifying information about me to persons at the entity or agency under investigation or to other persons, agencies, or entities.
- I am also aware of the obligations of OCR to honor requests under the Freedom of Information Act (FOIA). I understand that it may be necessary for OCR to disclose general information which it has gathered as part of its investigation of my complaint, excluding personally identifiable information.
- In addition, I understand that, as a complainant, I may be covered by the Department of Health and Human Services' (HHS) regulations which protect any individual from being intimidated, threatened, coerced, retaliated against, or discriminated against because he/she has made a complaint, testified, assisted, or participated in any manner in any mediation, investigation, hearing, proceeding, or other part of HHS's investigation, conciliation, or enforcement process.

After reading the above information, please check ONLY ONE of the following boxes:

☒ **CONSENT:** I have read, understand, and agree to the above and give permission to OCR to reveal my identity or identifying information about me in my case file to persons at the entity or agency under investigation or to other relevant persons, agencies, or entities during any part of HHS' investigation, conciliation, or enforcement process.

☐ **CONSENT DENIED:** I have read and I understand the above and do not give permission to OCR to reveal my identity or identifying information about me. I understand that this denial of consent is likely to impede the investigation of my complaint and may result in closure of the investigation.

Signature: _____ Date:

**Please sign and date this complaint. You do not need to sign if submitting this form by email because submission by email represents your signature.*

Name (Please print):

Address:

Telephone Number:



NOTICE TO COMPLAINANTS AND OTHER INDIVIDUALS ASKED TO SUPPLY INFORMATION TO THE OFFICE FOR CIVIL RIGHTS

Privacy Act

The Privacy Act of 1974 (5 U.S.C. §552a) requires OCR to notify individuals whom it asks to supply information that:

— OCR is authorized to solicit information under:

- (i) Federal laws barring discrimination by recipients of Federal financial assistance on grounds of race, color, national origin, disability, age, sex, religion under programs and activities receiving Federal financial assistance from the U.S. Department of Health and Human Services (HHS), including, but not limited to, Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), the Age Discrimination Act of 1975 (42 U.S.C. §6101 *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 *et seq.*), Sections 794 and 855 of the Public Health Service Act (42 U.S.C. §§295m and 296g); and Section 1557 of the Affordable Care Act (42 U.S.C. §18116);
- (ii) Federal laws protecting rights of conscience and religious freedom in health and human services programs, such as Sections 1303(b)(4) and 1553 of the Affordable Care Act (42 U.S.C. §§18113, 18023(b)(4)), the Church Amendments (42 U.S.C. § 300a-7), the Coats-Snowe Amendment (42 U.S.C. §238n), the Religious Freedom Restoration Act (42 U.S.C. § 2000bb *et seq.*), and the Weldon Amendment (*e.g.*, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2019, Pub. L. No. 115-245, Div. B., §507(d)), and applicable regulations;
- (iii) Titles VI and XVI of the Public Health Service Act (42 U.S.C. §§291 *et seq.* and 300s *et seq.*) and 42 C.F.R. Part 124, Subpart G (Community Service obligations of Hill-Burton facilities);
- (iv) 45 C.F.R. Part 85, as it implements Section 504 of the Rehabilitation Act in programs conducted by HHS; and
- (v) Title II of the Americans with Disabilities Act (42 U.S.C. §12131 *et seq.*) and Department of Justice regulations at 28 C.F.R. Part 35, which give HHS “designated agency” authority to investigate and resolve disability discrimination complaints against certain public entities, defined as health and service agencies of state and local governments, regardless of whether they receive federal financial assistance.

HIPAA Standards for the Privacy of Individually Identifiable Health Information (The Privacy Rule), 45 C.F.R. Part 160 and Subparts A and E of Part 164, Health Insurance Reform: Security Standards (The Security Rule), 45 C.F.R. Part 160 and Subparts A and C of Part 164, Breach Notification for Unsecured Protected Health Information (The Breach Rule), 45 C.F.R. Part 160 and Subparts A and D of Part 164, and Administrative Simplification: Enforcement, 45 C.F.R. Part 160, Subparts C, D, and E, which contains provisions relating to compliance and investigations, the imposition of civil money penalties, and procedures for hearings related to violations of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) (42 U.S.C. §1320d-2).



