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State issues order allowing people with disabilities companions in hospital settings, settling civil rights complaint

By EMILY BRINDLEY HARTFORD COURANT | JUN 09, 2020

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Hartford Hospital health care professionals wave to Hartford firefighters and police officers who drove past the hospital April 7 with their lights on in a show of support for health care workers. (Brad Horrigan / Hartford Courant)

The state of Connecticut has issued an executive order that will ensure people with disabilities are allowed a companion in hospital settings, after a group of disability rights advocates filed <u>a civil</u> **rights complaint** last month.

Disability Rights Connecticut — which led the effort to file the complaint — said in a Tuesday press release that the state's response marked "a significant victory for people with disabilities."

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In May, Disability Right Connecticut and a number of other advocacy organizations **filed a complaint** with the Office for Civil Rights, which is part of the U.S. Department of Health and Human Services. The complaint argued that the state's strict hospital visitation policies, put in place as a result of the coronavirus, were effectively barring people with disabilities from accessing the interpreters and family members who typically allow them to communicate with medical staff.

By so doing, the complaint argued, the state was preventing people with disabilities from accessing appropriate medical care.

FEED BACK



New Haven, Ct. - 05/27/2020 - With disinfectant spray beads on his face shield, John Grimes, a volunteer RN through the Connecticut Medical Reserve, seals a coronavirus test at a pop-up testing site on the New Haven Green. Photograph by Mark Mirko | mmirko@courant.com (Mark Mirko / Hartford Courant)

On Tuesday, just over a month after the complaint was filed, the Office for Civil Rights announced that it had mediated and resolved the complaint — and as a result, the state issued **an order** allowing all people with disabilities to have at least one support person accompany them into hospital settings.

Disability Rights Connecticut's interim executive director, Bob Joondeph, said in a statement that the complaint resolution ensures that people with disabilities will no longer face this type of discrimination in the hospital.

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The Office for Civil Rights "persuaded our state to do what should have been done from day one – assure that every individual with a disability hospitalized in Connecticut has equal access to care," Joondeph said. "Because the state now has a clear written policy, patients with disabilities can expect to have their rights upheld."

In **the original complaint**, Disability Rights Connecticut illustrated the injustice of the hospital visitor policy by describing three hospitalized patients who could not communicate with medical staff unless they had a companion with them. Susan Fandacone — whose mother Joan Parsons was described in the complaint — said she calls the state's new policy "Joan's Voice" in honor of her mother.

"This agreement gives individuals with disabilities something quite fundamental – a voice in their own care, and assurance that it will not be compromised or diminished," Fandacone said in the release.

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As part of the mediation, the Office for Civil Rights also resolved a similar complaint against Hartford HealthCare. That hospital system **began loosening its visitor restrictions** for numerous types of patients even before the state's order was issued.

The state's order, signed by acting commissioner of the state Department of Public Health Dr. Deidre Gifford, was issued Tuesday but does not go into effect until June 15.

The order allows any person with disabilities to designate a support person to accompany them to the hospital, or two alternating people if the hospital stay will be longer than one day. Under the order, all support people must not have COVID-19 symptoms and must follow hospital rules on social distancing and protective gear.

The order adds that "every effort shall be made to support the patient with disabilities employing virtual communication options whenever possible."

This story has been updated.

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Emily Brindley Hartford Courant

Emily Brindley covers West Hartford and the Farmington Valley, as well as breaking news, for the Hartford Courant. She graduated from the University of Pittsburgh with degrees in psychology and nonfiction writing, and was previously a town reporter at the Journal Inquirer.

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