

# Bulletin

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Contact: HHS Office for Civil Rights  
1-800-368-1019

## **The Brooklyn Hospital Center Implements Non-Discriminatory Practices to Ensure Equal Care for Transgender Patients**

The U.S. Department of Health and Human Services' Office for Civil Rights (OCR) and The Brooklyn Hospital Center (TBHC) jointly announced today that they have entered into a voluntary resolution agreement to ensure that transgender TBHC patients receive appropriate and equitable care and treatment.

The voluntary resolution agreement resolves a complaint filed by a transgender individual alleging discrimination on the basis of sex in the assignment of patient rooms. OCR investigated the complaint under Section 1557 of the Affordable Care Act, which prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in any health program or activity, any part of which is receiving Federal financial assistance.

"Through the Affordable Care Act, for the first time, individuals are protected from discrimination on the basis of sex, which includes gender identity, in health programs," said Jocelyn Samuels, OCR Director. "We are pleased that we were able to come to a voluntary agreement with TBHC to ensure that all TBHC patients have full and equal access to health care services, regardless of their sex or gender identity," she added.

TBHC's Acting CEO Jonathan Weld stated that "Brooklyn Hospital is extremely proud of the services we provide to all of our patients and were pleased to be able to resolve this issue with the OCR. We welcome transgender patients and look forward to many more years of serving them and the rest of our community."

Although OCR made no formal finding of discrimination, TBHC agreed to take proactive steps to ensure that transgender patients are treated equitably and fairly and receive the full benefit of its services. Among other things, TBHC agreed to:

1. Revise its Admissions Policy and Procedure to ensure that all patients, including transgender and gender non-conforming individuals, are provided equal access to and equal opportunity to participate in all programs, benefits, and services offered by TBHC in a manner that does not discriminate based on sex.
2. Implement an intake process that affords patients an opportunity to provide both a legal and a preferred name, as well as to identify their sex and/or gender, including transgender status. TBHC will record a patient's gender and/or transgender status if the patient has identified that status and agrees that it should be recorded.
3. Revise its Room Placement Policy and Procedure to ensure the safe, ethical, appropriate, and nondiscriminatory assignment of rooms for transgender patients.
4. Revise its nondiscrimination policies to include prohibitions against discrimination on the basis of sex, including gender identity and sex stereotyping.
5. Develop a Zero Tolerance Policy that emphasizes that harassment, including derogatory statements about or adverse treatment of transgender individuals by staff, is prohibited.
6. Develop a grievance procedure for prompt and equitable resolution of complaints alleging discrimination on the bases covered by Section 1557, including sex discrimination.
7. Train staff on the new policies and changes in procedure and monitor the results of these efforts through periodic assessments and reports to OCR during the next two years.

The Brooklyn Hospital Center was founded in 1845, and is a 464 licensed bed, full-service community teaching hospital located in Downtown Brooklyn.

A copy of The Brooklyn Hospital Center's written commitments and OCR's closure letter, along with more information about OCR's enforcement of Title VI and other federal civil rights laws, can be found at [www.hhs.gov/ocr](http://www.hhs.gov/ocr)

[To read the Agreement, click here.](#)

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