OCR will request information for the purpose of determining and securing compliance with the Federal laws listed above. Disclosure of this requested information to OCR by individuals who are not recipients of federal financial assistance is voluntary; however, even individuals who voluntarily disclose information are subject to prosecution and penalties under 18 U.S.C. § 1001 for making false statements.

Additionally, although disclosure is voluntary for individuals who are not recipients of federal financial assistance, failure to provide OCR with requested information may preclude OCR from making a compliance determination or enforcing the laws above.

OCR has the authority to disclose personal information collected during an investigation without the individual's consent for the following routine uses:

- (i) to make disclosures to OCR contractors who are required to maintain Privacy Act safeguards with respect to such records;
- (ii) for disclosure to a congressional office from the record of an individual in response to an inquiry made at the request of the individual;
- (iii) to make disclosures to the Department of Justice to permit effective defense of litigation; and
- (iv) to make disclosures to the appropriate agency in the event that records maintained by OCR to carry out its functions indicate a violation or potential violation of law.

Under 5 U.S.C. §552a(k)(2) and the HHS Privacy Act regulations at 45 C.F.R. §5b.11 OCR complaint records have been exempted as investigatory material compiled for law enforcement purposes from certain Privacy Act access, amendment, correction and notification requirements.

Freedom of Information Act

A complainant, the recipient or any member of the public may request release of OCR records under the Freedom of Information Act (5 U.S.C. §552) (FOIA) and HHS regulations at 45 C.F.R. Part 5. Generally, most records will be available only to the complainant if they are not privileged. Most or all records from a complaint file will be withheld to protect privacy.

Fraud and False Statements

Federal law, at 18 U.S.C. §1001, authorizes prosecution and penalties of fine or imprisonment for conviction of "whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry."



PROTECTING PERSONAL INFORMATION IN COMPLAINT INVESTIGATIONS

To investigate your complaint, the Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) will collect information from different sources. Depending on the type of complaint, we may need to get copies of your medical records, or other information that is personal to you. This Fact Sheet explains how OCR protects your personal information that is part of your case file.

HOW DOES OCR PROTECT MY PERSONAL INFORMATION?

OCR is required by law to protect your personal information. The Privacy Act of 1974 protects Federal records about an individual containing personally identifiable information, including, but not limited to, the individual's medical history, education, financial transactions, and criminal or employment history that contains an individual's name or other identifying information.

Under the Privacy Act, OCR will disclose your name or other personal information with a signed consent from you, and only when it is necessary to complete the investigation of your complaint or to enforce civil rights laws or when it is otherwise permitted by law.

Consent is voluntary, and it is not always needed in order to investigate your complaint; however, failure to give consent is likely to impede the investigation of your complaint and may result in the closure of your case.

CAN I SEE MY OCR FILE?

Under the Freedom of Information Act (FOIA), you can request a copy of your case file once your case has been closed; however, OCR can withhold information from you in order to protect the identities of witnesses and other sources of information. Additionally, some records may be withheld to protect OCR's deliberative process privilege or any other legally protected privilege.

CAN OCR GIVE MY FILE TO ANY ONE ELSE?

If a complaint indicates a violation or a potential violation of law, OCR can refer the complaint to another appropriate agency without your permission.

If you file a complaint with OCR, and we decide we cannot help you, we may refer your complaint to another agency, such as the Department of Justice.

CAN ANYONE ELSE SEE THE INFORMATION IN MY FILE?

Public access to OCR's files and records is controlled by the Freedom of Information Act (FOIA). Under FOIA, OCR may be required to release general information about this case upon public request. In the event that OCR receives such a request, we will apply every legal protection to information that identifies individuals.



If OCR receives protected health information about you in connection with a HIPAA investigation or compliance review, we will only share this information with individuals outside of HHS if necessary for our compliance efforts or if we are required to do so by another law.

DOES IT COST ANYTHING FOR ME (OR SOMEONE ELSE) TO OBTAIN A COPY OF MY FILE?

