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Connecticut Settles Disability Complaint Over Hospital Visitation

by Christine Stuart | Jun 9, 2020 9:42am

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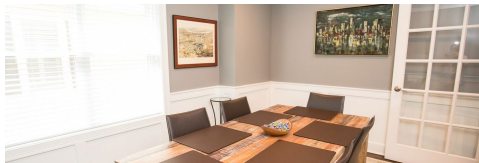


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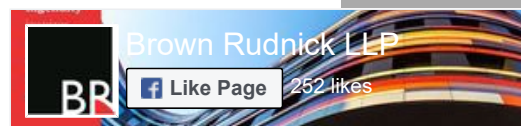
The federal Office of Civil Rights reached an agreement Tuesday with the state of Connecticut that allows caregivers of those with disabilities to have a support person accompany them to hospitals and other medical settings.

Disability Rights Connecticut and several other advocacy groups filed a **complaint** with the U.S. Office of Civil Rights on May 4 urging the federal agency to "immediately investigate and take swift action" to resolve allegations of disability discrimination.

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Because of COVID-19, hospitals and other medical settings were not allowing the caregivers of persons with disabilities the opportunity to accompany their loved ones to the hospital.

As part of the [resolution](#) reached Tuesday, Connecticut Gov. Ned Lamont is expected to issue an executive order to ensure that people with disabilities have reasonable access to support personnel in hospital settings in a manner that is consistent with disability rights laws and the health and safety of patients, healthcare providers, and support persons.

“As vulnerable populations around the state continue to be disproportionately affected by the COVID-19 pandemic, it was a priority for my office and the state to come to a resolution on allowing a support person to accompany and advocate for individuals with disabilities into our hospitals,” Lamont stated. “The order issued by 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.”

The order, according to a press release from the Office of Civil Rights, will include establishing a statewide policy requiring hospitals and other acute care settings to permit the entrance of a designated support person for a patient with a disability and permitting family members, service providers or other individuals knowledgeable about the needs of the person with a disability to serve as a designated support person. Where patients with a disability are in such a setting for longer than one day, they may designate two support persons, provided only one is present at a time.

The Department of Developmental Services and the Connecticut Hospital Association reached an agreement at the end of April to allow some caregivers to accompany their loved one with an intellectual and developmental disability to the hospital. But the accommodation was limited to only those receiving services from DDS.

The guidance “unlawfully limits protections to only those individuals with I/DD who are served by DSS,” Disability Rights Connecticut said in their complaint. “The letter excludes people with disabilities in Connecticut not served by DDS, as well as those who do not have I/DD but have equally critical needs for, and the legal right to, a support person to accompany them to the hospital.”

With the exception of three Connecticut hospitals operated by Nuvance Health, which also operates hospitals in New York, not a single Connecticut hospital had an exception to its visitation prohibition for support persons for individuals with disabilities, according to DRCT.

DRCT was joined in filing the federal complaint by the Center for Public Representation and Communication FIRST, both based in Washington, D.C., and The Arc of Connecticut, The Arc of the United States, and Independence Northwest: Center for Independent Living of Northwest CT.

Tags: [Disability Rights Connecticut](#), [Ned Lamont](#), [Department of Developmental Services](#), [ahg](#)

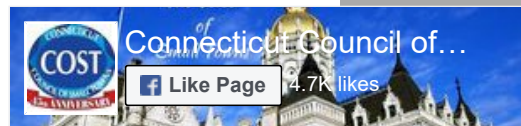
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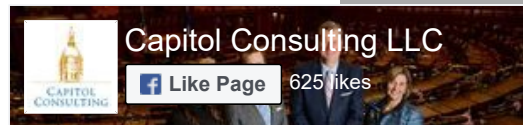


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