



THE EQUAL PROTECTION PROJECT
A Project of the Legal Insurrection Foundation
18 MAPLE AVE. #280
BARRINGTON, RI 02806
www.EqualProtect.org

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BY EMAIL (OCRComplaint@hhs.gov)

Centralized Case Management Operations
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Room 509F HHH Bldg.
Washington, D.C. 20201

Re: Civil Rights Complaint Against The American Academy of Addiction Psychiatry and Yale School of Medicine Regarding Discriminatory Programming

Dear Director Stannard and HHS OCR Staff:

This is a federal civil rights complaint pursuant to the U.S. Health and Human Services' Office for Civil Rights ("OCR") discrimination complaint resolution procedures.¹ We write on behalf of the Equal Protection Project of the Legal Insurrection Foundation, a non-profit that, among other things, seeks to ensure equal protection under the law and non-discrimination by the government, and that opposes discrimination in any form.

We bring this civil rights complaint against the American Academy of Addiction Psychiatry ("AAAP") and Yale School of Medicine ("Yale") for their administration and promotion of the Reach Minority Fellowship ("REACH"), pursuant to an HHS grant, which

¹ See 42 U.S.C. § 2000d-1; 45 C.F.R. §§ 80.7, 80.8, and 80.10.

discriminates based on race, color, and/or national origin, in violation of Title VI of the Civil Rights Act of 1964 (“Title VI”) and Section 1557 of the Affordable Care Act (“Section 1557”).²

THE REACH PROGRAM

AAAP, in partnership with Yale, offers REACH—a one-year training program for minority healthcare professional students focused on improving care for racially and ethnically underrepresented minorities (URMs) with substance use disorders,

Each year, REACH recruits a cohort of Scholars nationwide for a 1-year training experience focused on improving the care of racial and ethnic URMs with SUD. To learn more about the program, please download our [Web Brochure](#), and visit [our website](#). For questions, please contact reach@aaap.org.



The application for 2024-2025 Cohort is now closed but please feel free to contact the REACH Program at reach@aaap.org about getting involved. We appreciate your interest in providing culturally-informed healthcare to minoritized patients with substance use disorders.

APPLICATION PROCESS

AAAP received a grant from the U.S. Department of Health and Human Services to fund this fellowship. Although the grant is titled the “Minority Fellowship Program” and emphasizes “outreach to URM medical students and residents,” its terms do not mandate race-based selection criteria. Instead, the stated purpose is to “serve racial and ethnic minority populations,” and participation is not limited by race.

While the grant language references an “intensive recruitment strategy” focused on underrepresented medical students and residents and institutions “with missions oriented toward the underserved,” these descriptions relate to outreach efforts—not eligibility restrictions. The goal is to build a workforce of culturally informed physicians with expertise in addiction medicine, which the grant says will “improve outcomes for minority populations.” In short, the program is framed around serving specific communities, but it does not require exclusion of individuals based on race or ethnicity.”³

² 42 U.S.C. § 18116; 45 C.F.R. pt. 92 (2024).

³ https://www.usaspending.gov/award/ASST_NON_H79TI081358_7522 [<https://archive.is/QZsNs>] (accessed June 20, 2025).

REACH Program Benefits

Fellows receive up to \$104,000 in funding for their fellowship position, along with travel, accommodations, and per diem to attend the in-person Welcome Workshop.⁴ They are also provided with additional support to attend one addiction conference—\$1,500 for Trainee Scholars and \$1,200 for Fellow Scholars. Each fellow is matched with a professional mentor for quarterly remote meetings focused on career development, as well as a local mentor at their home institution for project-related guidance. Throughout the year, fellows complete a scholarly project with oversight and support from the REACH Advisory Board.



REACH

Funding

Travel, accommodations, and per diem to attend the **Welcome Workshop** are provided.

Trainee Scholars: **\$1,500** to attend an addiction conference.

Fellow Scholars: **\$1,200** to attend an addiction conference, and up to **\$104,000** for their fellowship position.

