



**ADL**®

Resource for Patients

# **Know Your Rights: Jewish Patients & Antisemitism in Health Care**

**Together**—we can  
fight hate for good.

# Know Your Rights: Jewish Patients & Antisemitism in Health Care

*Disclaimer: \*This resource is not intended to and should not be interpreted as providing legal advice. Please consult with your own legal counsel.*

## Have you ever...

- Felt you were being treated unfairly at a doctor's office, hospital, or clinic because you are Jewish?
- Overheard antisemitic remarks from medical staff or others in a healthcare setting?
- Felt pressured to hide your Jewish identity or connection to Israel to receive respectful care?

You are **not alone**. This guide explains the legal protections you have, practical steps you can take, and resources that can help if you experience antisemitism when seeking health care in the United States.

Below is a non-exhaustive list of examples of situations that could make you feel uncomfortable in a healthcare setting:

- A doctor, nurse, or staff member comments on your kippah, star of David necklace, or other Jewish or Israeli identifying symbol.
- You're asked about your political views about Israel, or asked to explain or defend the actions of the Israeli government.
- A provider says they "don't feel comfortable" treating you because you're Israeli, Zionist, or Jewish.
- You overhear staff comments blaming "the Jews" or Israel for global problems, or expressing support for violence against Israelis in your presence.
- You notice you are given slower, colder, or less thorough care after your Jewish identity is disclosed or learned.
- Staff have loud, one-sided conversations about Israel or "Zionists" that make you feel targeted or unsafe while you're trying to obtain care.
- Your mental health provider asks you to consider Palestinian suffering in response to your expressing pain over October 7 or the rise in antisemitism in your community.
- **You complain about hostile treatment in your healthcare setting and your concerns are dismissed.**

# 1. Your Core Rights as a Patient

- a. Equal Access and Safe Treatment for Patients** – You have the right to obtain medical treatment free from discrimination, harassment, or identity-based bias. This includes antisemitic or anti-Zionist harassment or discrimination based on a patient’s actual or perceived religion, national origin, or shared ancestry or ethnic characteristics.
- b. Patient Choice of Provider and Reporting** – If you believe any healthcare professional or worker has treated you discriminatorily, you have multiple avenues for seeking assistance including requesting a different doctor, nurse, or care team. Hospitals, medical groups, health plans and other healthcare entities include confidential complaint and reporting systems which allow you to bring forward any behavior you believe is discriminatory. Many of these are contained on the websites of the healthcare entity in which you seek care.
- c. State Licensing Boards for Healthcare Professionals** – States have licensing boards for healthcare professionals, e.g. physicians, nurses, psychologists, etc., which set forth standards and codes of conduct that prohibit any form of discrimination by licensed healthcare professionals. These licensing boards have complaint and reporting systems that allow individuals to report any discriminatory conduct by a healthcare professional licensed by that agency. Consult the licensing board websites in your state for their complaint and reporting process.
- d. State Licensing Agencies for Healthcare Facilities** – States also have agencies that license hospitals, health plans and other forms of healthcare entities. These agencies enforce laws, regulations and standards which any licensed entity must abide by and maintain as a condition of licensure. These include the requirement that a licensed entity maintain an environment for patients and healthcare workers that is free from discrimination, harassment and intimidation. These agencies have complaint and reporting systems for any individual that witnesses discriminatory conduct in a licensed entity.
- e. Healthcare Professional Associations and Specialty Boards** – Healthcare professionals belong to a wide array of national and state organizations that set forth ethical and professionalism standards for their membership. These include, for example, the American Medical Association (association for doctors); the American Nurses Association (association for nurses); American Health Information Management Association (association for hospital administrators), American Academy of Physicians Associates (association for Physician Assistants/ Associates), American Association of Nurse Practitioners (association for nurse practitioners); National Nurses United (union for nurses).

