

**New York State Department of Health**

**Title VI of the Civil Rights Act of 1964  
Nondiscrimination Policy**

**Last Revised: 10/3/2025**

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## Section I: Summary

The New York State Department of Health is committed to ensuring that no person is, on the ground of race, color, national origin (including limited English proficiency and primary language), sex, age, or disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program, activity, or service that New York State Department of Health or an entity receiving funding from the Department provides. New York State Department of Health incorporates into its operations the requirements of all applicable State and Federal laws and executive orders to prohibit any discriminatory practices, procedures, and policies. All executives, administrators, managers, supervisors, and employees are directed to comply with these laws and orders. The New York State Department of Health requires subrecipients of federal assistance to follow Title VI requirements through contract terms as well. Throughout this policy, “Title VI” or “Title VI/nondiscrimination requirements” will refer to all related federal nondiscrimination authorities.

## Section II: Policy

Title VI of the Civil Rights Act of 1964 is the overarching federal civil rights law that prohibits discrimination based on race, color, or national origin, in any program, service or activity that receives federal assistance. Specifically, Title VI assures that “No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under any program or activity receiving federal assistance.” Nondiscrimination prohibitions have been further broadened and supplemented by related federal and state statutes, regulations, and executive orders to include sex, age, disability, or limited-English proficiency. A list is available at Section V, Related References.

Under this policy, the New York State Department of Health shall plan, develop, and implement its programs and activities so that no person is subjected to unlawful discrimination. Subrecipients of Federal funds that flow through the New York State Department of Health are also required to comply with Title VI/nondiscrimination requirements.

**A. Policy Practices.** The New York State Department of Health will not restrict an individual in any way based on race, color, national origin (including limited English proficiency and primary language), sex, age, or disability from the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under any of its programs, regardless of the funding source for the program. Individuals may not be subjected to criteria or methods of administration which cause adverse impact or have the effect of defeating or substantially impairing accomplishment of the objectives of the program, because of their protected class. The New York State Department of Health will not tolerate intimidation, threats, coercion, discrimination, or retaliation against any individual or group, either (1) for the purpose of interfering with any right or privilege guaranteed under law or regulations or (2) because the individual has filed a complaint or has testified, assisted, or participated in any way in an investigation, proceeding or hearing or has opposed any the New York State Department of Health action or decision. The New York State Department of Health provides language assistance services and appropriate auxiliary aids and services free of charge and provides reasonable modifications for individuals with disabilities.

**B. Recipient and Subrecipients.** As a recipient or subrecipient of federal assistance from agencies, including:

- **United States Department of Agriculture**

- **United States Department of Education**
- **United States Department of Health and Human Services**
- **United States Department of Homeland Security**
- **United States Environmental Protection Agency**
- **United States Department of Justice**
- **United States Department of Veteran Affairs**
- **New York State:**
  - **Department of Environmental Conservation**
  - **Education Department**
  - **Division of Criminal Justice Services**
  - **Division of Homeland Security and Emergency Services**
  - **Office of Temporary and Disability Assistance**
  - **Office for the Aging**

A nondiscrimination policy is necessary under Federal law. All recipients and subrecipients are required to comply with Title VI of the Civil Rights Act of 1964, as well as related federal non-discrimination statutes and regulations. This policy is issued in accordance with Federal Title VI regulations and related nondiscrimination authorities and explains how the New York State Department of Health will comply with its Federal Title VI/nondiscrimination requirements.

**C. Distribution.** This policy will be placed on the Department’s internal and external websites and made available to all employees, contractors, and subrecipients along with organizations and entities doing business with the New York State Department of Health.

