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VIA ELECTRONIC MAIL

March 10, 2025

Cara Tolliver, Associate Counsel Nathalie E. Burmeister, Associate Counsel Wisconsin Institute For Law & Liberty, Inc. 330 E. Kilbourn Avenue, Suite 725 Milwaukee, WI 53202-3141 Cara@will-law.org Nathalie@will-law.org

Re: Notice of Investigation OCR Transaction Number: DO-25-606152-CP-CR

Dear Counsel:

On January 15, 2025, the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR) received your complaint against the Johns Hopkins University School of Medicine alleging violation Title VI of the Civil Rights Act of 1964<sup>1</sup> (Title VI) and Section 1557 of the Patient Protection and Affordable Care Act<sup>2</sup> (Section 1557). Specifically, the complaint "highlights five specific examples of sex and/or race discrimination in medical education, training, and scholarship programs 'For Minority Students' provided at Johns Hopkins through its School of Medicine: (1) the Diversity Council Visiting 4th Year Medical Student Clerkship, (2) the Johns Hopkins Department of Dermatology Diversity Clerkship; (3) the Orthopedic Surgery Diversity Scholarship; (4) the Visiting Elective Program for Students Underrepresented in Pediatrics; and (5) the Plastic & Reconstructive Surgery Underrepresented in Medicine Visiting Elective."

OCR enforces federal civil rights laws which prohibit discrimination in the delivery of health and human services based on race, color, national origin, disability, age, sex, religion, and the exercise of conscience, and also enforces the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security and Breach Notification Rules.

OCR is responsible for investigating complaints of discrimination against recipients of Federal financial assistance (FFA) through HHS and for ensuring the compliance of those recipients with various civil rights regulations that OCR enforces. OCR has determined that this office has jurisdiction over your allegation pursuant to the regulations listed above. Title VI prohibits

<sup>&</sup>lt;sup>1</sup> 42 U.S.C. § 2000d, and its implementing regulations at 45 C.F.R. Part 80.

<sup>&</sup>lt;sup>2</sup> 42 U.S.C. §18116, as implemented by 45 C.F.R. Part 92.

prohibit discrimination on the basis of race, color, or national origin. Section 1557 also prohibits discrimination on the basis of race, color or national origin in any health program or activity that receives FFA from HHS. Therefore, OCR will initiate an investigation. When OCR has reached a determination regarding your complaint, we will advise you of our findings.

A private right of action exists in some cases to remedy discrimination by a recipient of FFA. These private actions can be pursued independent of OCR's investigation. Complainants are not required to wait until OCR has completed an investigation before consulting with an attorney about legal rights in a case or about any applicable statute of limitation. Complainants may contact the local legal aid office or the bar association for lawyer referral services.

If you have any questions regarding this matter, please contact David Hyams, Associate Deputy Director, at <u>david.hyams@hhs.gov</u>, (202) 969-3876. When contacting this office, please remember to include the transaction number that we have given your file, located in the upper left-hand corner of this letter.

Sincerely,

Dai M. Tom

David M. Hyams Associate Deputy Director U.S. Department Health & Human Services Office for Civil Rights (202) 969-3876 david.hyams@hhs.gov