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### Hospital Settles ADA Case With DOJ Over Auxiliary Aids and Services

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Three of the hospitals and 31 other entities in Beaumont Health in Michigan are now required to have an employee on hand 24/7 to help patients who are deaf or hard of hearing with auxiliary aids and services, including qualified interpreters, under a voluntary resolution agreement<sup>[1]</sup> with the U.S. attorney's office. It's one of numerous compliance reforms in the agreement, which stems from patient complaints that one of the facilities, William Beaumont Hospital, allegedly violated the Americans with Disabilities Act<sup>[2]</sup> (ADA), the U.S. Attorney's Office for the Eastern District of Michigan said Nov. 13.

Although multiple patients who are deaf or hard of hearing repeatedly asked for sign language interpreters for complex medical appointments and procedures, William Beaumont Hospital allegedly didn't provide them. The patients, who use American Sign Language, allegedly had to rely on their relatives as interpreters or used video remote interpreting (VRI) services that had "poor connectivity" or were hard to see because of problems with the patient's mobility or vision. As a result of the hospital's alleged failure to provide sign language interpreters, "deaf individuals were denied the benefit of effective communication with hospital staff, the opportunity to effectively participate in medical treatment decisions, and the full benefit of health care services provided by the hospital," the U.S. attorney's office said.

Beaumont Health denied wrongdoing and didn't admit liability in the settlement.

The ADA prohibits discrimination based on disability, and Title III specifically states that "No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation."<sup>[3]</sup> The term "public accommodation" includes hospitals, pharmacies, physician offices, lawyer's offices and government offices. The definition of "discrimination" includes "failure to take steps necessary to ensure that no individual with a disability is excluded, denied service, or otherwise treated differently because of the absence of auxiliary aids and services, unless such steps would fundamentally alter the nature of the good, service, facility, privilege, advantage or accommodation being offered or would result in an undue burden."<sup>[4]</sup>

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