In most cases, the first two hours spent searching for document(s) you request under the Freedom of Information Act and the first 100 pages are free. Additional search time or copying time may result in a cost for which you will be responsible. If you wish to limit the search time and number of pages to a maximum of two hours and 100 pages; please specify this in your request. You may also set a specific cost limit, for example, cost not to exceed \$100.00. For details, see HHS's FOIA page.

If you have any questions about this complaint and consent package, please contact OCR at www.hhs.gov/ocr/office/about/contactus/index.html.

OR

Contact the Customer Response Center at (800) 368-1019 (see contact information on page 2 of the Complaint Form).

Withheld pursuant to exemption

(b)(7)(C)

of the Freedom of Information Act

U.S. Department of Health and Human Services
Office for Civil Rights
Centralized Case Management Operations
200 Independence Ave., S.W.
Suite 515F, HHH Building
Washington, D.C. 20201
Customer Response Center: (800) 368-1019
Fax: (202) 619-3818
TDD: (800) 537-7697
Email: ocrmail@hhs.gov

Burden Statement

Public reporting burden for the collection of information on this complaint form is estimated to average 45 minutes per response, including the time for reviewing instructions, gathering the data needed and entering and reviewing the information on the completed complaint form. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: HHS/OS Reports Clearance Officer, Office of Information Resources Management, 200 Independence Ave. S.W., Room 531H, Washington, D.C. 20201. **Please do not mail complaint form to this address.**



COMPLAINANT CONSENT FORM

The Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) has the authority to collect and receive material and information about you, including personnel and medical records, when they are relevant to its investigation of your complaint.

To investigate your complaint, OCR may need to reveal your identity or identifying information about you to persons at the entity or agency under investigation or to other persons, agencies, or entities. In some circumstances, OCR may refer your complaint to another government agency, as warranted.

The Privacy Act of 1974 protects certain federal records that contain personally identifiable information about you and, with your consent, allows OCR to use your name or other personal information, if necessary, to investigate your complaint.

Consent is voluntary, and it is not always needed in order to investigate your complaint; however, failure to give consent is likely to impede the investigation of your complaint and may result in the closure of your case.

Additionally, OCR may disclose information, including medical records and other personal information, which it has gathered during the course of its investigation in order to comply with a request under the Freedom of Information Act (FOIA) and may refer your complaint to another appropriate agency.

Under FOIA, OCR may be required to release information regarding the investigation of your complaint; however, we will make every effort, as permitted by law, to protect information that identifies individuals or that, if released, could constitute a clearly unwarranted invasion of personal privacy.

OCR will use any applicable protections in that law to safeguard information which could identify you, or other individuals, or that, if released, could constitute a clearly unwarranted invasion of personal privacy. OCR may be required to release some information regarding the investigation of your complaint under the Freedom of Information Act (FOIA), however, information concerning your complaint which could reveal your identity is protected from disclosure to third party requesters under FOIA.

Please read and review the documents entitled Notice to Complainants and Other Individuals Asked to Supply Information to the Office for Civil Rights and Protecting Personal Information in Complaint Investigations for further information regarding how OCR may obtain, use, and disclose your information while investigating your complaint.

In order to expedite the investigation of your complaint if it is accepted by OCR, please read, sign, and return one copy of this consent form to OCR with your complaint. Please make one copy for your records.



- As a complainant, I understand that in the course of the investigation of my complaint it may become necessary for OCR to reveal my identity or identifying information about me to persons at the entity or agency under investigation or to other persons, agencies, or entities.
- I am also aware of the obligations of OCR to honor requests under the Freedom of Information Act (FOIA). I understand that it may be necessary for OCR to disclose general information which it has gathered as part of its investigation of my complaint, excluding personally identifiable information.
- In addition, I understand that, as a complainant, I may be covered by the Department of Health and Human Services' (HHS) regulations which protect any individual from being intimidated, threatened, coerced, retaliated against, or discriminated against because he/she has made a complaint, testified, assisted, or participated in any manner in any mediation, investigation, hearing, proceeding, or other part of HHS's investigation, conciliation, or enforcement process.

