

# Cases Involving Discrimination Based on Treatment with Medication for Opioid Use Disorder (MOUD)



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*This list highlights key cases, investigations, and government settlements/consent decrees involving denial of access to MOUD in various settings. It is not exhaustive.*

## Criminal Legal System

### Jails and Prisons

***Pesce v. Coppinger***, 355 F. Supp. 3d 35 (D. Mass. 2018). The court held that it likely violates both the Americans with Disabilities Act (ADA) and Eighth Amendment of the U.S. Constitution to deny an incarcerated person access to MOUD without individual assessment and contrary to the treating provider's medical recommendation. The plaintiff, soon to be incarcerated in a Massachusetts jail, alleged that the defendant/jail's policy of denying incarcerated persons access to methadone for the treatment of opioid use disorder (OUD) violated Title II of the ADA and the Eighth Amendment. The court granted the plaintiff's motion for a preliminary injunction, holding that "absent medical or individualized security considerations underlying the decision to deny access to medically necessary treatment," the plaintiff was likely to succeed in his ADA claim. The court also held that the plaintiff was likely to succeed on his Eighth Amendment claim because the defendant was deliberately indifferent to his serious medical need in repeatedly ignoring the plaintiff's doctor's treatment recommendation. The court made these holdings despite the defendant's arguments that MOUD creates safety and diversion concerns.

***Smith v. Aroostook Cty.***, 376 F. Supp. 3d 146 (D. Me.), aff'd, 922 F.3d 41 (1st Cir. 2019). The court held that it likely violates the ADA to deny an incarcerated person access to MOUD without a particular assessment of the individual's need for medication. This decision granting the plaintiff's motion for preliminary injunction came after the plaintiff was going to be incarcerated in the county jail and requested access to her prescribed MOUD. The court did not find persuasive defendant's concerns about safety and diversion. The case was affirmed by the First Circuit.

***Kortlever v. Whatcom County*** (D. Wash. 2018). This class action lawsuit settled with an agreement to provide MOUD on class-wide basis. A class of current and future incarcerated persons at the Whatcom County Jail alleged that the jail's policy prohibiting MOUD violated the ADA and Eighth Amendment. The settlement included guidelines for training and implementation of written policies for MOUD – primarily buprenorphine maintenance *and* induction – as well as medically-assisted withdrawal.

***Finnigan v. Mendrick***, No. 21-CV-341, 2021 WL 736228 (N.D. Ill. Feb. 24, 2021). The plaintiff, who faced imminent incarceration in the DuPage County Jail, alleged that the defendants' policy and practice of denying incarcerated individuals' access to medication for addiction treatment (MAT; also known as medication for opioid use disorder (MOUD)), violated Title II of the ADA and the Eighth Amendment. In a motion to dismiss, the defendants contended that the case was not "ripe" because they had not yet decided whether to allow the plaintiff access to her medication. The court granted defendants' motion to dismiss and denied the plaintiff's motion for preliminary injunction, finding that the case was premature because the defendants had not decided whether to provide the plaintiff access to her medication. However, the court ordered defendants to report their decision on the plaintiff's first full day of incarceration and invited the plaintiff to file an amended complaint if the jail denied her methadone. Ultimately, defendants decided to allow the plaintiff to access her medication and they also made plans to implement a policy to provide access to MAT.

***P.G. v. Jefferson County***, No. 5:21-CV-388-DNH-ML (N.D.N.Y. Sept. 7, 2021). The court held that it likely violates Title II of the ADA (Title II) and the Fourteenth Amendment of the U.S. Constitution to deny pre-trial detainees access to medically necessary methadone treatment. The plaintiff, who faced imminent detention in the Jefferson County Jail, alleged that the defendants' policy of denying all non-pregnant detainees access to medically necessary methadone for treatment of OUD violated Title II and the Fourteenth Amendment. The court granted the plaintiff's motion for a preliminary injunction, finding that where the plaintiff's "treating physician has prescribed methadone and concluded that it is medically necessary . . . a refusal to guarantee access to methadone treatment likely violates the ADA." The court similarly found that the plaintiff was likely to succeed on his Fourteenth Amendment claim that the defendants were acting with deliberate indifference to a serious medical need amounting to constitutionally inadequate medical care. Due to the defendants' lack of medical testimony or evidence, the court rejected their arguments that there is no constitutional right to methadone treatment and that other constitutionally adequate treatment options were available.

