



Director

Office for Civil Rights

Washington, D.C. 20201

November 22, 2024

**Re: Addressing Discrimination based on Religion or Shared Ancestry and Ethnicity in HHS Funded Programs and Activities**

Dear Colleagues:

The U.S. Department of Health and Human Services' Office for Civil Rights (OCR) reminds HHS-funded health care entities, programs, and activities of their obligation under federal civil rights laws to ensure all people are protected from unlawful discrimination rooted in actual or perceived shared ancestry or ethnic characteristics, national origin, or religion, including Antisemitism and Islamophobia. It is our collective responsibility to ensure all patients, staff, students, teachers, and the general public feel safe and secure when receiving medical care and participating in HHS-funded programs and activities.

In September 2023, OCR published civil rights [guidance](#)<sup>1</sup> on Protecting Patients and Recipients of Human Services from Discrimination Based on Shared Ancestry or Ethnic Characteristics, which includes Antisemitism, Islamophobia and discrimination against people of other faiths. The bulletin makes clear that Title VI and Section 1557's protection from race, color, or national origin discrimination extends to individuals who experience discrimination based on their actual or perceived: (i) shared ancestry or ethnic characteristics; or (ii) citizenship or residency in a country with a dominant religion or distinct religious identity. Specifically, Section 1557 of the Affordable Care Act may prohibit discrimination against individuals who are or who are perceived to be Jewish, Christian, Muslim, Sikh, Hindu, Buddhist, or of another religion. Other laws expressly protect people receiving services from some HHS-funded organizations from discrimination based on religion.

Examples of possible discrimination include: a hospital honoring the request of a patient to change their physician because the patient associates the physician's surname with Judaism and/or Israel; a hospital denying staff or facility privileges to a medical resident because the resident wears a religious head covering; and a hospital or long-term care facility allowing patients to visit with family members or friends but prohibiting them from visiting with a member of the clergy, chaplain, minister, faith leader, or other spiritual support person.

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<sup>1</sup> See <https://www.hhs.gov/civil-rights/for-individuals/special-topics/shared-ancestry-or-ethnic-characteristics-discrimination/index.html>.

Recipients of HHS funding are responsible for putting the necessary time and work into ensuring an atmosphere free of unlawful harassment based on any person's faith, the way they dress, or their appearance.

In addition to the guidance mentioned above, to assist medical schools in complying with civil rights laws, OCR provides training on Title VI, Section 1557, and other authorities prohibiting discrimination based on religion<sup>2</sup> to institutions of higher learning, including to medical school students, staff, and faculty.

Antisemitism, Islamophobia and discrimination against anyone based on their actual or perceived religion or national origin can directly and indirectly harm patients and members of the public who count on HHS-funded programs and activities. OCR is committed to ensuring that health care entities and HHS-funded programs and activities fulfill their obligations to address discrimination. My office is available to provide guidance and technical assistance. Anyone who believes they have been discriminated against based on race, color, national origin, or religion can file a complaint of discrimination with OCR. To file a complaint, visit: <https://www.hhs.gov/civil-rights/filing-a-complaint/index.html>.

The following fact sheets contain additional information on what the Biden-Harris Administration is doing to counter antisemitism, Islamophobia and all religious discrimination:

- [White House Fact Sheet on Countering Antisemitism in College Campuses and Protecting Jewish Communities](#),
- [Fact Sheet: Biden-Harris Administration Takes Landmark Step to Counter Antisemitism | The White House](#),
- [FACT SHEET: Biden-Harris Administration Takes Action to Counter Islamophobia | The White House](#),
- and [FACT SHEET: Biden-Harris Administration Takes New Actions to Counter Islamophobia and Anti-Arab Hate | The White House](#).

Sincerely,

/s/

Melanie Fontes Rainer  
Director, Office for Civil Rights

Enclosure: Guidance on Protecting Patients and Recipients of Human Services from Discrimination Based on Shared Ancestry or Ethnic Characteristics

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<sup>2</sup> For more information about other relevant authorities prohibiting discrimination based on religion, visit <https://www.hhs.gov/conscience/religious-freedom/index.html>. In addition, OCR recently released FAQs on Discrimination in Patient Visitation at Certain Federally Funded Entities and Facilities, including religious discrimination, available at, <https://www.hhs.gov/civil-rights/for-individuals/special-topics/emergency-preparedness/faqs-patient-visitation/index.html#:~:text=CMS%20regulations%20state%20that%20a,on%20the%20basis%20of%20race.>