After reading the above information, please check ONLY ONE of the following boxes:

☒ **CONSENT:** I have read, understand, and agree to the above and give permission to OCR to reveal my identity or identifying information about me in my case file to persons at the entity or agency under investigation or to other relevant persons, agencies, or entities during any part of HHS' investigation, conciliation, or enforcement process.

☐ **CONSENT DENIED:** I have read and I understand the above and do not give permission to OCR to reveal my identity or identifying information about me. I understand that this denial of consent is likely to impede the investigation of my complaint and may result in closure of the investigation.

Signature: _____ Date:

**Please sign and date this complaint. You do not need to sign if submitting this form by email because submission by email represents your signature.*

Name (Please print):

Address:

Telephone Number:



NOTICE TO COMPLAINANTS AND OTHER INDIVIDUALS ASKED TO SUPPLY INFORMATION TO THE OFFICE FOR CIVIL RIGHTS

Privacy Act

The Privacy Act of 1974 (5 U.S.C. §552a) requires OCR to notify individuals whom it asks to supply information that:

— OCR is authorized to solicit information under:

- (i) Federal laws barring discrimination by recipients of Federal financial assistance on grounds of race, color, national origin, disability, age, sex, religion under programs and activities receiving Federal financial assistance from the U.S. Department of Health and Human Services (HHS), including, but not limited to, Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), the Age Discrimination Act of 1975 (42 U.S.C. §6101 *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 *et seq.*), Sections 794 and 855 of the Public Health Service Act (42 U.S.C. §§295m and 296g); and Section 1557 of the Affordable Care Act (42 U.S.C. §18116);
- (ii) Federal laws protecting rights of conscience and religious freedom in health and human services programs, such as Sections 1303(b)(4) and 1553 of the Affordable Care Act (42 U.S.C. §§18113, 18023(b)(4)), the Church Amendments (42 U.S.C. § 300a-7), the Coats-Snowe Amendment (42 U.S.C. §238n), the Religious Freedom Restoration Act (42 U.S.C. § 2000bb *et seq.*), and the Weldon Amendment (*e.g.*, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2019, Pub. L. No. 115-245, Div. B., §507(d)), and applicable regulations;
- (iii) Titles VI and XVI of the Public Health Service Act (42 U.S.C. §§291 *et seq.* and 300s *et seq.*) and 42 C.F.R. Part 124, Subpart G (Community Service obligations of Hill-Burton facilities);
- (iv) 45 C.F.R. Part 85, as it implements Section 504 of the Rehabilitation Act in programs conducted by HHS; and
- (v) Title II of the Americans with Disabilities Act (42 U.S.C. §12131 *et seq.*) and Department of Justice regulations at 28 C.F.R. Part 35, which give HHS “designated agency” authority to investigate and resolve disability discrimination complaints against certain public entities, defined as health and service agencies of state and local governments, regardless of whether they receive federal financial assistance.

HIPAA Standards for the Privacy of Individually Identifiable Health Information (The Privacy Rule), 45 C.F.R. Part 160 and Subparts A and E of Part 164, Health Insurance Reform: Security Standards (The Security Rule), 45 C.F.R. Part 160 and Subparts A and C of Part 164, Breach Notification for Unsecured Protected Health Information (The Breach Rule), 45 C.F.R. Part 160 and Subparts A and D of Part 164, and Administrative Simplification: Enforcement, 45 C.F.R. Part 160, Subparts C, D, and E, which contains provisions relating to compliance and investigations, the imposition of civil money penalties, and procedures for hearings related to violations of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) (42 U.S.C. §1320d-2).



OCR will request information for the purpose of determining and securing compliance with the Federal laws listed above. Disclosure of this requested information to OCR by individuals who are not recipients of federal financial assistance is voluntary; however, even individuals who voluntarily disclose information are subject to prosecution and penalties under 18 U.S.C. § 1001 for making false statements.

Additionally, although disclosure is voluntary for individuals who are not recipients of federal financial assistance, failure to provide OCR with requested information may preclude OCR from making a compliance determination or enforcing the laws above.

