

UConn HEALTH

POLICY NUMBER 2016-04

March 15, 2017

POLICY: EFFECTIVE COMMUNICATION WITH INDIVIDUALS WHO ARE DEAF OR HARD OF HEARING

A. POLICY

UConn Health will take appropriate steps to ensure that persons who are deaf or hard of hearing have an equal opportunity to participate in our services, activities, programs and other benefits. The procedures outlined below are intended to ensure effective communication with patients and their companions involving their medical conditions, treatment, services and benefits. The procedures also apply to communication of information contained in important documents, including consent to treatment forms, financial and insurance benefits forms, etc. All necessary auxiliary aids and services shall be provided free of charge.

Staff will be provided written notice of this policy and procedure, and staff that may have direct contact with individuals with disabilities will be trained in effective communication techniques, including the effective use of interpreters.

B. PROCEDURE:

The following are general identified procedures to ensure effective communication with patients and their companions who are deaf or hard of hearing.

1. Identification and assessment:

UConn Health provides notice of the availability of and procedure for requesting auxiliary aids and services through notices in significant documents and communications such as brochures, letters, or advertisements and posted notices in waiting rooms and lobbies. UConn Health personnel shall ensure that an assessment is conducted by appropriate personnel to determine what aids or services are necessary to provide effective communication in particular situations.

In consultation with the patient and/or a companion with whom it is appropriate for the UConn Health to communicate [companion], responsible staff must:

- a. Determine whether an auxiliary aid or service is necessary to provide the patient or companion with effective communication, and if so, what type of auxiliary aid or service is needed.
- b. Confirm that the determination is appropriately documented in the medical record including the registration system.
- c. Conduct assessments for deaf or hard of hearing patients and/or companions based on the nature of the services and the specific facts and circumstances, **including the expressed preference of the patient and/or companion** which shall be honored unless another equally effective means of communication is available.

- d. Determine which appropriate auxiliary aid or service is necessary, and requested and arrival time.
- e. Reassess and document the effectiveness of the auxiliary aids and/or services, including inquiring of the patient and/or the companion as to the effectiveness of the communication and document their response.

2. Provision of Auxiliary Aids and Services:

UConn Health shall provide the following services or aids to achieve effective communication with persons who are deaf or hard of hearing:

a. Sign Language Interpreters (In-person or Remote)

For persons who use Sign Language as their primary means of communication, the Interpreting Service is responsible for providing effective interpretation during business hours. In the event that an interpreter is needed, call the UConn Health Operator (860-679-2626). The Operator is responsible to:

- maintain a list of qualified interpreters on staff showing their names, phone numbers, qualifications and hours of availability
- page the appropriate interpreter on staff to interpret, if one is available
- if a qualified interpreter on staff is not available, the UConn Health has contracted with several agencies to provide interpreter services. The UConn Health operator will arrange for an in-person interpreter via contracted agencies.

Video Remote Interpreting (VRI) may be used to provide effective communication using a qualified interpreter. In certain circumstances, VRI can be an effective method of providing interpreting services. Be advised that VRI is not appropriate for every person who is deaf or hard of hearing. UConn Health personnel should honor a request for an in-person interpreter unless the circumstances permit the use of another available equally effective means of communication.

Refer to **Appendix A** for performance standards and locations of VRI equipment.

UConn Health personnel shall make a qualified interpreter available to the patient or companion as soon as practicable from the determination that a qualified interpreter is necessary for effective communication, but no later than (a) two (2) hours when an onsite interpreter will be provided, or (b) within twenty-five (25) minutes when providing an interpreter through VRI. Any delays in service should be immediately reported to the Compliance Coordinator via UConn Health operator at 860-679-2626 and documented in the patient's medical record.

b. Auxiliary Aids and Services

Text telephones (TTYs) or other auxiliary aids will be made available in a timely manner by contacting the UConn Health operator at 860-679-2626. For urgent questions regarding auxiliary aids and the circumstances in which they are used, contact the UConn Health Operator to page the Coordinator of Interpreter Services (Mon. – Fri., 8:00am – 4:30pm) at 860-679-2289 or the UConn Health operator at 860-679-2626. The Compliance Coordinator, or his/her designees will also provide appropriate assistance regarding immediate access to and proper use of any auxiliary aid or service required by UConn policy, including qualified interpreters.