**D. Nondiscrimination Coordinator.** A Nondiscrimination Coordinator has been appointed within the New York State Department of Health. Any person who believes they have suffered from prohibited discrimination when accessing a program, service, or activity of the New York State Department of Health, may contact the Nondiscrimination Coordinator by submitting a Complaint Form via [https://health.ny.gov/about/title\\_vi/](https://health.ny.gov/about/title_vi/) or by contacting:

- **E-mail:** [NYSCivilRights@health.ny.gov](mailto:NYSCivilRights@health.ny.gov)
- **U.S. mail:** Marci McCall  
Nondiscrimination Coordinator  
Acting Director, Center for Diversity, Equity, and Inclusion  
New York State Department of Health  
Corning Tower  
Empire State Plaza  
Albany, NY 12237
- **Phone:** (518) 402-6807

**E. Filing Complaints.** In addition to the Nondiscrimination Coordinator, complaints may also be made directly to a federal or state agency from which the New York State Department of Health receives federal funds. Relevant contacts include:

- **U.S. Department of Agriculture**

Email: [Program.Intake@usda.gov](mailto:Program.Intake@usda.gov)  
Mail: U.S. Department of Agriculture  
Director, Center for Civil Rights Enforcement  
1400 Independence Avenue, SW  
Washington, DC 20250-9410  
Phone: (866) 632-9992  
Fax: (202) 690-7442

- **U.S. Department of Education**

Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Mail: U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Phone: (800) 421-3481  
Fax: (202) 453-6012

- **U.S. Department of Health and Human Services**

Email: [OCRmail@hhs.gov](mailto:OCRmail@hhs.gov)  
Mail: U.S. Department of Health and Human Services  
Office for Civil Rights  
Jacob Javits Federal Building  
26 Federal Plaza - Suite 3312  
New York, NY 10278  
Phone: (800) 368-1019  
Fax: (202) 619-3818  
TDD: (800) 537-7697

- **U.S. Department of Homeland Security**

E-mail: [CRCLCompliance@hq.dhs.gov](mailto:CRCLCompliance@hq.dhs.gov)  
Mail: U.S. Department of Homeland Security  
Office for Civil Rights and Civil Liberties  
Compliance Branch  
245 Murray Lane, SW  
Building 410, Mail Stop #0190  
Washington, DC 20528  
Phone: (202) 401-1474  
Toll-Free: (866) 644-8360  
Fax: (202) 401-4708

- **U.S. Environmental Protection Agency**

Email: [Title\\_VI\\_Complaints@epa.gov](mailto:Title_VI_Complaints@epa.gov)  
Mail: U.S. Environmental Protection Agency  
External Civil Rights Compliance Office  
Mail Code 2310A  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
Phone: (202) 564-3316  
Fax: (202) 565-0196

- **U.S. Department of Justice**

Mail: U.S. Department of Justice  
Federal Coordination and Compliance Section - 4CON  
Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530  
Phone: (888) 848-5306 – English and Spanish (inglés y español)  
Voice: (202) 307-2222  
TDD: (202) 307-2678

- **U.S. Department of Veteran Affairs**

Website: [https://www.va.gov/ORMDI/External\\_Complaints\\_Program.asp](https://www.va.gov/ORMDI/External_Complaints_Program.asp)  
Mail: Office of Resolution Management (ORM)  
External Complaints Program  
Attention: Sterling Akins  
1575 I Street, NW, 10th Floor  
Washington, DC 20420  
Phone: (800) 698-2411  
TTY: 711

**F. Policy Exclusions.** Employment discrimination complaints are not covered by this policy. Complaints filed by employees and applicants involving employment discrimination should be sent to the New York State Office of Employee Relations, Anti-Discrimination Investigations Division, Empire State Plaza, Agency Building 2, Albany, New York 12223 or via email to: [antidiscrimination@oer.ny.gov](mailto:antidiscrimination@oer.ny.gov). For employment-related discrimination matters, the New York State policy is available from the [New York State Office of Employee Relations](#).

Complaints regarding discrimination prohibited under New York State Human Rights Law may be filed with the [New York State Division of Human Rights](#).

