



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
CIVIL RIGHTS

JUL 22 2015

Return Receipt Requested

Certified Mail#: 7009 2820 0002 1759 1940

In Reply Refer to:

EPA File No.: 16D-15-R3

Ms. Jocelyn Samuels, Director
Office for Civil Rights
U.S. Department of Health and Human Services
200 Independence Avenue, S.W., Room 509F
Washington, D.C. 20201

Re: Referral of Administrative Complaint

Dear Ms. Samuels:


On June 29, 2015, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights (OCR), received an administrative complaint from (b)(6) Privacy, (b)(7)(C) Enf. Privacy (b)(6) Privacy, (b)(7)(C) Enf. Privacy alleged that (b)(6) Privacy, (b)(7)(C) Enf. Privacy an employee of the Philadelphia County Assistance Office, discriminated against him on the basis of either his race, national origin, or disability status when she failed to assist him with switching his health insurance policy so that he could receive treatment for his mental health condition. (b)(6) Privacy, (b)(7)(C) Enf. Privacy further opined that this behavior constituted a violation of Title VI of the Civil Rights Act of 1964 (42 United States Code (U.S.C.) §§ 2000d *et seq.*) and/or the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101 *et seq.*), respectively. A copy of (b)(6) Privacy, (b)(7)(C) Enf. Privacy complaint is enclosed.

Because OCR has responsibility for processing complaints alleging violations of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the EPA's nondiscrimination regulations found at 40 Code of Federal Regulations (C.F.R.) Part 7, we assumed for purposes of processing that the subject complaint was premised on either one of the cited statutes or the regulation. However, the OCR has determined that the Philadelphia County Assistance Office is not an applicant for, or a recipient of, the EPA's assistance. Therefore, the complaint does not fall within the EPA's jurisdiction, and the EPA must reject it for investigation. *See* 40 C.F.R. § 7.15.

Because the U.S. Department of Health and Human Services' Office for Civil Rights (HHS) may have subject-matter jurisdiction over the subject complaint, the EPA OCR is referring it to HHS for appropriate action. We have notified (b)(6) Privacy, (b)(7)(C) Enf. Privacy that his complaint has been forwarded to your office and provided him your contact information.

If you have any questions regarding the referral, please contact me at (202) 564-6685 or Golightly-Howell.Velveta@epa.gov or, alternatively, Samuel Peterson at (202) 564-5393, via email at Peterson.Samuel@epa.gov. You may also reach us by mail at the U.S. EPA, Office of Civil Rights, (MC 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C., 20460-1000. Thank you.

Sincerely,


Velveta Golightly-Howell
Director
Office of Civil Rights

Enclosure

cc: Elise Packard
Associate General Counsel
Civil Rights & Finance Law Office
(MC 2399A)

William Early
Deputy Civil Rights Official, U.S. EPA, Region 3
(MC 3DA00)