



Federal Laws

There are federal and state laws that protect people's civil rights and prohibit discrimination against people with disabilities.

- **Americans with Disabilities Act (ADA):** Health care agencies run by state and local governments are covered under Title II of the ADA. Health care organizations run by private businesses or nonprofit organizations are covered under Title III of the ADA. All places covered by the ADA must provide access to their facilities and programs for people with disabilities.

The ADA requires that health care entities provide full and equal access for people with disabilities. This can be done through:

- **Reasonable modifications of policies, practices, and procedures.** Adjusting policies, practices, and procedures, if needed, to provide goods, services, facilities, privileges, advantages, or accommodations.
- **Effective communication.** Making communication, in all forms, easily understood.
- **Accessible facilities.** Ensuring physical accessibility.

Covered health care facilities include, but are not limited to: hospitals, doctors' offices, pharmacies, dentists' offices, acupuncturists' offices, etc.

- **Section 504 of the Rehabilitation Act of 1973:** The Rehabilitation Act is clear that people with disabilities must not "by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination" in a provider's health care services.

In addition, both the Office of Civil Rights and FEMA have been clear that "allocation and/or denial of care under Crisis Standards of Care must be "free from stereotypes and biases, including generalizations and judgments about the individual's quality of life or relative value to society, based on the individual's disability, age, race, income level, or any protected basis."

Your Rights

- **You have the right to accessible and usable medical equipment at a provider's office or facility,** including weight scales, exam tables, and other equipment.
- **You have the right to have most physical barriers removed that make it hard for you to use your health care services.** This includes bathrooms, exam rooms, hallways and corridors, entrances, exits, and more.

KNOW YOUR RIGHTS



- **You have the right to understand your health care provider and to be understood.** This includes the right to have health information provided in an alternative usable format if you have a disability. Accommodations are made for, but not limited to, individuals who are blind, low vision, Deaf, hard of hearing, or have a speech impairment. Examples of accommodations may include sign language interpreters, magnifiers, or other assistive technology to assist with communication, depending on the individual's needs.
- **You have the right to have a person of your choosing accompany you to medical facilities and appointments.** As a reasonable accommodation, you may choose a family member, friend, professional, caregiver, or anyone else, to physically accompany you to appointments in order to aid with communication and support your mental health needs in all areas of testing and treatment.
- **You have the right to take your service animal into exam rooms with you.** Under the ADA, state and local governments, businesses, and nonprofit organizations that serve the public must allow service animals to accompany people with disabilities in all areas of the facility where the public is allowed to go. Service animals are allowed in medical facilities and exam rooms.

What to do if your rights or reasonable accommodation is denied

If you were denied an accommodation in a health care setting, request to speak to the health care compliance officer. Also, request the process on how to make a formal complaint. If after taking these steps the issue has not been resolved:

- One resource, **Disability Rights Education and Defense Fund**, communicates your rights as a person with a disability gaining equitable access in a medical or health care environment. Please refer to the Disability Rights Education and Defense Fund website at: dredf.org/legal-advocacy/laws/access-equals-opportunity.
- If you have questions about your rights or responsibilities under the ADA, **contact your local ADA Center**. Each center has ADA specialists who provide information and guidance to anyone requesting ADA information. You can call toll-free at 1-800-949-4232.
- If your rights were denied under ADA and have not been resolved with the provider, you can **file a complaint on the U.S. Department of Justice's website** at : www.ada.gov/filing_complaint.htm.