

Bulletin

HHS Office for Civil Rights Ensures Effective Communication with Deaf and LEP Persons throughout Colorado's Memorial Health System

The U.S. Department of Health and Human Services, Office for Civil Rights (OCR) and Memorial Health System (MHS) in Colorado Springs, Colorado, have signed a voluntary resolution agreement to ensure effective communication with and enhance the quality of services for persons who are deaf, hard of hearing, or have limited English proficient (LEP). In August, MHS, which responded to more than 320,000 outpatient visits in 2011, became part of the University of Colorado Health's system. MHS' network is comprised of three acute-care hospitals which include a level II trauma center, several specialty care centers, two urgent care centers and an administrative center.

The agreement results from an investigation OCR initiated after receiving a complaint from a deaf individual who encountered a delay in receiving a sign language interpreter at a MHS facility. During the investigation, OCR uncovered additional issues related to language access and expanded the investigation to encompass these issues.

Under the agreement, MHS is obligated to take several critical steps towards improving access to appropriate communications services for deaf and LEP persons, including:

- assessing and identifying the communication needs of patients and/or their companions
- establishing and implementing policies to provide interpreter services within reasonable timeframes
- developing and implementing language assistance complaint procedures
- providing staff training
- conducting outreach to consumers

OCR conducted its investigation under Section 504 of the Rehabilitation Act of 1973, which applies to entities that receive Federal funds, and Title II of the Americans with Disabilities Act of 1990, which applies to state and local government entities. These laws require covered entities to ensure effective communication. Additionally, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin in any program that receives Federal financial assistance and requires that recipients of Federal funds, like MHS, take reasonable steps to ensure meaningful access to their programs and services by LEP persons.

The Office for Civil Rights will monitor MHS' compliance for one year. A copy of the voluntary resolution agreement may be found at: <http://www.hhs.gov/ocr/civilrights/activities/agreements/index.html>.

People who believe that an entity receiving Federal financial assistance has discriminated against them (or someone else) may file a complaint with OCR at:

<http://www.hhs.gov/ocr/civilrights/complaints/index.html>.