



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights

Headquarters • Humphrey Building
200 Independence Ave., S.W. • Washington, DC 202
Voice - (800) 368-1019 • TDD - (800) 537-7697
Fax - (202) 619-3818 • <http://www.hhs.gov/ocr>

VIA ELECTRONIC MAIL

Peter Gentala, President
Jeffrey A. Schwartz
Center for Arizona Policy
PO Box 32428
Phoenix, AZ 85064-2428
pgentala@azpolicy.org
thejeffschwartzaz@gmail.com

December 9, 2025

Re: Notice of Investigation – ADHS Behavioral Health Licensing Practices (OCR Trans. No. DO-26-650676-CP-CR).

Dear Mr. Gentala and Mr. Schwartz:

On June 6, 2025, the U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR) received from the U.S. Department of Justice a referral of a complaint submitted by the Center for Arizona Policy concerning the behavioral health licensing policies, practices, interpretations, and enforcement efforts of the Arizona Department of Health Services (ADHS).

HHS enforces Federal laws that protect conscience and religious exercise, and prohibit coercion and religious discrimination, including the Weldon Amendment,¹ the Coats-Snowe Amendment,² the Church Amendments,³ and the Equal Treatment for Faith-Based Organizations Rule.⁴ The Secretary of HHS has designated OCR as responsible for managing complaints concerning these laws.⁵

OCR has reviewed your complaint and determined that it has sufficient authority and cause to investigate whether ADHS licensing officials have construed Arizona Administrative Code (A.A.C.) R9-10-711(E) (Resident Rights) to require licensed behavioral health providers and facilities to counsel, refer, and/or otherwise arrange for sex-rejecting procedures, female genital mutilation/cutting (FGM), and abortion-related services under the rubric of “person-centered care,” and to treat refusals based on religious exercise or conscience as licensing violations.

¹ Full-Year Continuing Appropriations and Extensions Act, 2025, P.L. 119-4, Div. A, § 1101, 1102, which extended Further Continuing Appropriations Act, 2025, P.L. 118-158, Div. A, § 101, which extended Continuing Appropriations and Extensions Act, 2025, P.L. 118-83, Div. A, § 102 (Sept. 26, 2024), which extended Further Consolidated Appropriations Act, 2024, P.L. 118-47, Div. D, Title V, General Provisions, § 507(d) (Mar. 23, 2024).

² 42 U.S.C. § 238n.

³ 42 U.S.C. § 300a-7.

⁴ 45 C.F.R. Part 87.

⁵ See 45 C.F.R. Part 88.

OCR will contact you should we need additional information. In the meantime, if you have documentation that supports the allegations in your complaint that you have not yet provided to OCR, including correspondence or documents regarding the official position of ADHS on these matters, please provide copies at your earliest convenience. When we reach a determination, we will advise you of our findings.

If you have any questions, please contact [REDACTED] at [REDACTED]@hhs.gov and reference the transaction number listed above.

Sincerely,

[REDACTED]

Anthony F. Archeval
Principal Deputy Director
Office for Civil Rights