***Strickland v. Delaware County***, No. 2:21-CV-04141-MMB, 2022 WL 1157485 (E.D. Pa. Apr. 19, 2022). The court found that the plaintiff had plausibly alleged claims under Title II of the ADA, the Rehabilitation Act, and the Fourteenth Amendment based on the county defendants' failure to treat the plaintiff with medically necessary methadone for his OUD. At the start of his pre-trial incarceration at George W. Hill Correctional Facility, the plaintiff informed jail personnel of his long-time OUD and required daily methadone doses. Jail officials repeatedly denied his requests, citing their policy of providing methadone only to pregnant individuals, and thereby forced the plaintiff into withdrawal throughout his month-long incarceration. After his release, the plaintiff sued for damages under the ADA, R.A., and Fourteenth Amendment. In denying the defendants' motions to dismiss, the court also found that the plaintiff had plausibly stated a claim for compensatory damages by demonstrating intentional discrimination under the ADA. The court noted that "Defendants were aware of the value of methadone as an OUD treatment, as George W. Hill allows it as a treatment for pregnant people with OUD" and of "the inadequacy of the OUD treatment provided by George W. Hill." Based on their continued denial of methadone treatment despite this awareness, the court found a plausible claim for compensatory damages. The case settled in 2024 after the Department of Justice filed a Statement of Interest. The settlement required the jail to offer MOUD both as induction and continuation.

*M.C. V. Jefferson County*, No. 6:22-CV-00190-DNH-ML, 2022 WL 1541462 (N.D.N.Y. May 16, 2022). In this class action, the court granted the plaintiff's motion for preliminary injunction and motion for class certification of two sub-classes: people detained pretrial and people incarcerated postconviction, currently and in the future. In ruling on the preliminary injunction, the court found that Jefferson County Correctional Facility's policy banning medically necessary MOUD for all non-pregnant detainees likely violates Title II of the ADA, the Eighth Amendment, and the Fourteenth Amendment. The court cited the New York legislature's recent passage of N.Y. Corrections Law § 626, requiring all jails and prisons to provide MOUD to incarcerated individuals undergoing treatment for their OUD, and stated that defendants are required to "provide plaintiffs and the now-certified class with [MOUD] . . . in accordance with the requirements set forth in New York Correction Law § 626." In certifying the class, the court found that the issues of the class members were sufficiently common to justify certification and noted that the class was "open," meaning that people can join the class if they are incarcerated in the future.

*Taylor v. Wexford Health Sources, Inc.*, 737 F.Supp.3d 357 (S.D.W. Va. 2024). The court denied cross motions for summary judgment in a suit charging a jail and its medical provider with denying an incarcerated person Suboxone in violation of the ADA, Rehabilitation Act, and Constitution. The case ultimately settled with the government defendants paying \$131,250; the settlement with the medical provider was confidential.

