

Compliance Today – April 2020 Meet Roger Severino: The intersection of civil rights and compliance

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Roger Severino, Director of the Office for Civil Rights, U.S. Department of Health & Human Services, was interviewed in February 2020 by Gerry Zack (gerry.zack@corporatecompliance.org), CEO of SCCE & HCCA.

GZ: Every stop in your career has involved a focus on civil rights, involving fair housing, religious freedom, or other rights. How long has this passion for civil rights existed, and what set you off on this path?

RS: I'm the son of Colombian immigrants. As a child, I experienced ethnic slurs from kids and blatant stereotyping by teachers and school staff. Because I stood up for myself from an early age, I was able to overcome many challenges. My hope is that everyone can get a fair shot at the American dream, where people are judged by their character and inherent human dignity, not unlawful stereotypes.

It really comes down to this: We are created by God as equal in worth and dignity, no matter our ability, no matter our skin color, from conception until death. This fundamental principle has guided my life and career choices, so, in a sense, it's not surprising that I have dedicated my career to civil rights. After graduating from Harvard Law, I joined the Becket Fund for Religious Liberty to help protect the rights of people of all faiths, and later joined the U.S. Department of Justice (DOJ) Civil Rights Division, where I worked on sex, race, national origin, religion, disability, and familial status discrimination. At DOJ, I had the honor of bringing the first Fair Housing Act case brought by the United States against a landlord for HIV discrimination in housing.^[1] Now that I am the director of the U.S. Department of Health & Human Services (HHS) Office for Civil Rights (OCR), the Health Insurance Portability and Accountability Act (HIPAA) enforcement is also part of my portfolio, which is another way we can help make sure people have access to needed services under law. Looking back, I can see a natural career progression, but it feels much more like I was called to be at this place at this time. It's the hardest best job I have ever had.

GZ: It is obvious from your career achievements that you are passionate about ensuring and protecting the rights of citizens to religious freedom and conscience in health and human services. Why did you start the new Conscience and Religious Freedom Division within OCR?

RS: We launched the new Conscience and Religious Freedom Division because longstanding laws protecting conscience and free exercise were simply not being enforced. These are our first freedoms that are protected not only by the Constitution, but also by dozens of federal laws. One of the first things we did was take an inventory of every conscience and religious freedom statute that applied to HHS and were surprised to find 25 different provisions. First among them are prohibitions against healthcare practitioners and insurers being discriminated against because they do not want to cover or participate in the taking of human life through abortion or assisted suicide. Whatever one thinks about the legality of abortion, these laws represent a decades-long American consensus. The new division has brought needed parity between conscience and religious freedom rights, and every other civil right. We have put the public and regulated entities alike on notice that we are in business and aim to enforce the law.

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