



Justice. Community. Inclusion.

Disability Rights Connecticut

"Connecticut's protection and advocacy system"

846 Wethersfield Avenue
Hartford, CT 06114

Sent Via Electronic Mail and U.S. Mail

April 14, 2020

Renée D. Coleman-Mitchell, MPH
Commissioner, Department of Public Health
410 Capitol Avenue
Hartford, CT 06134

Re: **Hospital Visitation Policies for Individuals with Disabilities**

Dear Commissioner Coleman-Mitchell:

I write on behalf of Disability Rights Connecticut (DRCT), the state's designated protection and advocacy system. I am urging you to take swift action and provide statewide guidance to hospitals and health care facilities concerning visitors during the COVID-19 emergency. It is imperative that exceptions be made to the restricted visitor policies in order to allow individuals with disabilities the ability to have with them a support person.

DRCT became aware of a situation involving an individual who is deaf-blind who went to an emergency department in New Haven on Thursday, April 2, and was informed the only interpreting service that could be provided was VRI (Video Relay Interpreting). The individual cannot communicate through VRI due to the person's blindness. No other interpreter was provided or allowed by the hospital due to restrictions regarding PPE, social distancing, and visitors.

Individuals with disabilities who need communication or behavioral supports in hospital situations retain their rights to reasonable accommodations under federal law, including the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and Section 1557 of the Affordable Care Act (ACA), even in a pandemic.

To assist the Department, DRCT reviewed several policies from other states and hospitals.¹ We propose the Department of Public Health immediately issue a directive stating that hospital visitation policies restricting visitors must include an exception with language similar to the following:

¹/ *See: Health Advisory: COVID-19 Updated Guidance for Hospital Operators Regarding Visitation*; New York Department of Health (4/10/2020);

Patients with disabilities who need assistance due to the specifics of their disability may have one designated support person with them. This could include specific needs due to altered mental status, intellectual or cognitive disability, communication barriers or behavioral concerns. If a patient with a disability requires an accommodation that involves the presence of a family member, personal care assistant or similar disability service provider, knowledgeable about the management of their care, to physically or emotionally assist them during their hospitalization, this will be allowed with proper precautions taken to contain the spread of infection.

For hospitalized patients, especially with prolonged hospitalizations, the patient or family/caregiver may designate two support people; but only one support person may be present at a time. This restriction must be explained to the patient and support person in plain terms, upon arrival or, ideally, prior to arriving at the hospital. Hospital staff should ensure that patients fully understand this restriction, allowing them to decide who they wish to identify as their support person.

Your tireless work on behalf of individuals with disabilities and all of us in Connecticut is sincerely appreciated. Please do not hesitate to contact me at 503-502-1967 or bob.joondeph@disrightsct.org if you have questions or would like additional information. Thank you in advance for your consideration of this matter.

Sincerely,



Bob Joondeph
Interim Executive Director

cc: Governor Ned Lamont
Attorney General William Tong
Barbara Cass, RN Chief, Healthcare Quality & Safety Branch
Donna Ortelle, Section Chief, Facilities Licensing and Investigations Section (FLIS)

https://opwdd.ny.gov/system/files/documents/2020/04/doh_covid19_hospitalvisitation_4.10.20.pdf ; **REVISED COVID-19 Guidance for Entry into Acute Health Care Facilities: April 11, 2020**, Oregon Health Authority;
<https://sharedsystems.dhsoha.state.or.us/DHSForms/Served/le2282.pdf> ; Rush University Medical Center, Chicago, IL
<https://www.rush.edu/patients-visitors/covid-19-resources/rush-coronavirus-covid-19-patient-and-visitor-updates>

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