REACH Program Eligibility Requirements

AAAP and Yale have imposed a race, color, and national origin requirements on applicants. “[A]pplicants must be...from [a] racial/ethnic minoritized population (i.e., Black, African, or African American, non-Caucasian Hispanic or Latinx, American Indian or Alaska Native, Native Hawaiian or Pacific Islander).”⁵

⁴ <https://reachgrant.org/wp-content/uploads/2023/09/2024-2025.2-REACH-Web-Brochure.pdf> [<https://archive.is/wip/sQRpz>] (accessed June 20, 2025).

⁵ <https://reachgrant.org/application-process/> [<https://archive.ph/wip/oOHag>] (accessed June 20, 2025).

Eligibility

Fellows, Residents, Medical Students, Nursing Students (APRN/NP), and Physician Assistant/Associate (PAs) Trainees can apply.

To be eligible for the REACH Program, applicants must be:

- From **racial/ethnic minoritized population** (i.e., Black, African, or African American, non-Caucasian Hispanic or Latinx, American Indian or Alaska Native, Native Hawaiian or Pacific Islander).
- In training (i.e., entering fellowship, residency, or health profession school) as of July 1, 2024, and enrolled through June 2025.
- U.S. Citizens.

Yale Participation

Yale University contributes to the REACH program through a mandatory one-week Intensive Course for all scholars.⁶ This training focuses on structural factors that drive health disparities in addiction and co-occurring mental disorders, and how to address them. “Working with Yale University, the REACH program provides training in culturally-informed care in the area of behavioral health and medicine.”

Yale School of Medicine /

Psychiatry

MENU

Home / Education / Programs & Initiatives +



REACH

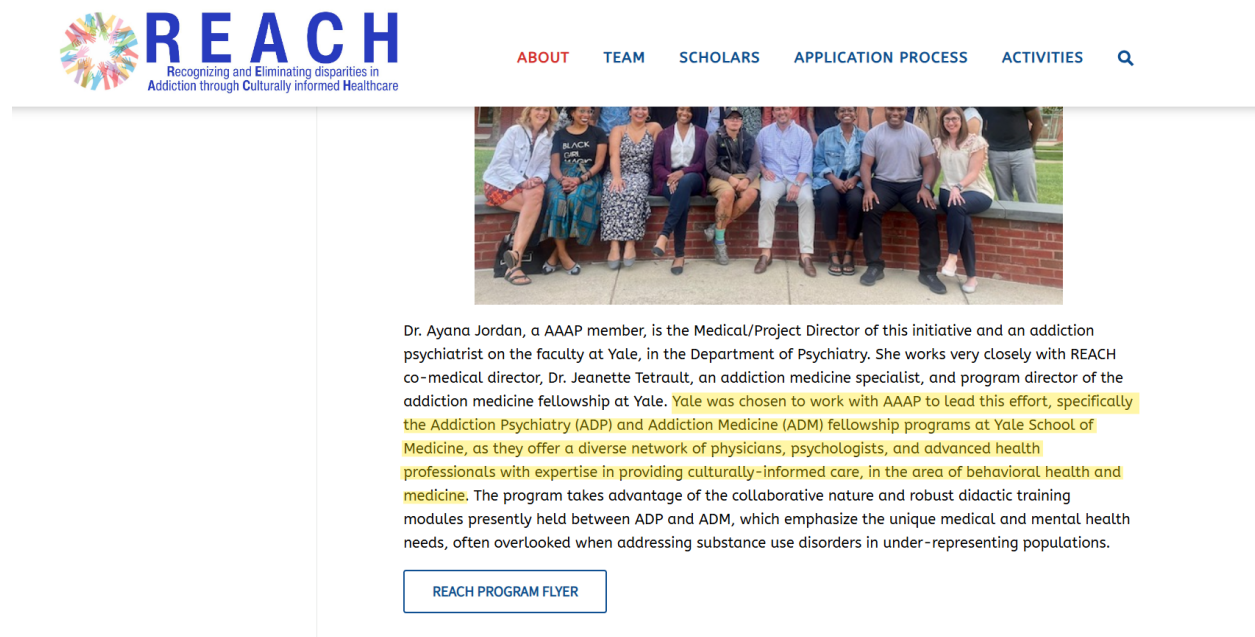
Recognizing and Eliminating disparities in Addiction
through Culturally informed Healthcare

Yale was chosen to lead this effort through its Addiction Psychiatry and Addiction Medicine fellowship programs.⁷ According to the REACH website, “Yale was chosen to work with AAAP to lead this effort, specifically the Addiction Psychiatry (ADP) and Addiction Medicine (ADM) fellowship programs at Yale School of Medicine, as they offer a diverse

⁶ <https://medicine.yale.edu/psychiatry/education/programs-and-initiatives/dispatities-in-addiction/> [<https://archive.ph/wip/0FeDK>] (accessed June 20, 2025).

