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## CT, Hartford HealthCare resolve civil rights complaint over visitor restrictions



PHOTO | HBJ FILE

Hartford Hospital, Hartford HealthCare's flagship hospital.

By Matt Pilon

**G**ov. Ned Lamont's mandated hospital-visitor restrictions, meant to stem the spread of COVID-19 over the past several months, have also prevented disabled patients from accessing support people to help them understand and communicate about their care, the federal government said Tuesday.

The U.S. Department of Health and Human Services' Office of Civil Rights announced Tuesday that it had reached a so-called "early case resolution" with both the state and the seven-hospital health system.

Each has agreed to make exceptions to the visitation restrictions, which remain in place under executive order, for patients with disabilities.

OCR said it received complaints in May alleging that the state's restrictions violated the Americans with Disabilities Act as well as provisions of the Rehabilitation Act and the Affordable Care Act.

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According to OCR, complainants also alleged that Hartford Hospital unlawfully failed to provide a reasonable modification to its no-visitor policy for a 73-year old patient with aphasia and severe short-term memory loss who is mostly non-verbal.

As a result of the OCR-mediated settlement, HHC has granted the patient access to a support person, and the state’s Department of Public Health issued an order Tuesday clarifying that patients with various disabilities who need assistance while in the hospital are allowed one support person to be with them to provide support and help them understand their care.

The support person must be screened for COVID-19 symptoms, wear protective equipment, not have previously tested positive for the virus, and take other precautions.

“We cannot commend Connecticut enough for quickly updating its policies to protect the right of persons with disabilities to equal treatment especially during a crisis,” Roger Severino, OCR’s director, said in a statement. “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.”

In a statement to HBJ Tuesday morning, HHC said its goal is always to ensure full and equal access to healthcare services and facilities.

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"Hartford HealthCare provides services in full compliance with the Department of Public Health’s order," the health system said. "Whenever barriers to care are identified for a patient with a disability, Hartford HealthCare strives to work with patients and their families to implement effective solutions and accommodations in a timely fashion."

The OCR announcement included a statement from Lamont that said resolving the complaints was a priority for the state.

“The order issued by [DPH] Commissioner Gifford implements vital safeguards for individuals with special needs to ensure proper and safe care is being provided and received in a hospital setting,” Lamont said.



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