### Section III: Responsibility

The New York State Department of Health will ensure compliance with Federal Title VI/Non-discrimination requirements. All executives, administrators, managers, supervisors, and employees are directed to comply with these laws and orders, and ensure their activities align with this policy.

- A. Nondiscrimination Coordinator.** The Nondiscrimination Coordinator will oversee the continued development and implementation of the Department's Nondiscrimination program, including regularly reviewing pertinent New York State Department of Health programs and activities to ensure compliance with Title VI requirements; providing technical assistance in the implementation of Title VI requirements; and identifying areas for improvement. The Nondiscrimination Coordinator will also obtain, collect, and maintain demographic data consistent with Section IV(B) of this Policy and 40 C.F.R. § 7.85(a)(2). Programs and subrecipients will also be expected to self-monitor their programs and activities to help ensure nondiscrimination in accordance with their contract obligations. The Nondiscrimination Coordinator will also receive complaints, coordinate investigations, communicate with the complainant, and maintain a record of all Title VI complaints received with any relevant investigation details.
- B. Employees.** All employees must assist in the prevention and elimination of any nondiscrimination practices and are encouraged to report allegations of discrimination to the New York State Department of Health Nondiscrimination Coordinator for review and appropriate action.

### Section IV: Procedures

The following measures will ensure internal and external awareness of the New York State Department of Health's implementation of Title VI/nondiscrimination requirements:

- A. Public Notice.** Public notice of New York State Department of Health Nondiscrimination Policy and Program will be prominently posted:
  - 1. In all New York State Department of Health offices and facilities and on its internal website; and
  - 2. On the New York State Department of Health's public website.
- B. Data Collection.** In accordance with Federal Title VI statutes and regulations, the New York State Department of Health is required to "collect, maintain, and provide the following information: race/ethnic, national origin, sex, age, or disability status..." 40 C.F.R. § 7.85(a)(2).

The New York State Department of Health collects demographic data from the U.S. Census Bureau, using the most recent data available. Other sources of data are also used as appropriate. The Nondiscrimination Coordinator will maintain the information required by federal nondiscrimination law.

The data collected should be refreshed as new as updated data becomes available from data sources and used to support the New York State Department of Health's policies, programs, and activities.

In addition, there are programs and activities receiving federal financial assistance within the New York State Department of Health that may be responsible for obtaining Title VI data. Under the direction of the Commissioner of Health, the Nondiscrimination Coordinator in conjunction with the Office of Science will provide policy direction and coordination to those programs responsible

for compiling Title VI data as appropriate. The type and extent of Title VI data obtained, collected, and utilized may differ depending on the program or activity.

### **C. Public Notice/Meeting Planning.**

1. The development and distribution of public notices and planning for public meetings or hearings regarding the New York State Department of Health's actions will consider the Limited English Proficiency (LEP) and disabled population density in the area most impacted by the New York State Department of Health's action or program.
2. The New York State Department of Health's public notices will include the following text (the request period may be modified in the event the notice occurs less than 10 business days before the public meeting or hearing):

“The New York State Department of Health provides language assistance services and appropriate auxiliary aids and services free of charge and provides reasonable modifications for individuals with disabilities. Requests for language interpretation services or for disability accommodations must be made at least 10 business days in advance by contacting:

#### **Language Access Services**

Email: [DOHLanguageAccess@health.ny.gov](mailto:DOHLanguageAccess@health.ny.gov)

Language Access Coordinator  
New York State Department of Health  
Office of Health Equity and Human Rights  
Corning Tower  
Empire State Plaza  
Albany, NY 12237

Phone: (518) 474-2180

#### **Accommodations**

Email: [DOH.sm.Reasonable.Accommodation@health.ny.gov](mailto:DOH.sm.Reasonable.Accommodation@health.ny.gov)

ADA Coordinator  
New York State Department of Health  
Division of Administration  
Corning Tower, Room 2217  
Albany, NY 12237

Phone: (518) 486-1812

Fax: (518) 473-3395

### **D. Complaint Procedure.**

If someone believes they have suffered from discrimination under the New York State Department of Health program, activity, service, or any entity receiving funding from the Department, they may contact the New York State Department of Health Nondiscrimination Coordinator for assistance or for information about filing a written complaint. The Nondiscrimination Coordinator may assist the New York State Department of Health staff and the complainant in reaching a resolution by coordinating

contact between them, working with the Department to address the issue(s) raised, or supporting other means of resolution. If the parties resolve the issue(s) informally, the New York State Department of Health's Division of Legal Affairs will prepare a resolution agreement on behalf of the New York State Department of Health.