## 2. Key Federal Protections

Law	What It Does for You
<a href="#">Title VI, Civil Rights Act (1964)</a>	Bars discrimination on the basis of <i>race, color, or national origin</i> , which includes shared Jewish ancestry and ethnic characteristics, by any program receiving federal funds—including hospitals and clinics. Also prohibits retaliation for reporting discrimination or participating in an investigation. Complaints are filed with the U.S. Department of Health & Human Services’ (HHS) Office for Civil Rights (OCR).
<a href="#">Section 1557, Patient Protection &amp; Affordable Care Act (ACA)</a>	Extends protection from discrimination in health care settings to a broader set of categories. Prohibits discrimination on basis of race, color, national origin, sex, age, or disability. (“National origin” protection covers antisemitic acts that target Jewish ethnicity or heritage.) Also prohibits retaliation for reporting discrimination or participating in an investigation. Applies to any health program or activity that receives funding from the Department of Health and Human Services (HHS), such as hospitals that accept Medicare or doctors who receive Medicaid payments; the Health Insurance Marketplaces and issuers that participate in those Marketplaces; and any health program that HHS itself administers.

**Federal Agencies** – The Department of Health and Human Services (HHS), Centers for Medicare and Medicaid Services (CMS), and Hospital Accreditation Organizations mandate that health facilities maintain a patient care environment free from discrimination, harassment, intimidation, and any other behavior that undermines a culture of safety.

The HHS website has a specific section outlining how to file a Civil Rights Complaint, stating: “If you believe that you have been discriminated against because of your race, color, national origin, disability, age, sex, or religion in programs or activities that HHS directly operates or to which HHS provides federal financial assistance, you may file a complaint with OCR.” The site sets forth the complaint process.

## 3. State-Level Antidiscrimination Statutes

Most states provide additional protection from discrimination and retaliation in health care settings under state law. For example, many states prohibit discrimination in “places of public accommodation,” which frequently includes hospitals and medical facilities. (For example, Massachusetts, NY, Colorado, Florida, Virginia, and many others.)

## 4. If You Experience Antisemitism: What to Do

### 1. Stay Safe & Secure Care

- If immediate medical attention is needed, prioritize your health over dealing with the bias-related issue. You can always address the incident after dealing with the immediate health-related issues.
- You may politely request another provider or ask for a patient advocate.

### 2. Document Everything

- Write down the date, time, location, names, titles, and exact words/actions.
- Save any documentary evidence.

### 3. Report Internally

- Ask for the hospital’s patient relations or compliance office.
- File a formal complaint or grievance and keep a copy.

### 4. File External Complaints

**File a Complaint with Office of Civil Rights (“OCR”):** You have a right to file a complaint with the OCR of the U.S. Department Health and Human Services if you believe you were discriminated against by an entity covered by federal law. You should file as soon as possible after the incident occurred as complaints with OCR **must be filed within 180 days of the incident**. Online portal for filing: <https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf>

Consult an attorney for guidance on how best to protect your legal rights.

**File a Complaint in Your State:** If you live in a state that provides protection against discrimination in health care settings under state law, you can also consider filing a complaint with the Attorney General’s Office or other state agency or commission charged with enforcing state anti-discrimination laws.

Consult an attorney for guidance on how best to protect your legal rights.

## **5. Anti-Defamation League (ADL):**

Report incidents to ADL so we can track, and where appropriate, respond to the incident. You can report anonymously if you wish to do so. Report at <https://www.adl.org/reportincident>.

## **6. ADL's Legal Action Network:**

If you would like to be considered for (or to discuss the possibility of) pro bono legal assistance, fill out a report with ADL's Legal Action Network at <https://www.adl.org/adl-legal-action>.

# **5. Sample Conversation Starters**

### ***To request a new doctor, nurse or care team***

"I'm uncomfortable continuing care with [Insert Title and Name] after the remarks made about my Jewish background. Please assign me to another physician without delaying my treatment."

### ***To file a hospital grievance/complaint***

"I would like to submit a formal complaint regarding antisemitic treatment I received at [Insert Location] on [Insert Date]. Please advise me of your grievance/complaint procedure."

**You deserve medical care that honors your dignity, safety, and Jewish identity. Understanding and asserting your rights is the first step to ensuring every health-care setting is free from antisemitism. If you encounter discrimination, *spea*k up, *document*, and *reach out*—help is available.**

## **About ADL**

ADL is the world's leading anti-hate organization. Founded in 1913, its timeless mission is to stop the defamation of the Jewish people and to secure justice and fair treatment to all. Today, ADL continues to fight all forms of antisemitism and bias, using innovation and partnerships to drive impact. A global leader in combating antisemitism, countering extremism and battling bigotry wherever and whenever it happens, ADL works to protect democracy and ensure a just and inclusive society for all.

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