⁷ <https://reachgrant.org/about/> [<https://archive.ph/mJDMv>] (accessed June 20, 2025).

network of physicians, psychologists, and advanced health professionals with expertise in providing culturally-informed care....”



Dr. Ayana Jordan, a AAAP member, is the Medical/Project Director of this initiative and an addiction psychiatrist on the faculty at Yale, in the Department of Psychiatry. She works very closely with REACH co-medical director, Dr. Jeanette Tetrault, an addiction medicine specialist, and program director of the addiction medicine fellowship at Yale. Yale was chosen to work with AAAP to lead this effort, specifically the Addiction Psychiatry (ADP) and Addiction Medicine (ADM) fellowship programs at Yale School of Medicine, as they offer a diverse network of physicians, psychologists, and advanced health professionals with expertise in providing culturally-informed care, in the area of behavioral health and medicine. The program takes advantage of the collaborative nature and robust didactic training modules presently held between ADP and ADM, which emphasize the unique medical and mental health needs, often overlooked when addressing substance use disorders in under-representing populations.

REACH PROGRAM FLYER

[Yellow highlighting added above]

The REACH Program Violates The Law

The REACH program as implemented by AAAP and Yale violates Title VI, by discriminating on the basis of race, skin color, or national origin. Furthermore, because REACH is a health program, such discrimination also violates Section 1557 of the ACA.

Title VI prohibits intentional discrimination on the basis of race, color, or national origin in any “program or activity” that receives federal financial assistance. *See* 42 U.S.C. § 2000d. The term “program or activity” encompasses “all of the operations ... of a college, university, or other postsecondary institution, or a public system of higher education.” *See* 42 U.S.C. § 2000d-4a(2)(A). As noted in *Rowles v. Curators of the University of Missouri*, 983 F.3d 345, 355 (8th Cir. 2020), “Title VI prohibits discrimination on the basis of race in federally funded programs,” and therefore applies to universities receiving federal financial assistance. Because Yale and AAAP receive federal funds, they are subject to Title VI.⁸

Regardless of AAAP and Yale’s reasons for offering, promoting, and administering such discriminatory eligibility requirements, they are violating Title VI by doing so. It does not matter

⁸ *See* <https://www.usaspending.gov/recipient/55c65dc1-86f3-7df0-eb8f-67a200b600c4-C/latest> [<https://archive.ph/wip/qZl6D>] (accessed June 20, 2025).

if the recipient of federal funding discriminates in order to advance a benign “intention” or “motivation.” *Bostock v. Clayton Cnty.*, 590 U.S. 644, 661 (2020) (“Intentionally burning down a neighbor’s house is arson, even if the perpetrator’s ultimate intention (or motivation) is only to improve the view.”); accord *Automobile Workers v. Johnson Controls, Inc.*, 499 U.S. 187, 199 (1991) (“the absence of a malevolent motive does not convert a facially discriminatory policy into a neutral policy with a discriminatory effect” or “alter [its] intentionally discriminatory character”). “Nor does it matter if the recipient discriminates against an individual member of a protected class with the idea that doing so might favor the interests of that class as a whole or otherwise promote equality at the group level.” *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 289 (2023) (Gorsuch, J., concurring).

Section 1557 of the Affordable Care Act (ACA) bars discrimination based on race or sex in any health program or activity that receives federal financial assistance. This includes funding from the HHS for programs that provide health education, conduct clinical or health research, or deliver health-related services. The nondiscrimination requirements apply broadly, covering “all of the operations of any entity principally engaged” in administering or providing these types of health initiatives.⁹

AAAP and Yale’s explicit race, ethnicity, and/or national origin eligibility requirements are presumptively invalid, and since there is no compelling government justification for such invidious discrimination, their offering, promotion, and administration of these programs violates state and federal civil rights statutes.

