

Overhaul of the “OCR Mission & Vision” on HHS’s Office of Civil Rights “OCR Leadership” Webpage

Website Monitoring Mini-report

Aaron Lemelin - aaron@sunlightfoundation.com

Rachel Bergman - rbergman@sunlightfoundation.com

The purpose of “mini-reports” is to inform journalists, experts, and the public about a reported or developing news story. A “mini-report” is a condensed version of one of the Web Integrity Project’s [website monitoring reports](#), created on a rapid timeline to explain a narrowly scoped alteration, and is not a comprehensive analysis of a website.

Summary of findings and context: Between April 24, 2019 and April 30, 2019, HHS altered the “OCR Leadership” page (Webpage 1) on its Office for Civil Rights (OCR) website to overhaul the “OCR Mission & Vision” section. The section previously did not include any references to “conscience and religious freedom” or “religious discrimination.” It now includes text that states the office “educates the public concerning our nation’s civil rights, conscience and religious freedom” and ensures that HHS-conducted or funded programs “comply with federal laws that guarantee [sic] the protection of conscience and free exercise of religion and prohibit coercion and religious discrimination.” Around the same time as the change, on April 24, Politico [reported](#) that by May 4 HHS was expected to release a new rule granting protections for healthcare workers who refuse to provide services, such as abortion or transition-related care for transgender individuals, based on religious or moral objections. Separately, on April 25, the Center for American Progress [argued](#) that the latest [HHS budget request](#) for fiscal year 2020, which states that OCR is the “primary defender” of “conscience and religious freedom protections,” emphasizes protecting religious freedom over LGBTQ rights.

Webpage 1:

Page title: OCR Leadership

Webpage status: Altered (*this change occurred between April 24, 2019, 3:55 PM ET and April 30, 2019 4:25 PM ET according to our monitoring software. IAWM captures, which correspond to a wider date range, are linked below*):

- Before: [March 5, 2019](#)
- After: [April 30, 2019](#)

URL: <https://www.hhs.gov/ocr/about-us/leadership/index.html>

Note: *The page indicates that the content was “last reviewed on April 26, 2019.”*

Description of change:

1. The “OCR Mission & Vision” statement on the “OCR Leadership” page was altered between April 24, 2019 and April 30, 2019 ([Screenshot 1](#)):
 - a. Under “Mission” statement:
 - i. **Removed text:**
“The mission of the Office for Civil Rights is to improve the health and well-being of people across the nation, to ensure that people have equal

access to and the opportunity to participate in and receive services from HHS programs without facing unlawful discrimination, and to protect the privacy and security of health information in accordance with applicable law.”

ii. **Added text:**

“As an HHS law enforcement agency, OCR investigates complaints, conducts compliance reviews, vindicates rights, develops policy, promulgates regulations, provides technical assistance, and educates the public concerning our nation’s civil rights, conscience and religious freedom, and health information privacy and security laws. OCR accomplishes this by:

- Ensuring that recipients of HHS federal financial assistance comply with federal civil rights laws that prohibit discrimination on the basis of race, color, national origin, disability, age, sex and religion.
- Ensuring that HHS, state and local governments, health care providers, health plans, and others comply with federal laws that guarantee [sic] the protection of conscience and free exercise of religion and prohibit coercion and religious discrimination in HHS-conducted or funded programs.
- Ensuring the practices of health care providers, health plans, healthcare clearinghouses, and their business [sic] associates adhere to federal privacy, security, and breach notification regulations under the Health Insurance Portability and Accountability Act (HIPAA) and the Health Information Technology for Economic and Clinical Health (HITECH) Act, through the investigation of complaints, self-reported breaches, compliance reviews, and audits.”

b. Under “Vision” statement:

i. **Removed text:**

“Through investigations, voluntary dispute resolution, enforcement, technical assistance, policy development and information services, OCR will protect the civil rights of all individuals who are subject to discrimination in health and human services programs and protect the health information privacy rights of consumers.”

ii. **Added text:**

“OCR enforces civil rights laws and conscience and religious freedom laws, and protects the privacy, security, and availability of individuals’ health information. Through these mechanisms, OCR helps to ensure equal access to health and human services, protects the exercise of religious beliefs and moral convictions by individuals and institutions participating in HHS programs, advances the health and well-being of all Americans, protect individuals’ health information, and provides the tools

for provider awareness and full engagement of individuals in decisions related to their health care.”

Screenshot 1: A side-by-side comparison of a portion of the [March 6, 2019](#) and [April 30, 2019](#) versions of the page, as captured by the Internet Archive’s Wayback Machine.

Before	After
	