

BULLETIN

FOR IMMEDIATE RELEASE
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OCR Signs Effective Communication Dear Colleague Letter with the Puerto Rico Hospital Association

On June 9, 2015, the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR) and the Puerto Rico Hospital Association signed a joint letter to increase awareness of an important issue affecting the provision of medical services to deaf and hard of hearing individuals – the provision of auxiliary aids and services to ensure effective communication.

The Joint Letter may be found in English and in Spanish on OCR's website at:

www.hhs.gov/ocr/civilrights/resources/specialtopics/hospitalcommunication/ecdisability.html

- [English](#) (PDF/108KB)
- [Spanish](#) (PDF/115KB)

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act (ADA) and Section 1557 of the Patient Protection and Affordable Care Act (Section 1557). These Federal laws require hospitals, health care providers, clinics, medical practices and other entities who receive funds from HHS to provide services to persons with disabilities in a non-discriminatory manner. This includes providing appropriate auxiliary aids and services to deaf and hard of hearing patients and their family members when necessary to ensure effective communication with service providers.

Effective communication is critical in health care settings. Failure to ensure effective communication in such settings may lead to a misunderstanding of a patient's symptoms and thus to an inappropriate diagnosis and delayed or improper medical treatment. It may also result in miscommunications concerning important medical instructions and warnings or medication information.

Family members play a vital role in a patient's care and their participation is often critical to ensuring health care services are accessed and understood. However, an accurate exchange of information is critical for a health care provider to correctly diagnose and provide appropriate care and treatment to a patient. While persons who are deaf or hard of hearing are often accompanied to medical settings by family members and friends who they use as interpreters, these individuals often lack the impartiality and specialized vocabulary needed to interpret medical information effectively and accurately. This is often the case with minor children. Section 504 and the ADA place responsibility for providing effective communication, including the use of qualified interpreters, directly on health care providers.

For additional information on communicating with deaf and hard of hearing individuals in hospital settings please see the following resources:

- www.hhs.gov/ocr/civilrights/resources/specialtopics/hospitalcommunication/index.html
- www.hhs.gov/ocr/civilrights/resources/factsheets/effcomm.html
- www.ada.gov/hospcombr.htm
- www.ada.gov/effective-comm.htm

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