

Hospitals Told To Allow Visitors For Individuals With Disabilities

by Michelle Diamant | June 10, 2020

In a move that advocates say has national implications, federal officials are clarifying that hospital no-visitor policies must have exceptions for needed support people for those with disabilities.

The U.S Department of Health and Human Services' Office for Civil Rights said Tuesday that it reached a resolution with the state of Connecticut in a first-of-its-kind complaint filed by disability advocates. The complaint alleged that the state's policies related to hospital visitors during the COVID-19 pandemic violated the Americans with Disabilities Act, Section 504 of the Rehabilitation Act and the Affordable Care Act.

Hospitals across the nation have instituted policies curtailing visitors in an effort to slow the spread of coronavirus. In some cases, advocates said that such policies lack needed exceptions for people with disabilities.

In Connecticut, the state guidance which led to the civil rights complaint indicated that a support person should be allowed at the hospital with patients with intellectual and developmental disabilities who receive services from the state's Department of Developmental Services. However, the same accommodation was not extended to others with similar needs who are not supported by the state agency.

As part of the resolution with the HHS Office for Civil Rights, Connecticut is issuing an executive order creating a new statewide policy requiring that people with disabilities be allowed to have a designated support person with them at the hospital. If a patient with a disability is at the hospital for more than a day, they are entitled to two support people, but only one may be present at a time.

"This resolution proves that states can keep people safe during this pandemic without sacrificing the right of persons with disabilities to the support they need to receive equal access to medical care and treatment," said Roger Severino, director of the HHS Office for Civil Rights.

Disability advocates said that while the resolution is specific to Connecticut, its significance extends beyond the state.

"Today's resolution sets a national precedent for how states and hospitals can ensure their policies comply with federal disability laws," said Alison Barkoff, director of advocacy at the Center for Public Representation, one of the organizations that brought the complaint. "The COVID-19 crisis has laid bare the discrimination that people with disabilities face in accessing health care. We appreciate OCR's leadership and collaboration with us to ensure people with disabilities can access the care they need."

© 2020 Disability Scoop, LLC. All Rights Reserved.

View this article online at <https://www.disabilityscoop.com/2020/06/10/hospitals-told-allow-visitors-disabilities/28451/>

×

You're reading 2 of 3 free articles this month.

Get unlimited Disability Scoop access starting at just \$5

[JOIN TODAY](#)

Already a member? [Log In](#)