If the individual prefers to file a written complaint, the following steps will be followed:

1. Within 180 days of the alleged discrimination, a complainant may submit a written complaint to the New York State Department of Health Nondiscrimination Coordinator or to an appropriate State or Federal agency, unless the time for filing is extended by the Nondiscrimination Coordinator for good cause.
2. Complaints must include the complainant's name, the nature of the complaint regarding the New York State Department of Health's program or action, the dates of the alleged discrimination, and contact information.
3. The Nondiscrimination Coordinator will review the complaint and may solicit additional information from the complainant as needed. If additional information is requested and not received within 15 days, the case may be closed. The case may also be closed if the complainant no longer wishes to pursue their case.
4. The Nondiscrimination Coordinator will keep a complaint log containing the name and address of the complainant, nature of the written complaint, date of written submission and results of the investigation.
5. If the complaint is outside the jurisdiction of the New York State Department of Health, the complainant will be notified of the name and contact information for the appropriate agency with jurisdiction, if known.

**E. Complaint Processing.** If the written complaint is within the jurisdiction of the New York State Department of Health, it will be promptly investigated. The New York State Department of Health's goal is to address complaints within 60 days of receipt, though the time to carefully investigate complaints may be longer depending on the nature of the complaint and complexity of the issue(s).

**F. Preliminary Inquiry.** The New York State Department of Health will conduct a preliminary inquiry to determine the need for further investigation.

1. The New York State Department of Health will notify the complainant in writing that a preliminary inquiry is underway to determine the need for further investigation.
2. If the preliminary inquiry by the New York State Department of Health indicates that an investigation is warranted, the complainant will be notified in writing and an interview will be scheduled.
3. If the preliminary inquiry indicates an investigation is not warranted, the complainant will be notified in writing of the reasons why and factors considered and advised that the case will be closed.

4. If the complainant wishes to appeal the decision, they have thirty (30) business days from the date of the closure letter to make the request and must include any reason(s) why such appeal should be granted.

### **G. Complaint Investigation.**

1. Complaints warranting further investigation will be promptly processed and the preponderance of evidence standard will be applied to all complaint investigations. The results of the investigation will be provided to the New York State Department of Health's Division of Legal Affairs for review.
2. The complainant will be notified in writing of the results of the investigation and what actions will be/have been taken in response and a timeline to request review. If the complainant wishes to appeal the decision, they have thirty (30) business days from the date of the closure letter to make the request and must include any reason(s) why such appeal should be granted.
3. Records and investigative files will be kept for a minimum of ten years.

### **Section V: Related References**

Federal and State nondiscrimination laws are the cornerstones of the Department's strategy to ensure equal opportunity and fair and equitable programs and services to the public. A nonexclusive list of relevant federal and state laws, regulations, and executive orders are listed below.