OCR has the authority to disclose personal information collected during an investigation without the individual's consent for the following routine uses:

- (i) to make disclosures to OCR contractors who are required to maintain Privacy Act safeguards with respect to such records;
- (ii) for disclosure to a congressional office from the record of an individual in response to an inquiry made at the request of the individual;
- (iii) to make disclosures to the Department of Justice to permit effective defense of litigation; and
- (iv) to make disclosures to the appropriate agency in the event that records maintained by OCR to carry out its functions indicate a violation or potential violation of law.

Under 5 U.S.C. §552a(k)(2) and the HHS Privacy Act regulations at 45 C.F.R. §5b.11 OCR complaint records have been exempted as investigatory material compiled for law enforcement purposes from certain Privacy Act access, amendment, correction and notification requirements.

Freedom of Information Act

A complainant, the recipient or any member of the public may request release of OCR records under the Freedom of Information Act (5 U.S.C. §552) (FOIA) and HHS regulations at 45 C.F.R. Part 5. Generally, most records will be available only to the complainant if they are not privileged. Most or all records from a complaint file will be withheld to protect privacy.

Fraud and False Statements

Federal law, at 18 U.S.C. §1001, authorizes prosecution and penalties of fine or imprisonment for conviction of "whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry."



PROTECTING PERSONAL INFORMATION IN COMPLAINT INVESTIGATIONS

To investigate your complaint, the Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) will collect information from different sources. Depending on the type of complaint, we may need to get copies of your medical records, or other information that is personal to you. This Fact Sheet explains how OCR protects your personal information that is part of your case file.

HOW DOES OCR PROTECT MY PERSONAL INFORMATION?

OCR is required by law to protect your personal information. The Privacy Act of 1974 protects Federal records about an individual containing personally identifiable information, including, but not limited to, the individual's medical history, education, financial transactions, and criminal or employment history that contains an individual's name or other identifying information.

Under the Privacy Act, OCR will disclose your name or other personal information with a signed consent from you, and only when it is necessary to complete the investigation of your complaint or to enforce civil rights laws or when it is otherwise permitted by law.

Consent is voluntary, and it is not always needed in order to investigate your complaint; however, failure to give consent is likely to impede the investigation of your complaint and may result in the closure of your case.

CAN I SEE MY OCR FILE?

Under the Freedom of Information Act (FOIA), you can request a copy of your case file once your case has been closed; however, OCR can withhold information from you in order to protect the identities of witnesses and other sources of information. Additionally, some records may be withheld to protect OCR's deliberative process privilege or any other legally protected privilege.

CAN OCR GIVE MY FILE TO ANY ONE ELSE?

If a complaint indicates a violation or a potential violation of law, OCR can refer the complaint to another appropriate agency without your permission.

If you file a complaint with OCR, and we decide we cannot help you, we may refer your complaint to another agency, such as the Department of Justice.

CAN ANYONE ELSE SEE THE INFORMATION IN MY FILE?

Public access to OCR's files and records is controlled by the Freedom of Information Act (FOIA). Under FOIA, OCR may be required to release general information about this case upon public request. In the event that OCR receives such a request, we will apply every legal protection to information that identifies individuals.



If OCR receives protected health information about you in connection with a HIPAA investigation or compliance review, we will only share this information with individuals outside of HHS if necessary for our compliance efforts or if we are required to do so by another law.

DOES IT COST ANYTHING FOR ME (OR SOMEONE ELSE) TO OBTAIN A COPY OF MY FILE?

In most cases, the first two hours spent searching for document(s) you request under the Freedom of Information Act and the first 100 pages are free. Additional search time or copying time may result in a cost for which you will be responsible. If you wish to limit the search time and number of pages to a maximum of two hours and 100 pages; please specify this in your request. You may also set a specific cost limit, for example, cost not to exceed \$100.00. For details, see HHS's FOIA page.

If you have any questions about this complaint and consent package, please contact OCR at www.hhs.gov/ocr/office/about/contactus/index.html.

OR

Contact the Customer Response Center at (800) 368-1019 (see contact information on page 2 of the Complaint Form).

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information Act