



Department of Justice

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JUSTICE DEPARTMENT AND INOVA FAIRFAX HOSPITAL REACH AMERICANS WITH DISABILITIES ACT AGREEMENT

*Agreement Will Help Ensure Effective Communication With People Who Are Deaf or
Hard of Hearing*

WASHINGTON – The Department of Justice today announced a comprehensive settlement agreement under the Americans with Disabilities Act (ADA) with Inova Fairfax Hospital, a hospital serving the Virginia suburbs of Washington, D.C. The settlement agreement, which is designed to ensure effective communication with patients or companions who are deaf or hard of hearing, resolves allegations that the hospital did not appropriately respond to an incident involving a patient who was hearing-impaired.

“Patients and their families need to be able to communicate with medical providers for proper diagnosis and treatment,” said Wan J. Kim, Assistant Attorney General for the Civil Rights Division. “This agreement should serve as a model for other hospitals to make certain that individuals who are deaf or hard of hearing have equal access to medical care and treatment as required by the ADA.”

The settlement agreement resolves allegations that the hospital did not appropriately respond to requests to provide a qualified sign language interpreter for the deaf mother of a pregnant patient who had been involved in a car accident. Approximately 30 minutes after arrival, while still in the ER, the patient expressly requested a sign language interpreter for her mother; however, Inova failed to call for an interpreter until 5 ½ hours after the initial request. This forced the patient to act as the interpreter for her mother at the same time that the patient was receiving distressing news about her own condition.

Under the agreement, the hospital will provide auxiliary aids, when needed, to family members and companions as well as to patients; assess the communication needs of individuals with speech or hearing impairments upon their arrival or at the time an appointment is scheduled; and provide qualified interpreters (on-site or video interpreting) as soon as possible (and within specified time limits) when necessary for effective communication, especially in circumstances involving lengthy or complex

interactions such as admissions and detailed discussions of symptoms, diagnosis and treatment. The hospital has also agreed to pay the patient and her mother a total of \$55,000 in damages.

“Effective communication is particularly critical in the health care setting,” said Chuck Rosenberg, U.S. Attorney for the Eastern District of Virginia. “We are committed to ensuring that individuals with disabilities and their families are not subjected to unequal treatment because of poor communication with medical personnel about their symptoms, diagnoses and treatment.”

Title III of the ADA applies to private entities such as hospitals and other medical care facilities and, among other things, requires that private entities such as hospitals ensure effective communication with persons with speech, hearing and vision impairments. People interested in finding out more about the ADA or the agreement can call the Justice Department’s toll-free ADA Information Line at 1-800-514-0301 or 1-800-514-0383 (TTY), or access its ADA Web site at <http://www.ada.gov>.

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