### **Settlements with State and Local Prisons and Jails**

- *Smith v. Fitzpatrick* (D. Me. 2018) and *Sclafani v. Mici* (D. Mass. 2019). These cases settled with state departments of corrections or local jails agreeing to provide plaintiffs with their prescribed MOUD throughout their terms of incarceration. In each case, the plaintiff sued the respective facility for denial of access to MOUD in violation of the ADA and Eighth Amendment.
- **DOJ settlements in KY** (Nov. 4, 2022). DOJ [agreement](#) with the Lexington-Fayette Urban County Government's Department of Community Corrections to ensure that people who take MOUD can remain on their medication while in custody at Fayette County Detention Center (FCDC), as required by the ADA, and (Dec. 4, 2023) DOJ [agreement](#) with Sandy Regional Jail Authority, which operates the Big Sandy Regional Detention Center, to ensure that people with opioid use disorder (OUD) receive medically appropriate treatment with any FDA-approved MOUD.
- **United States of America v. Cumberland Cty.**, (D. NJ May 2023). Consent decree requiring Cumberland County jail to provide MOUD, mental health care, and suicide prevention. Followed DOJ findings of reasonable cause to believe that failure to provide MOUD, together with its failure to offer adequate mental health and suicide prevention measures, violated the 8<sup>th</sup> Amendment.
- **DOJ settlement** (PA, Nov. 30, 2023) DOJ [agreement](#) with Allegheny County jail to offer treatment with any FDA-approved medication for opioid use disorder (OUD) to all individuals booked into the Allegheny County Jail for whom such treatment is medically appropriate.

### **Settlements with the Federal Bureau of Prisons**

- ***DiPierro v. Hurwitz*** (D. Mass. 2019), ***Crews v. Sawyer*** (D. Kan. 2019), and ***Godsey v. Sawyer*** (W.D. Wash. 2019). These cases settled with the Federal Bureau of Prisons (BOP) agreeing to provide plaintiffs with their prescribed MOUD. In each case, the plaintiff sued the BOP for denial of access to MOUD in violation of the Rehabilitation Act and the Eighth Amendment.

## **Parole**

***United States v. Mass. Parole Board*** (D. Mass. 2021). The U.S. Attorney's Office for the District of Massachusetts entered into a settlement [agreement](#) with the Massachusetts Parole Board ("the Board"), after the Board required parolees and prospective parolees with OUD to take Vivitrol (naltrexone), a specific type of MOUD, without considering their health care provider's recommended treatment or assessing whether a different type of MOUD would be more appropriate, in violation of the ADA. As part of the settlement, the Board agreed that it would change any conditions that required individuals on parole to take a certain MOUD, not mandate any form of treatment for OUD, not condition parole on people taking a specific form of MOUD, and provide parole applicants with SUDs individual assessment for treatment by a qualified addiction specialist authorized to prescribe methadone, buprenorphine, and naltrexone.

## **Court System**

***United States of America v. Unified Judicial System of Pennsylvania (UJS)*** (Jan. 31, 2024). DOJ, UJS, the Pennsylvania Supreme Court, and three trial courts settled a [lawsuit](#) charging the defendants with violating the Americans with Disabilities Act (ADA) by restricting access to medication for opioid use disorder (MOUD) in 11 courts in the state. Prior to filing the lawsuit, DOJ had issued a [letter of findings](#) that the UJS violated Title II of the ADA by prohibiting or restricting access to MOUD.

***DOJ Settlement with Massachusetts Trial Court*** (Mar. 24, 2022). The DOJ entered into a [settlement](#) with the Massachusetts Trial Court following allegations that drug courts in Massachusetts were violating the ADA by discriminating against individuals with OUD. A complaint filed with the U.S. Attorney's Office alleged that the drug courts were forcing participants to stop taking their prescribed MOUD without individualized assessments by a medical professional. Instead, the courts ordered participants to exclusively take Vivitrol, regardless of their specific healthcare provider's recommendations. Per the settlement agreement, however, all 25 drug courts will now implement a policy of allowing only licensed prescribers and opioid treatment programs to make decisions regarding participants' treatment plans, and only after conducting individualized assessments for each participant. Drug courts are also prohibited from expressing a preference for any one form of MOUD over another (e.g., Vivitrol over methadone). Moreover, the settlement requires drug courts to ensure compliance with this new policy by implementing a procedure to review complaints about decisions related to MOUD, regardless of who files the complaint.