#### **A. Federal Laws, Executive Orders, Title VI Implementing Regulations.**

1. Civil Rights Act of 1964 - Prevents discrimination in federally assisted programs; provides relief against discrimination in public accommodations; protects constitutional rights in public facilities and public education; enforces the constitutional right to vote. Title VI - Prohibits discrimination on the grounds of race, color or national origin in programs and activities receiving federal financial assistance.
2. Section 504 of the Rehabilitation Act of 1973 - Prohibits discrimination on the basis of physical or mental disability in every federally assisted program or activity in the country.
3. Age Discrimination Act of 1975 - Prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.
4. Civil Rights Restoration Act of 1987/1988 - Specifies that recipients of federal funds must comply with civil rights laws in all areas, not just in a particular program or activity that receives federal funding. It applies to all federal laws.
5. Americans with Disabilities Act (ADA) of 1990 – Federal law prohibiting discrimination against people with disabilities in employment, public access to services, transportation, public accommodations, and telecommunications services.
6. Title IX of the Education Amendments of 1972 (Title IX) – Prohibits sex (including pregnancy, sexual orientation, and gender identity) discrimination in any education program or activity receiving federal financial assistance.

7. Executive Order No. 13166 – Requires each Federal agency to examine the services it provides and to develop and to implement a system by which persons with limited English proficiency (LEP) can meaningfully access those services; and work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.
8. 45 CFR Part 80 – Nondiscrimination Under Programs Receiving Federal Assistance Through the Department of Health and Human Services
9. 40 CFR Part 7 – Nondiscrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency
10. 40 CFR Part 5 – Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Assistance
11. 7 CFR Part 15 Subpart A - Nondiscrimination in Federally-Assisted Programs of the Department of Agriculture
12. 34 CFR Part 100 – Nondiscrimination Under Programs Receiving Federal Assistance Through the Department of Education
13. 38 CFR Part 18 – Nondiscrimination in Federally-Assisted Programs of the Department of Veterans Affairs
14. 28 CFR Part 42 Subpart C – Nondiscrimination in Federally Assisted Programs

**B. New York State Laws.**

1. New York State Human Rights Law Article 15 (1945) – Guarantees nondiscrimination in the State of New York on the basis of race, creed, color, national origin, sex, marital status, age, disability and or sexual orientation.
2. New York State Law Article 15-A (1988) – An act to amend the executive law and the state Finance law, in relation to participation by minority group members and women with respect to state contracts.
3. New York State Law Article 17-B (2014) – An Act to amend the executive law, in relation to expanding opportunities for service-disabled veteran-owned business enterprises.
4. Sexual Orientation Nondiscrimination Act (2003) – This Act amends the Executive Law to include sexual orientation.

**C. New York State Executive Orders.** On October 8, 2021, Governor Kathy Hochul issued Executive Order 6 that authorized the continuation of certain prior Executive Orders related to equal opportunity and nondiscrimination in all State programs, including the following:

1. Executive Order No. 17 (Governor Mario M. Cuomo, 1983) – Establishing State policy on private institutions which discriminate. Directs that State officials and employees shall not sponsor, organize, attend, or participate in any meeting or other activity, the purpose of which

is related to State business, in any private establishment or facility that does not afford full membership rights and privileges to any person because of age, race, creed, color, national origin, sex, disability or marital status.

2. Executive Order No. 96 (Governor Mario M. Cuomo, 1987) – Promotes a New York State policy against age discrimination in the workplace. It requires that all employers within the Executive Branch of State government to evaluate and examine their hiring and job retaining standards to ensure their compliance with the age discrimination law.
3. Executive Order No. 33 (Governor David A. Paterson, 2009) – Prohibiting discrimination in State employment on the basis of gender identity.
4. Executive Order Nos. 26 and 26.1 (Governor Andrew M. Cuomo, 2011, 2021) – Directs State agencies that provide direct public services to translate vital documents in the ten most common non-English languages spoken by individuals with limited-English proficiency in the State of New York, based on United States census data, and relevant to services offered by each of such agencies. Each of these agencies must provide interpretation services between the agency and an individual in his or her primary language with respect to the provision of services or benefits.
5. Executive Order No. 177 (Governor Andrew M. Cuomo, 2018) – Prohibiting State contracts with entities that support discrimination.
6. Executive Order No. 187 (Governor Andrew M. Cuomo, 2018) – Ensuring Diversity and Inclusion and Combating Harassment and Discrimination in the Workplace.