

*Call 1.888.HREXPRT for  
an answer today!*

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## Accommodating Deaf and LEP Patients

Are you familiar with your practice's responsibility to provide effective communication to deaf or hard of hearing patients under Title III of the ADA and to patients with Limited English Proficiency (LEP) under The Office of Civil Rights Title VI Act?

Please request and review the documents: Interpreters-FAQs-2006, LEP position statement, and AMA LEP booklet for more information.

Title III of the **Americans with Disabilities Act** prohibits discrimination against individuals with disabilities by places of public accommodation. 42 U.S.C. § 12181 - § 12189.

### **Q. What is the obligation of health care providers under the ADA for individuals who are deaf or hard of hearing?**

A. Health care providers have a duty to provide effective communication, using auxiliary aids and services that ensure that communication with people who have a hearing loss is as effective as communication with others. 28 C.F.R. §36.303(c).

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The **Office of Civil Rights (OCR)** Title VI Act of 1964 is a national law that protects persons from discrimination based on their race, color, or national origin in programs and activities that receive Federal financial assistance. The Health and Human Services office for Civil rights regulation defines federal financial assistance as anyone receiving funding from Medicaid, Medicare Part A, Public Health Service grants, and Aid to Families with Dependent Children.

### **Q. What does this mean to health care providers who receive Federal funding, i.e., provide care to patients covered under Medicare or Medicaid?**

A. Health care providers that receive Medicare or Medicaid funding or any of the other mentioned federally funded programs are required to provide interpreters at no cost to the LEP patient.

This information is provided to you as an extension of the services provided through Medical Mutual's HR|Experts program. Even though this particular issue is not an HR or employment-related matter, it is a frequent question and one that deserves attention. Please let me know if you have any questions and I will assist in answering your questions.

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