## **Employment and Occupational Licensure**

***Equal Employment Opportunity Comm'n v. Hussey Copper Ltd.***, 696 F. Supp. 2d 505 (W.D. Pa. 2010). The court held that before an employer may deny someone a job because of their MOUD, including from a safety sensitive position, they must make an individualized determination of the person's ability to perform their job duties. In denying Hussey Copper's,

motion for summary judgment, the U.S. District Court agreed with the Equal Employment Opportunity Commission (EEOC) that Hussey Copper should have considered the applicant's experience with methadone and whether methadone had side effects on his cognitive functions. The court iterated that the ADA requires an individualized assessment of a job applicant rather than a sole reliance on literature about MOUD, to determine an individuals' ability to perform their job duties, even if the job is safety sensitive. The case ultimately settled with Copper Hussey paying \$85,000 in fines, hiring the applicant, and implementing policy changes.

***Pollard v. Drummond***, No. 2:12-CV-03948-MHH, 2015 WL 5306084 (N.D. Ala. Sept. 10, 2015). In denying the employer's motion for summary judgment as to an ADA claim, the court found that there were genuine issues of material fact as to whether the plaintiff posed a direct threat to safety. Although the plaintiff was taking a high dose of methadone, reliance on that fact alone was improper when based on how that dose might affect people generally. The court emphasized that in making an individualized assessment, the employer should have considered the plaintiff's treating physician's recommendations and the fact that the employee had performed his job functions for years without significant issue.

***EEOC v. Randstad, US, LP*** (D. Md. 2016). The EEOC sued Randstad for failing to conduct an individualized assessment of a job applicant's ability to perform the job duties, as required by the ADA. Despite the applicant continually informing the company that she did not have any medical restrictions hindering her ability to perform the job duties, she was repeatedly told that she would not be hired because she was taking methadone. The case settled with Randstad paying the applicant \$50,000 and entering a consent decree enjoining the company from violating the ADA.

***EEOC v. Foothills Child Development Center, Inc.*** (D.S.C. 2018). The EEOC sued Foothills Child Development Center, Inc. ("Foothills") after Foothills fired an afterschool preschool teacher because of his prescribed Suboxone. The EEOC claimed that Foothills failed to conduct an individualized assessment of the employee, in violation of the ADA. An individualized evaluation would have allowed the company to determine what, if any, effect the employee's prescribed Suboxone had on his ability to conduct his job. The case settled with Foothills paying a monetary award to the employee and implementing policy changes, as per a five-year consent decree.

***Breaux v. Bollinger Shipyards, LLC*** (E.D. La. 2018). The plaintiff filed suit against his former employer after being terminated from his safety-sensitive position as a welder because of his treatment with Suboxone. In denying the defendant's motion for summary judgment on the plaintiff's ADA claim, the court found that there was a genuine factual dispute regarding the plaintiff's use of Suboxone as being a direct threat to safety. The court explained that although the employer presented evidence that Suboxone was a narcotic that can cause sedation, the plaintiff had taken Suboxone throughout his employment without incident, and his doctor released him to work as a welder without restrictions, suggesting that Suboxone therapy did not cause those symptoms in the plaintiff.

***EEOC v. Appalachian Wood Products, Inc.*** (W.D. Pa. 2018). In 2018, the EEOC sued Appalachian Wood Products, Inc. for violating the ADA after the company refused to hire an applicant for a factory position because he was taking medically prescribed Suboxone, and the employer did not conduct an individualized assessment of the applicant's ability to complete the job tasks safely while taking Suboxone. The complaint also alleged that the company unlawfully

required applicants to disclose their use of medications prior to making conditional job offers and refused to hire individuals into certain jobs or assigned them to less-desirable positions based on their answers. The case settled with Appalachian Wood Products paying \$42,000 to two employees, agreeing to stop discriminatory practices, creating and implementing anti-discrimination employment policies, training employees about providing reasonable accommodations, and more.