To contact the Compliance Coordinator or designee, please call the UConn Health operator at 860-679-2626.

c. Preference for family member, companion or other personal interpreter

Some persons who are deaf or hard of hearing may prefer or request to use an adult family member or adult friend as an interpreter. However, family members or friends of the person will not be used as interpreters unless specifically requested by that individual and *after* an offer of an interpreter at no charge to the person has been made. Such an offer and the response will be documented in the patient's record. Minor children will *not* be used to interpret, except in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no other interpreter available.

d. Equally effective alternative aids/services

When UConn Health denies a preferred choice for communication and offers an equally effective alternative, documentation should identify the individual making the determination, the date and time of the denial; the alternative auxiliary aid or service that was provided; and the specific reason for denying the requested auxiliary aid or service. A copy of the grievance procedure along with a written statement of determination will also be provided to the patient/companion at the time of the denial.

e. Declination or waiver of services

Should an individual decline auxiliary aids and services offered by UConn Health, documentation in the medical record should include that risks of declining/refusing services were explained using effective means of communication, and the time of refusal and reason for refusal.

3. Informed Consent

Under no circumstances should a deaf or hard of hearing patient (or her/his companion, when also in the role of patient representative) be permitted to sign an informed consent without the benefit of a qualified interpreter or other auxiliary aids and/or services providing an equally effective means of communication, regardless of the patient's and/or companion's refusal of auxiliary aids and/or services. Please refer to the [Informed Consent, Clinical – Obtaining and Disclosing policy](#).

4. Discipline

Failure to comply with this policy, including properly documenting the circumstances, assessment, and manner in which effective communications with a deaf or hard of hearing patient or companion has been achieved, or the circumstances surrounding the refusal of auxiliary aids or services in the medical record, can result in discipline, up to and including dismissal.

Applicable Laws:

- Title II of the Americans with Disabilities Act (“ADA”), 42 U.S.C. §§ 12131-12134
- Section 504 of the Rehabilitation Act of 1973 (“Section 504”), 29 U.S.C. § 794(a)
- Section 1557 of the Patient Protection and Affordable Care Act, 42 U.S.C. § 18116

Anne Diamond (Signed)

4/4/17

Anne Diamond, JD, CNMT
Chief Executive Officer
John Dempsey Hospital

Date

Anne Horbatuck (Signed)

4/24/17

Anne D. Horbatuck, RN, BSN, MBA
Vice President
University Medical Group Administration

Date

Steven Lepowsky (Signed)

5/5/17

Steven Lepowsky, DDS
Sr. Assoc. Dean for Education & Patient Care
Assoc. Professor & Chair, Division of General Dentistry

Date

Andrew Agwunobi (Signed)

5/9/17

Andrew Agwunobi, M.D., M.B.A.
Chief Executive Officer
Executive Vice President for Health Affairs

Date

NEW POLICY: 8/9/16

Revised: 3/15/17

(Significant portions of this policy taken from JDH Hospital Administrative Manual policy # 08-009, now retired (date issued and revisions noted below)

Date Issued: 5/77

Date Reviewed: 12/91, 2/94, 5/97, 9/99, 6/12

Date Revised: 5/80, 1/81, 1/86, 12/88, 12/94, 10/98, 11/98, 6/99, 5/00, 11/03, 10/08, 1/10, 2/11, 11/13, 1/14, 8/15, 7/16)

Appendix A

Standards for Providing Video Remote Interpreting (VRI)

Whenever VRI is provided or used, UConn Health personnel shall ensure that VRI is provided in accordance with the following performance standards:

- a. Real-time, full-motion video and audio over a dedicated, high-speed, wide-bandwidth video connection or wireless connection that delivers high-quality video images that do not produce lags, choppy, blurry, or grainy images, or irregular pauses in communication;
- b. A sharply delineated image that is large enough to display the interpreter's face, arms, hands, and fingers, and the participating individual's face, arms, hands, and fingers, regardless of his or her body position;
- c. A clear, audible transmission of voices;
- d. Ensure that the interpreter providing VRI is a qualified interpreter who is capable of communicating effectively with the Patient or Companion; and
- e. Ensure UConn personnel are adequately trained in the use of the technology and that other involved individuals are adequately trained so they may quickly and efficiently set up and operate the VRI.

Locations of VRI Devices

1. JDH Emergency Department
2. JDH Nursing Supervisor Office
3. Canton Urgent Care
4. Out Patient Pavilion (3)
5. Dermatology at 21 South Road
7. MSI in the MARB building
8. Southington Multispecialty
9. UMG at West Hartford
10. UMG East Hartford
11. Storrs Urgent Care
12. UMG Simsbury
13. UConn Health Dental Clinics (3)
14. Center for Orthodontic Care/Outpatient Pavilion
15. Pediatric Dentistry/UConn Health West Hartford
16. UConn Health Storrs Dental