

## Examples of Extra (Auxiliary) Aids and Services

For individuals who are deaf or hard of hearing, here are some examples of extra (auxiliary) aids and services:

1. qualified interpreters on-site or through video remote interpreting (VRI) services.
2. note takers.
3. transcription services.
4. written materials.
5. exchange of written notes.
6. telephone handset amplifiers.
7. assistive listening systems.
8. telephones compatible with hearing aids.
9. closed caption decoders.
10. open and closed captioning; including real-time captioning.
11. voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or other telecommunications devices.
  - a. videotext displays.
  - b. accessible electronic and information technology; or
  - c. any other methods of making audio information available to individuals who are deaf or hard of hearing.

***The type of aid or service needed to make sure there is good communication will vary because of the length and the difficulty of the communication involved.***

**Remember, the ADA is not one-size-fits-all! Not all aids work for all people with disabilities or even for people with ONE type of disability!**

## Who is Responsible for the Costs of Extra (Auxiliary) Aids and Services?

Public places and public accommodations are responsible for covering the costs of such extra aids and services and may NOT add special charges to individuals with disabilities to cover the cost of these accommodations, such as providing qualified interpreters.

## What if a Public Entity Covered by Title II Refuses to Provide an Interpreter?

An individual who has been discriminated against because of his/her disability, or who has reasonable grounds for believing they are about to be discriminated against, has options to enforce the law under ADA.

There are two ways a private party can enforce the requirements of Title II. One may file either: (1) an administrative complaint with the Department of Justice (DOJ), or (2) an appropriate federal agency.

## ***How do I file an administrative complaint with the Department of Justice (DOJ)?***

Fill out and mail the Discrimination Complaint Form under the federal ADA, see website: [www.ada.gov/filing\\_complaint.htm](http://www.ada.gov/filing_complaint.htm).

## **U.S. Department of Justice, Civil Rights Division**

950 Pennsylvania Avenue, N.W.  
Disability Rights Section – NYAV  
Washington, D.C. 20530

## CONTACT THE DEAF AND HARD OF HEARING COMMISSION

<http://adsd.nv.gov/Boards/NCPWADHHSI/Nevada Commission for Persons Who Are Deaf Hard of Hearing or Speech Impaired/>

(800) 514-0301 (voice) (800) 514-0383 (TTY)

# HEALTHCARE AND HOSPITAL RIGHTS FOR PEOPLE WHO ARE DEAF AND HARD OF HEARING



The Americans with Disabilities Act (ADA) and state law requires physicians, hospitals, and healthcare professionals to provide effective communication for people who are deaf and hard of hearing. This guide is intended to provide helpful information for the consumer and healthcare professional to ensure effective communication is met.

“Effective communication” means that whatever is written or spoken must be as clear and able to be understood by people with disabilities, as it is for people who do not have disabilities. Public places and public accommodations must be sure communications with persons with disabilities are as good as communication with persons without disabilities. They are required to provide extra (auxiliary) aids and services that will provide good communication.

**Question:** What is effective communication in healthcare?  
Effective communication allows you to understand your medical condition and treatment options.

**Question:** Do I need an interpreter for effective communication?  
The answer to this question depends upon the length and complexity of the conversation you will be having with the healthcare professional.

**Question:** Who is a qualified interpreter?  
A qualified interpreter is an interpreter who can interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary.

**Question:** Can a family member or other person be asked to Interpret?  
No. It is inappropriate to ask a family member or friend to interpret. Family members and friends may be unable to interpret accurately in emotional situations involving healthcare issues.

A basic rule of the ADA is that persons with disabilities must be given an equal opportunity to participate in, or benefit from, a public place's or public accommodation's aids, benefits, and services. In general, a public place or public accommodation discriminates against a person who is deaf or hard of hearing IF:

1. A sign language interpreter is needed to make sure there is effective communication between the person who is deaf, or hard of hearing, and the public place or public accommodation, or
2. the person with the disability has asked for an interpreter, and,
3. the public place or public accommodation refuses to provide a qualified interpreter and does not offer to provide other extra (auxiliary) aids or services that would also result in effective communication.

**Question:** Who ultimately decides whether an interpreter is required—the patient or healthcare professional?  
The healthcare professional has the responsibility to ensure that there is effective communication with the patient. However, the healthcare professional should consult with the patient to determine whether an interpreter is necessary for effective communication.

**Question:** Who must pay for the interpreter?  
The healthcare professional. The professional may not refuse to provide an interpreter because the cost of the interpreter exceeds the professional's fee for the office visit.

**Question:** Does a healthcare provider need to provide an interpreter for a family member or others who are deaf?  
Yes. A healthcare provider must communicate effectively with customers, clients, and other individuals who are deaf or hard of hearing that are seeking or receiving its services.

For example, the parent of a minor child, a spouse, or other person who makes healthcare decisions may need an interpreter to effectively participate in making healthcare treatment choices for the patient.

### **Tips to ensure the Healthcare Professional Provides an Interpreter**

At the time you schedule the appointment, tell the professional's office that you are deaf and ask that them to provide an interpreter.

Provide the name and telephone number of a reputable interpreter agency if necessary, before your designated appointment, write a letter to the healthcare professional requesting an interpreter for your scheduled appointment.

**Kindness- is a language which the deaf can hear and the blind can see.**

- Mark Twain -