***EEOC v. SoftPro*** (E.D.N.C. 2018). The EEOC sued SoftPro after an employee who was taking MOUD for approximately eight years was terminated after disclosing that he had been on leave for participating in a program aimed at eliminating his need for ongoing MOUD. The EEOC alleged that SoftPro violated the ADA because it fired the employee based on his disability. The case settled with SoftPro entering a consent decree with the EEOC, paying \$80,000 in damages, implementing antidiscrimination policies, training employees, and more.

***EEOC v. Professional Transportation, Inc.*** (S.D. W. Va. 2021). The EEOC sued Professional Transportation, Inc. (PTI) for violating the ADA after PTI rescinded a conditional offer made to a job applicant because she was taking medically prescribed Suboxone. PTI rescinded its offer after reviewing general information about the possible side effects of Suboxone, even though the applicant herself did not experience any of those side effects. The case settled with PTI entering a consent decree with the EEOC requiring payment of \$60,000 to the job applicant, implementation of antidiscrimination policies and measures to ensure individualized assessment of workers receiving MOUD, and the appointment of a decree compliance monitor.

***EEOC v. Dragon Rig Sales and Services, LLC and The Modern Group, Ltd.*** (E.D. Tex. 2021). The EEOC filed suit against the defendants for refusing to hire a qualified job applicant for a welding position because of his use of prescription medications to treat anxiety and OUD. In alleged violation of the ADA. The suit alleges that after making a conditional offer based on his qualifications and 13 years of welding experience, defendants rescinded the offer upon learning of his medication without conducting any further inquiry into his ability to perform the job. The case is pending.

**DOJ Investigation of the Indiana State Board of Nursing** (Mar. 25, 2022). The DOJ issued a notice to the Indiana State Board of Nursing stating that the Board was in violation of Title II of the ADA for maintaining a policy that discriminated against people with OUD. The letter followed an investigation into a complaint that the Indiana State Nursing Assistance Program (ISNAP) — the Nursing Board’s program to rehabilitate nurses with SUDs — was forcing participants with OUD to taper off of their prescribed buprenorphine or methadone as a condition of their participation in the ISNAP monitoring program. Because participation in ISNAP monitoring is often required for nurses recovering from an SUD to maintain an active nursing license, the DOJ found that the Nursing Board was violating Title II by maintaining discriminatory eligibility criteria and implementing a discriminatory method of administration that prevented individuals with OUD from benefitting from the Nursing Board’s services, programs, or activities. To comply with the ADA, the DOJ instructed the Nursing Board to revise their policies to remove the ban on MOUD for ISNAP participants, train ISNAP and Nursing Board staff on OUD and Title II’s nondiscrimination requirements, pay compensatory damages to aggrieved individuals, and submit status reports about actions taken to comply with these requirements.

**United States of America v. Cumberland County, Tennessee** (Jan. 18, 2023). DOJ filed a [complaint](#) and [proposed consent decree](#) with the U.S. District Court for the Middle District of Tennessee, to resolve allegations that Cumberland County violated Title I of the ADA when its Sheriff Department prevented a correctional officer from taking MOUD pursuant to its policy prohibiting all controlled substances.

**DOJ Investigation of the Tennessee Board of Law Examiners** (December 17, 2024). The U.S. Attorney's Office issued a [Letter of Findings](#) that the Tennessee Board of Law Examiners (TBLE) and the Tennessee Lawyers Assistance Program (TLAP) violated Title II of the ADA by discriminating against two bar applicants based on their diagnosis of or treatment for a substance use or mental health disorder. TBLE and TLAP had required the applicants to undergo burdensome medical/psychological assessments, SUD treatment, years of monitoring, and disclosure of all mental health records because one took MOUD and the other had a history of SUD – despite ample evidence of their fitness to practice law and no evidence to the contrary. The letter of findings ordered the entities not to 1) restrict legally prescribed medication for SUD, 2) inquire about applicants' SUD or mental health disorder unless voluntarily disclosed to explain conduct (and even then, to do so narrowly), or 3) impose conditions based solely on an SUD or mental health diagnosis or treatment.