⁹ 45 C.F.R. § 92.4; 89 Fed. Reg. 37522, 37542 (May 6, 2024) (“As stated throughout this section, if any part of a health program or activity receives Federal financial assistance and the entity administering said health program or activity is principally engaged as provided in paragraph (2), then all the operations of the recipient are subject to the rule.”).

As a component of Yale University and Yale School of Medicine, the medical school is firmly engaged in the provision of health education for healthcare professionals and students, including the performance, research, and administration of health services. See <https://medicine.yale.edu/> [<https://archive.is/wip/snE9U>] (accessed June 20, 2025). Further, Yale is a recipient of federal HHS funding.

https://www.usaspending.gov/award/ASST_NON_UG1DA015831_7529 [<https://archive.ph/juIhX>] (accessed June 20, 2025).

AAAP is principally engaged in prevention of substance use disorders and co-occurring psychiatric disorders. See <https://www.aaap.org/about/> [<https://archive.ph/wip/q0vBL>] (accessed June 20, 2025). Further, AAAP is a recipient of federal HHS funding.

https://www.usaspending.gov/award/ASST_NON_H79TI085588_7522 [<https://archive.ph/1Ddqt>] (accessed June 20, 2025).

HHS OCR Has Jurisdiction

Both AAAP¹⁰ and Yale¹¹ receive federal HHS funding. They are therefore liable for violating Title VI and Section 1557, and HHS OCR therefore has jurisdiction over this complaint.

The Complaint Is Timely

This complaint is timely brought because it includes allegations of discrimination based on race, color, and/or national origin that occurred within 180 days and that are ongoing. This fellowship is currently active.¹²

Request For Investigation And Enforcement

In *Richmond v. J. A. Croson Co.*, Justice Scalia aptly noted that “discrimination on the basis of race is illegal, immoral, unconstitutional, inherently wrong and destructive of a democratic society.” 488 U.S. 469, 505 (1989) (citation omitted). This is true regardless of which race suffers – discrimination against white applicants is just as unlawful as discrimination against black or other non-white applicants. As Justice Thomas correctly noted in *Students for Fair Admissions*, race-based admissions preferences “fly in the face of our colorblind Constitution and our Nation’s equality ideal” and “are plainly – and boldly – unconstitutional.” 600 U.S. at 287 (Thomas, J., concurring).

Because the discrimination outlined above is presumptively illegal, and since AAAP and Yale cannot show any compelling government justification for it, the fact that they condition eligibility on race, color, or national origin violates federal civil rights statutes and the Affordable Care Act.

HHS OCR has the power and obligation to investigate AAAP and Yale’s role in creating, funding, promoting and administering this fellowship and to impose whatever remedial relief is necessary to hold them accountable for that unlawful conduct. This includes, if necessary, imposing fines, initiating administrative proceedings to suspend or terminate federal financial assistance and referring the case to the Department of Justice for judicial proceedings to enforce the rights of the United States under federal law. After all, “[t]he way to stop discrimination ... is to stop discriminating[.]” *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701, 748 (2007).

¹⁰ https://www.usaspending.gov/award/ASST_NON_H79TI085588_7522
[<https://archive.ph/1Ddqt>] (accessed June 20, 2025).

¹¹ https://www.usaspending.gov/award/ASST_NON_UG1DA015831_7529
[<https://archive.ph/julhX>] (accessed June 20, 2025).

¹² <https://www.instagram.com/p/DI9lawTx9e8/> [<https://archive.is/aXY8n>] (accessed June 20, 2025).

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Accordingly, we respectfully ask that the Department of Health and Human Services promptly open a formal investigation, impose such remedial relief as the law permits for the benefit of those who have been illegally excluded from the REACH Fellowship based on discriminatory criteria, and ensure that all ongoing and future programming at AAP and Yale comport with federal civil rights laws.

Respectfully submitted,

/William A. Jacobson/

William A. Jacobson, Esq.
President
Legal Insurrection Foundation
Contact@legalinsurrection.com

/Robert J. Fox/

Robert J. Fox
Attorney
Legal Insurrection Foundation
Robert.Fox@legalinsurrection.com