

117TH CONGRESS
2D SESSION

H. R. 6463

To provide for equal protection of the law and to prohibit discrimination and preferential treatment on the basis of race, color, or national origin in the administration of programs of the Department of Health and Human Services, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 2022

Mr. TIFFANY introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and Labor, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for equal protection of the law and to prohibit discrimination and preferential treatment on the basis of race, color, or national origin in the administration of programs of the Department of Health and Human Services, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medical Equality and
5 Discrimination Stoppage Act” or the “MEDS Act”.

1 **SEC. 2. ANTI-DISCRIMINATION POLICY.**

2 (a) IN GENERAL.—Notwithstanding any other provi-
3 sion of law, the Secretary of Health and Human Services
4 (or any officer, employee, or other designee of the Sec-
5 retary) (in this section referred to as the “Secretary”)
6 shall not—

7 (1) intentionally discriminate against, or grant
8 a preference to, any person or group based in whole
9 or in part on race, color, ethnicity or national origin,
10 in connection with the distribution of, or access to,
11 any monoclonal antibodies, vaccines or any other
12 medical treatment, any contract or subcontract en-
13 tered into by the Secretary, award made by the Sec-
14 retary, or any other program or activity carried out
15 by the Secretary; or

16 (2) require, direct, recommend or encourage
17 any entity under a contract or subcontract with the
18 Secretary, or the recipient of a license issued by the
19 Secretary or financial assistance provided under a
20 program administered by the Secretary, to discrimi-
21 nate intentionally against, or grant a preference to,
22 any person or group based in whole or in part on
23 race, color, ethnicity or national origin, in connection
24 with such a contract, subcontract, license, or finan-
25 cial assistance.

1 (b) STATES, TERRITORIES, AND PRIVATE ENTI-
2 TIES.—A State, territory, or private entity that receives
3 financial assistance through any program administered by
4 the Secretary shall not, as a condition of receiving such
5 assistance, discriminate against, or grant a preference to,
6 any person or group based in whole or in part on race,
7 color, ethnicity or national origin in connection with any
8 grant, activity, project, contract (or subcontract) carried
9 out using such funds, including the salaries and expenses
10 of any employees paid using such funds.

11 (c) CIVIL ACTION.—

12 (1) IN GENERAL.—Any person who is aggrieved
13 by conduct prohibited by subsection (a) or (b), may
14 commence a civil action in the appropriate district
15 court of the United States to obtain appropriate re-
16 lief, against Secretary or a State, territory, or pri-
17 vate entity referred to in subsection (a) or (b).

18 (2) DAMAGES.—A prevailing plaintiff in a civil
19 action under paragraph (1) may recover reasonable
20 attorney's fees.

21 (3) EFFECT ON OTHER LAW.—The remedies
22 available to a plaintiff pursuant to a civil action
23 under paragraph (1) shall not affect any remedy

- 1 available to such a plaintiff under any other State
- 2 or Federal law.