### **Health Care and Medicaid**

**DOJ Settlement with Selma Medical Associates, Inc.** (Selma Medical, 2018). The DOJ entered into a [settlement](#) with Selma Medical, a primary and specialty care facility, in which Selma Medical agreed to cease violation of the ADA by not discriminating against people on the basis of their OUD, implement a policy and staff training for providing MOUD, pay fines totaling \$40,000, and more. The DOJ concluded after investigation, that in refusing to provide primary care services to the complainant and others because of their use of MOUD, Selma Medical violated the ADA.

### **DOJ and OCR Agreements with Skilled Nursing Facilities**

- DOJ [Settlement](#) with Charlwell Operating Nursing Facility, LLC (2018)
- DOJ [Agreement](#) with Athena Health Care Systems (2019)
- DOJ [Agreement](#) with Alliance Health and Human Services (December 2020)
- DOJ [Agreement](#) with Genesis HealthCare, Inc. (August 2021)
- DOJ [Agreement](#) with CareOne Realty, LLC; Hebrew Senior Life, Inc.; Sheehan Health Group, LLC; and Wingate Healthcare (September 2021)
- Office for Civil Rights (OCR) at the Department of Health and Human Services (HHS) and DOJ [Agreement](#) with The Oaks (December 2021) (this case also found that the SNF violated Section 1557 the Rehabilitation act of 1973 and the Affordable Care Act)

In these cases, the DOJ/OCR entered into settlement agreements with skilled nursing facilities due to discriminatory policies and practices in violation of the ADA. In each case, the DOJ/OCR responded to complaints that the facilities were denying admission to individuals being treated with buprenorphine or methadone for their OUD. Per each of the agreements, the facilities were required to adopt a non-discrimination policy, train personnel on OUD and federal civil rights law, and pay civil monetary penalties as high as \$60,000.



**DOJ Agreement with Massachusetts General Hospital (MGH, 2020).** The DOJ entered into an [agreement](#) with MGH, after MGH decided that a patient was ineligible to receive a lung transplant because of their treatment with MOUD. After investigation, the DOJ found that MGH violated the ADA when it made its transplant eligibility determination based on the patient's OUD. In addition to paying the patient and his mother \$250,000 as relief for emotional distress and out of pocket expenses, as part of the agreement MGH was required to implement a non-discriminatory policy and train medical staff involved in decisions about transplants about OUD and the ADA.

**DOJ Agreement with New England Orthopedic Surgeons (NEOS, May 2021).** The DOJ entered into an [agreement](#) with New England Orthopedic Surgeons (NEOS) in Springfield, Massachusetts, for refusing to accommodate patients who were receiving treatment for OUD, in violation of the ADA. The investigation began after multiple complaints indicated that patients were being turned away due to their treatment with buprenorphine. In addition to adopting a non-discrimination policy, the settlement required NEOS to pay each of the complainants \$15,000 for pain and suffering.

**DOJ Agreement with King's Daughters Medical Center (KDMC, Jan. 2022).** The DOJ entered into an [agreement](#) with KDMC, a hospital based in Ashland, Kentucky, for turning away patients from its outpatient behavioral medicine program because they had OUD or were receiving medication to treat it, in violation of the ADA. In addition to adopting a non-discrimination policy, the settlement required the hospital to pay a civil penalty of \$50,000 to the United States, and to pay the complainant \$40,000 for pain and suffering.

