HEALTHCARE ACCESS FOR PATIENTS AND COMPANIONS WHO ARE BLIND OR EXPERIENCING VISION LOSS

ADA Audio Conference Series
June 15, 2021

Presenters

• Katie Frederick
  Community Manager and Accessibility Lead
  International Association of Accessibility Professionals

• Peter Berg
  Project Coordinator of Technical Assistance
  Great Lakes ADA Center
LAWS

Americans with Disabilities Act (ADA)
Rehabilitation Act Section 504
Affordable Care Act  Section 1557

Public Health Care Providers

• Americans with Disabilities Act
  • 28 C.F.R. § 35.160-164

• Must ensure communications are as effective as with others
  • Primary consideration of patient’s and/or companion’s preference
  • Reasonable Modifications in Policies, Practices and Procedures (i.e., service animals)
  • Information and Signage
Private Health Care Providers

- Americans with Disabilities Act
  - 28 C.F.R. § 36.201

- General Obligation:
  - Shall not discriminate on the basis of disability in the full and equal enjoyment of its goods, services, facilities, privileges, advantages, or accommodations.
  - Website Accessibility

Private Health Care Providers
(Continued)

- Americans with Disabilities Act
  - 28 C.F.R. § 36.302

- Modify Policies, Practices & Procedures
  - Provide escort services
  - Allow service animals
Private Health Care Providers (Continues)

- Americans with Disabilities Act
  - 28 C.F.R. § 36.303

- Effective Communication
  - Furnish appropriate auxiliary aids and services where necessary necessary to ensure effective communication with individuals with disabilities
  - Obligation extends to “companions”

Recipients of Federal Funding

- Section 504 of the Rehabilitation Act
  - Effective Communications
    - Written materials explaining benefits, services, waiver of rights and treatment consent must be effective
  
    - Providers with 15 or more employees required to provide auxiliary aids and services to provide equal opportunity to benefit from service
Recipients of Federal Funding (Continued)

• Section 1557, Affordable Care Act 45 C.F.R. § 92.202 & 92.204
  • Effective Communication as required by 28 C.F.R. §§35.160-164
  • Accessibility of Electronic and Information Technology

Recipients of Federal Funding (Continued)

• Selection Criteria
  • Method of preferred communication
  • Nature, length and complexity of communication
  • Context in which communication takes place
Auxiliary Aids and Services

• Examples:
  • Qualified readers
  • Taped texts
  • Audio recordings
  • Brailed materials and displays
  • Screen reader software
  • Magnification software
  • Optical readers
  • Large print materials
  • Accessible electronic and information technology

INTERACTING WITH PATIENTS/COMPANIONS WHO ARE BLIND OR EXPERIENCING VISION LOSS
Consider This Situation:

• A hospital employee, without identifying herself or the reason for her visit, enters the room of a patient who is blind and noisily places an object on the patient's bedside table.

• Is it the patient's lunch or is it a procedure tray?

Solution:

• The employee should identify herself and her purpose for entering the room:

  "Good afternoon, I’m Lonnie Smith, a dietary aide. I've placed your lunch tray on your bedside table. It's a cold roast beef sandwich today with a green salad, cake, and coffee. Do you need any other information about your tray?"
One of the Most Powerful Compliance Tools:

- The simple question: "How can I be of assistance to you?"

Three Assumptions about Someone who is Blind:

1. That the person will be totally blind;
2. That the person will use braille; and
3. That the person will travel with a cane or dog.
Don't Make Assumptions about Patient's Visual Acuity

- Respond to your patient's needs on an individual basis;
- Be guided by his or her request for assistance.

What Do You Need to Know?

- Identifying personnel
- Using basic sighted guide and mobility techniques
- Verbalizing directions
- Using disability-sensitive language and etiquette
- Speaking directly to patient in a conversational manner and not through companion
What Do You Need to Know? (Continued…)

• Orienting patient to layout of room, restroom facilities, convenience items, location and operation of call button, telephone, television, and environmental controls;

• Orienting patient to treatment room and supplies, e.g., location of gowns and specimen cups;

• Verbalizing or demonstrating procedures before they are performed;

• Orienting patient to lounges, recreation rooms, and nursing station in relationship to patient's room;

• Communicating evacuation/rescue plans; orientation to fire alarm pull boxes, fire extinguisher, and emergency exits.

What Do You Need to Know? (Continued…)

• Reading and completing forms and consents

• Communicating contents of in-room documents, e.g., patient information brochures and hospital services directory

• Reviewing bill/charges

• Counting and identifying currency
What Do You Need to Know? (Continued…)

- Handing credit card to patient after imprint;
- Using signature guide or template;
- Communicating written information (e.g., home care instructions, medication names and dosages, follow-up appointments, etc.);
- Reviewing policy concerning admission of service animals.

EFFECTIVE COMMUNICATION BEST PRACTICES

- Have available a variety of auxiliary aids and services.
- Avoid adopting a “one solution” policy.
- Identify patient’s communication needs at earliest encounter.
- Document those communication needs in medical records.
- Communicate those needs to the various departments where patient will be treated.
- Ask if same auxiliary aid or service will be required; do not assume.
Contact Information

• Katie Frederick
  • katiefred@gmail.com

• Peter Berg
  • (312) 413-1407
  • pberg@uic.edu

Resources

• U.S. Department of Health and Human Services (HHS)
  • Office for Civil Rights
    • (800) 368-1019 (V)
    • (800) 537-7697 (TTY)
    • OCRMail@hhs.gov
    • https://www.hhs.gov/ocr/index.html

• U.S. Department of Justice (DOJ)
  • (800) 514-0301
  • (800) 514-0383 (TTY)
  • https://www.ada.gov/filing_complaint.htm
Resources

• Prescription Drug Container Labels
  • https://www.access-board.gov/rx.html

• Best Practices for Accessible Prescription Drug Labeling

QUESTIONS

You may type and submit questions in the Q&A Area of the Zoom Platform or email your questions to webinars@adaconferences.org
Audio Conference Series

Session Evaluation

Your feedback is important to us

You will receive an email following the session with a link to the on-line evaluation

National Network
Information, Guidance, and Training on the Americans with Disabilities Act

July ADANN 30th Anniversary Session

Webinar: ADA jeopardy: Learn, Connect and Celebrate 30 Years of the ADA National Network

Wednesday – July 7, 2021
2:00 PM - 3:30 PM [Eastern Time]

Register & More:
www.ada-audio.org
Next Session:
Tuesday, July 20, 2021

ADA Anniversary Update

Registration available at: www.ada-audio.org