

## **FAQ's**

### **What is Title VI of the Civil Rights Act of 1964?**

#### **Answer:**

Prohibits against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin.

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

### **If I believe that I have been denied access or services or treated in an unfair manner because of my race, color, national origin, disability, age, sex, or religion, where do I go and what do I do?**

#### **Answer:**

E-mail [OfficeofCivilRights@dss.virginia.gov](mailto:OfficeofCivilRights@dss.virginia.gov). Describe your situation in writing to the Program Administrator and they will advise you and if necessary assist you in filing a civil rights complaint with the office or by referring you to the appropriate agency. If the alleged discriminating health or human service agency has violated your civil rights, the Office for Civil Rights will seek an appropriate remedy in an attempt to rectify the discrimination.

### **How do you file a complaint with the VDSS Office for Civil Rights?**

#### **Answer:**

If you believe you have been discriminated against because of race, color, national origin, age, sex, disability or religion by a health care and human services entity you or your representative may file a complaint with the VDSS Office for Civil Rights. Complaints alleging discrimination in services on the basis of disability may also be filed with OCR.

## **What information is needed to file a complaint with the VDSS Office for Civil Rights?**

### **Answer:**

You may use the Discrimination Complaint Form from the VDSS Office for Civil Rights available in [PDF](#) format. You will need to save the form to your computer or other storage device.

You may also file a written complaint. Please include the following:

- Your name, address and telephone number.
- You must sign the complaint. (If you file a complaint on someone's behalf, include his/her name, address and telephone number and state your relationship to that person - e.g., spouse, attorney, friend, etc.)
- Name and address of the institution or agency you believed discriminated against you.
- How, why, and when you believe you were discriminated against.
- Any other relevant information.

## **Is there a timeframe for filing a complaint with the VDSS Office for Civil Rights?**

### **Answer:**

Complaints usually must be filed within 180 days from the date of the alleged discriminatory act. (The Office for Civil Rights may extend the 180-day period if good cause to do so is shown.)

## **Where do you file a civil rights complaint with the VDSS Office for Civil Rights?**

### **Answer:**

If you are filing a discrimination complaint against a state or local social or health services agency; or other agency receiving Federal Financial Assistance you can file your complaint by email at [OfficeofCivilRights@dss.virginia.gov](mailto:OfficeofCivilRights@dss.virginia.gov) or you can mail or fax your complaint to the VDSS OCR Office.

**Do you have to be a minority person in order to have a civil rights complaint?**

**Answer:**

All persons in the United States have civil rights under the constitution and appropriate laws. VDSS Office of Civil is charged with ensuring compliance of only a few of these civil rights laws. For example, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color, and national origin. A common misperception is that this law is for the exclusive use of "minorities." This law does not exclude non-minority persons. In other words, this law provides protection to all persons living in the United States from discrimination on the basis of race, color, or national origin. In addition, we enforce other laws that protect persons from discrimination on the basis of disability, sex, age, etc. A person of any race can have a disability, and sex and age are not exclusive characteristics of a minority person. As such, laws prohibiting discrimination protect ALL persons.

**What qualifies as Federal financial assistance for purposes of civil rights complaints handled by the HHS Office for Civil Rights?**

**Answer:**

Examples of Federal financial assistance as defined by the VDSS Office for Civil Rights' regulations include Supplemental Nutrition Assistance Program (SNAP), Medicaid, Energy Assistance, and Temporary Assistance to Needy Families (TANF) program.

**Does VDSS have the authority to investigate discrimination complaints filed against programs that provide low income persons with free or reduced cost health care?**

**Answer**

- Although our office receive complaints, we conduct a preliminary investigation. Once it is determine that a violation has occurred the complaint is forward to the appropriate federal OCR office for further investigation and resolution

**How does the Office for Civil Rights conduct a complaint investigation?**

**Answer:**

Once a complaint is received, the VDSS Office for Civil Rights (OCR) must determine if it has the legal authority to review and investigate the complaint.

Once it is clear that the VDSS Office for Civil Rights has jurisdiction to handle your complaint, an initial investigation to started to gather information through interviewing the complainant. The complaint is then, forwarded to the appropriate federal OCR office for further investigation.

At the conclusion of the initial investigation, the VDSS Office for Civil Rights issues a letter providing its findings and information to the federal OCR office that will continue the investigation.

**Does the VDSS Office for Civil Rights represent me in my complaint?**

**Answer:**

No. The VDSS Office for Civil Rights (OCR) is a neutral fact-finding agency. Our charge is to ensure that the laws are not violated and that your complaint if forwarded to the appropriate federal OCR office. If your complaint is accepted for investigation by the federal OCR office, we may, for example, obtain a promise that the program will change its practices or provide you with a service. Although they will consult with you, you may not be satisfied with any individual remedies proposed. You should consult an attorney about your right to file a private law suit in court if you wish to protect fully your individual rights and remedies. Delay in doing so may foreclose your right to bring a law suit.

**Am I able to initiate a private court action if I believe I have been discriminated against?**

**Answer:**

Under most of the statutes enforced by the HHS Office for Civil Rights (OCR), a complainant who has been discriminated against may initiate private court action instead of, or in addition to, filing a complaint with OCR. If you are interested in doing so, you should consult an attorney as soon as possible to ensure that the action will be timely filed.