**Pennsylvania Attorney General Commitments from Skilled Nursing Facilities (Sept. 2023).** The Office of Attorney General (OAG) in PA [announced](#) that it had received commitments from 7 operators of 38 skilled nursing facilities to end policies and practices that prohibited or restricted MOUD. The complainant was a 76-year old man, diagnosed with Lupus, who developed an opioid addiction from his prescribed morphine use for pain associated with Lupus. In December 2022, after a bout with a COVID-19 infection that necessitated hospitalization, surgery, and other medical interventions, the hospital attempted to refer the man to many skilled nursing facilities in the Harrisburg area. None of the skilled nursing facilities would accept him. The Office of Attorney General also obtained \$6,000 in restitution and damages for the complainant, and \$4,000 in costs.]

**DOJ Agreement with Alabama Medicaid Agency (Dec. 2, 2022).** While not about MOUD, DOJ entered into this [agreement](#) with Alabama's Medicaid Agency to address its policy of denying coverage for hepatitis medication to patients who had consumed alcohol or illicit drugs within six months prior to starting treatment or during the course of their treatment ("sobriety policy"). DOJ contended that the policy violated Title II of the ADA. The Agreement required Alabama to end the sobriety policy and take other measures. In January 2024, the Center for Medicaid Services sent this [letter](#) urging all State Medicaid directors to review their policies to ensure compliance with the ADA.

### **Child Welfare**

**U.S. Department of Health and Human Services Office for Civil Rights (OCR) Voluntary Resolution Agreement with West Virginia Department of Health and Human Resources**



**Bureau for Children and Families (DHHR) (2020).** OCR entered into a [Voluntary Resolution Agreement](#) (Agreement) with DHHR after an investigation of DHHR preceded by a complaint from a couple that was denied custody of their niece based on one's use of medically prescribed Suboxone and history of OUD, in violation of the ADA and Rehabilitation Act. DHHR agreed to cease discrimination against individuals with disabilities, including OUD, in child placement and other services, as well as ensure that any grant sub-recipients and contactors also comply with the ADA and Rehabilitation Act. Other terms of the agreement include revision of policies, staff training, evaluating any concerns regarding safety based on actual risk and not speculation or stereotypes, creating a grievance procedure for resolution of complaints alleging disability discrimination, two years of monitoring by OCA regarding compliance with the Agreement, and more.

**Department of Justice Letter to New York Attorney General (2017).** The U.S. Attorney in the Southern District of New York sent a [letter](#) to the New York Attorney General's office, explaining why courts that prohibit MAT as a condition of child custody or visitation may be discriminating in violation of the Americans with Disabilities Act.

**U.S. Department of Health and Human Services Office for Civil Rights (OCR) Voluntary Resolution Agreement with Pennsylvania Department of Human Services (DHS) (2023).** OCR entered into a [Voluntary Resolution Agreement](#) (Agreement) with the State of Pennsylvania to resolve a complaint that a woman was discouraged from applying to become a foster parent because she took methadone for OUD.. The Agreement required DHS to implement policies and training, among other measures.

### **Housing**

**DOJ Settlement Agreement with Ready to Work (Mar. 17, 2022).** The DOJ entered into a [settlement](#) agreement with Ready to Work, a non-profit program that provides residential, work, and social services for unhoused people in Aurora and Boulder, Colorado. The settlement follows an investigation into a complaint under Title III of the ADA claiming that Ready to Work discriminated against an individual with OUD by denying her admission to its program because she used prescribed MOUD. The agreement requires that Ready to Work cease its discrimination against people with OUD, train its staff on OUD and the ADA's nondiscrimination requirements, and report on compliance with the settlement. In addition, the settlement required that Ready to Work pay the complainant \$7,500 in compensatory damages.

**Tassinari v Salvation Army, Civil No. 21-10806-LTS 2025 WL 972724 (D. Ma, March 26, 2025).** The court granted class certification in a case charging the Salvation Army with maintaining a policy at its recovery housing programs (Adult Rehabilitation Centers) that prohibits participants from taking MOUD, in violation of the Rehabilitation Act and Fair Housing Act.