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THE REGISTER CITIZEN

Home care agency files discrimination lawsuit against DSS

Daniel Tepfer
Oct. 29, 2020



[Home care](#) agency files discrimination lawsuit.; Contributed Photo / ST

BRIDGEPORT — A local home care agency claims in a federal lawsuit that the state Department of Social Services is complying with requests by Medicaid home health care recipients not to send to homes staff of particular races and/or national origins.

The Center for Transitional Living, which has offices in Norwalk and Farmington, states in its lawsuit that when it refused to implement the discriminatory staffing requests, clients were no longer being referred to the home care agency.

“The practice of allowing discriminatory staffing requests by Medicaid recipients enforces structural racism and hurts the hard-working people in the home care industry,” said Jeff Farmer, a principle in CTL.

The lawsuit, filed by Milford lawyer David A. Slossberg, names as defendant DSS and Advanced Behavioral Health, a Middletown behavioral healthcare agency. The lawsuit, which requests a jury trial, seeks a permanent injunction to prevent the defendants from “engaging in discrimination” as well as unspecified damages and fees.

“We are still gathering the facts, and it’s too soon to comment on the particulars of this case. Of course, the state does not condone and cannot tolerate illegal discrimination in hiring or employment,” said DSS Spokesman David Dearborn.

Advanced Behavioral Health declined comment.

According to the lawsuit, the state has contracted with Advanced Behavioral Health to administer a program in which community-based services are provided to assist Medicaid beneficiaries to live in the community and avoid institutional care.

But Advanced Behavioral Health routinely “complied with discriminatory requests by Medicaid home health care recipients not to send staff of particular races and/or national origins,” the lawsuit states.

“It is hard to believe that Advanced Behavioral Health as well as State of Connecticut agencies condoned and continued to allow requests that only Caucasian staff be selected to assist individuals with cleaning, household chores and transportation,” Slossberg said.

The lawsuit states that because of “ABH’s discriminatory conduct, CTL has been deprived of its rights to equal protection of the law guaranteed under the Fourteenth Amendment to the United States Constitution.”