

Legislative Update



July 2020

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APHA welcomes Supreme Court rulings on DACA and LGBTQ workplace protections

On June 15, in a 6-3 decision, the U.S Supreme Court ruled that the Civil Rights Act of 1964 bars discrimination based on sexual orientation and gender identity. The court's ruling covered three different cases involving employees who had been fired based on their sexual orientation or gender identity. Included among the cases was *R.G. & G.R. Harris Funeral Homes Inc. v. Equal Employment Opportunity Commission*. In this case, the EEOC filed a complaint against Harris Funeral Home for firing employee Aimee Stephens, now deceased, when she informed her employer that she is a transgender woman. APHA joined a number of other health and medical organizations in [submitting an amicus brief to the Supreme Court](#) in support of Stephens. The brief highlighted the importance of protecting transgender individuals from employment discrimination to safeguard both their physical and mental well-being. After the ruling, [APHA issued a statement](#) highlighting the important public health implications of the court's decision.

In another important decision for public health, on June 18, the Supreme Court ruled in a 5-4 decision that the Trump administration improperly tried to end the Deferred Action for Childhood Arrivals program, or DACA. APHA welcomed the decision and had previously joined a number of health organizations in submitting [an amicus brief](#) to the Supreme Court in support of upholding the program. APHA welcomes this important ruling on DACA. Dreamers in the health professions are

part of a diverse workforce meeting the needs of the underserved and promoting health equity. This decision is critical victory for public health and APHA will continue to advocate for the program. Unfortunately, shortly after the court released its decision, the Trump administration announced it would seek additional avenues to end the program.

APHA and health partners take legal action to block EPA mercury rule

On June 19, APHA joined the American Lung Association, the American Academy of Pediatrics and Physicians for Social Responsibility in filing a petition for judicial review of the Environmental Protection Agency's May 2020 rule reversing its previous determinations that it is "appropriate and necessary" under the Mercury and Air Toxics Standards to regulate hazardous air pollutants from coal-fired power plants. The groups also are seeking to defend the Mercury and Air Toxics Standards in a challenge to the MATS rule brought by Westmoreland Mining Holdings LLC. Westmoreland's challenge is based on EPA's undercutting of the MATS rule in the May 2020 rule. APHA and other groups, represented by the Southern Environmental Law Center, [issued a statement](#) upon filing. APHA has previously defended the MATS rule in court and submitted comments opposing EPA's latest attempt to undermine this important and successful public health rule.

APHA supports the creation of a Health Defense Operations budget

On June 9, APHA joined a [letter to House and Senate Appropriations Committee leaders](#) in support of the creation of a Health Defense Operations budget for certain public health programs at the Centers for Disease Control and Prevention and other key federal health security programs. The goal of the proposal is to ensure that key programs to **prevent, detect** and **respond** to public health threats domestically and globally are robustly funded to ensure federal, state and local health departments can adequately respond to future public health emergencies. Programs covered under the proposal would include key global health, public health preparedness, laboratory and other health security programs at CDC, public health preparedness and response programs and activities under the HHS Assistant Secretary for Preparedness and Response as well as select programs at the National Institutes of Health and the Food and Drug Administration. The proposal was recently discussed and received a relatively positive response at a House Appropriations Committee hearing related to the COVID-19 pandemic.

Congress votes to limit police violence and strengthen the Affordable Care Act

The House of Representatives passed two important pieces of health legislation endorsed by APHA in June. On June 23, APHA sent a [letter to members of Congress](#) urging a yes vote on H.R. 7120, the George Floyd Justice in Policing Act of 2020. On June 25, H.R. 7120 passed the House by a 236-181 vote. The measure would advance police reform by creating a national registry of police misconduct, banning harmful practices such as chokeholds, banning no-knock warrants in drug cases,

mandating training on racial profiling and limiting the transfer of military-grade equipment to police departments.

On June 26, APHA sent a [letter to members of Congress](#) urging their support of H.R. 1425, the Patient Protection and Affordable Care Enhancement Act. On June 29, H.R. 1425 passed the House by a 234-179 vote. The bill would protect and strengthen the Affordable Care Act by rolling back the administration's expansion of short-term health plans and rolling back the administration's guidance allowing states to use waivers to offer non-ACA-compliant health plans.

COVID-19 advocacy continues

As the United States continues to grapple with the COVID-19 pandemic and many communities face uncertainty as their states and cities begin reopening, APHA has continued to advocate for policies and provisions to limit the short-term and long-term impacts of the disease and provide communities with the support they need to limit its spread. APHA joined a [letter to congressional leaders](#) outlining funding priorities as the U.S. begins to prepare for the allocation, distribution and administration of a new COVID-19 vaccine. APHA joined a [health organization letter](#) to HHS Secretary Alex Azar urging the administration to renew the current public health emergency declaration for at least an additional 90 days before it expires. If not extended, many provisions communities are relying on, such as expanded telehealth reimbursement, free COVID-19 testing and increased federal matching for state Medicaid spending, could come to a halt. To protect access to nutrition, APHA joined an [organizational letter to Congress](#) urging an increase to the Supplemental Nutrition Assistance Program minimum and maximum benefits and a suspension of SNAP rules that decrease eligibility, as well as a [letter to the U.S. Department of Agriculture](#) requesting an extension of child nutrition waivers through September. APHA and Affiliate members can contact their members of Congress via [APHA's action alert](#) to encourage them to include strong public health provisions in any future COVID-19 legislation.

Global health advocates support the World Health Organization

As the Trump administration moves forward with the decision announced two months ago to cut U.S. funding to the World Health Organization, APHA and other public health organizations have continued to oppose the action and emphasize the essential role the WHO plays in the coordination and support of global public health activities. APHA joined a [letter](#) opposing the administration's plan to cut funding and thanking WHO and global health workers for the work they do in responding to global health challenges. APHA joined an [organizational statement](#) describing the need for global solidarity during the COVID-19 pandemic and emphasizing the negative impacts of cutting WHO funding. APHA also joined a [letter to congressional leaders](#) urging Congress to fully fund the WHO in fiscal year 2021.