

WILLAMETTE FAMILY MEDICAL CENTER, INC.
POLICY FOR THE HEARING IMPAIRED
January 20, 2012

I. Purpose

To identify and provide aids and services to meet the communication needs of patients' and family members who are deaf, hard of hearing or have speech disabilities.

To facilitate the provision of auxiliary aids and sign language interpreters for scheduled non-emergency and emergency appointments to deaf or hard of hearing patients.

And, to facilitate equal services, accommodations, and other opportunities to individuals with any disability, including someone who is deaf or hard of hearing, or because of the known relationship of a person with someone who has any disability, including someone who is deaf or hard of hearing.

II. Policy

WILLAMETTE FAMILY MEDICAL CENTER, INC. (also referred to as "Clinic") will provide auxiliary aids and services to facilitate effective communication between Clinic personnel and patients, family members and hospital visitors who are deaf or hard of hearing, or have speech or cognitive/intellectual impairments, in accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. In accordance with applicable law, WILLAMETTE FAMILY MEDICAL CENTER, INC. will provide to such individuals equal access to its services and accommodations as reasonably necessary for effective communication.

Pursuant to State and Federal laws and regulations and pursuant to the requirements of this policy, sign language interpreters and specified auxiliary services listed in section V(A) of this policy are available during ALL Clinic medical service hours at no cost to the patient.

III. Scope

This standard practice applies to patients, their family, and other Clinic visitors seeking assistance with patient care issues or otherwise conducting business at or with WILLAMETTE FAMILY MEDICAL CENTER, INC.

IV. Definitions

Auxiliary Aids and Services – Include but are not limited to: qualified interpreters on-site or through video remote interpreting (VRI) services; note takers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed-captioning, including real-time captioning; voice, text,

and video-based telecommunications products and systems including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic information technology; or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing.

Companion – A person who visits and/or accompanies a patient in the Clinic, is deaf or hard of hearing, and is either (a) a person whom the patient, or circumstances, indicates should communicate with Clinic personnel about the patient, participate in any treatment decision, play a role in communicating the patient’s needs, condition, history or symptoms to Clinic personnel, or help the patient act on the information, advice or instructions provided by Clinic personnel, as permitted by federal and applicable state laws governing medical decision-making, privacy and confidentiality; (b) a person legally authorized to make health care decisions on behalf of a patient, including but not limited to a legal guardian; or (c) such other person with whom the Clinic personnel would ordinarily and regularly communicate concerning the patient’s medical condition and medical advice, including the patient’s next of kin or health care surrogate. When the term “companion” is not capitalized, it shall have its ordinary meaning and shall include the individuals covered in the definition of “Companion” in this paragraph, whether they be hearing impaired or not. Disclosure of confidential medical information to a companion concerning a patient will occur only to the extent that such disclosure is permitted under the Health Insurance Portability and Accountability Act (“HIPAA”), privacy rules, and other applicable laws governing the privacy and confidentiality of patient information. The term “Companion” shall not include visitors who do not fulfill the roles set forth in this paragraph.

Clinic Personnel – All employees and officers of WILLAMETTE FAMILY MEDICAL CENTER, INC., including, without limitation, nurses, physicians, social workers, technicians, admitting personnel, billing staff and therapists.

Patient - A person who has a communication disability (e.g., deaf or hard of hearing, deaf/blind, or cognitively impaired) and is seeking and/or receiving medical, educational, or other services at WILLAMETTE FAMILY MEDICAL CENTER, INC.

Sign Language Interpreter, Oral Interpreter, or Interpreter – An interpreter who is able to interpret English to American Sign Language effectively, accurately and impartially, both receptively and expressively, using any specialized terminology necessary for effective communication with a “Patient” or a “Companion” who is deaf or hard of hearing. Someone who has only a rudimentary familiarity with sign language or finger spelling is not an “interpreter” under this definition. Likewise, someone who is fluent in American Sign Language but who does not possess the ability to process spoken communication into the proper signs or to observe someone signing and change their signed or finger spelled communication into spoken words is not an interpreter.

Sign language interpreter services – Interpreter services for someone who is deaf or hard of hearing or who has a speech disability and whose primary means of communication is sign language. This includes patients and their companions (such as parents, spouses, or caregivers) who rely primarily on lip reading, American Sign Language (ASL), oral, and signed English.

If WILLAMETTE FAMILY MEDICAL CENTER, INC. has staff interpreter(s):

Staff interpreter – An employee who has formal training or certification in interpretation; has demonstrated expertise in the target language, including medical terminology; and who provides interpreter services as his or her job. A staff interpreter provides on-site and over-the-phone interpretation, including sight translation of written materials.

TTY and TDD – Devices that are used with a telephone to communicate with persons who are deaf or hard of hearing by typing and reading communications. TTY -- a "teletypewriter", sometimes also referred to as a "TDD," a text telephone device containing a keyboard and visual display designed to exchange written messages over the telephone that is commonly used for telephonic communication by the deaf and hard of hearing, or have a speech disability.

Telecommunications Relay Service (TRS) - A telephone service that allows persons with hearing or speech disabilities to place and receive telephone calls. This service is often used in conjunction with a TTY and TDD. TRS allows communications assistants (CAs) to facilitate telephone calls between people with hearing and speech disabilities and other individuals. A TRS call may be initiated by either a person with a hearing or speech disability, or a person without such disability.

Video Remote Interpreting – An interpreting service that uses video conference technology over dedicated lines or wireless technology offering high speed, wide-bandwidth video connection that delivers high-quality video images as provided in 28 C.F.R 36.303(f) (as effective March 15, 2011).

Videophone – A telephone with a video screen capable of full duplex (bi-directional, high-quality video and audio transmission for visual, real-time communication).

Amplified Telephone Handset – An assistive listening device that amplifies the sound of telephone sets.

V. Services for Individuals Who are Deaf or Hard-of-Hearing

WILLAMETTE FAMILY MEDICAL CENTER, INC. shall provide appropriate auxiliary aids and services, including interpreters, where such auxiliary aids and services are necessary to facilitate effective communication with persons who are deaf or hard of hearing. The Clinic shall also provide persons who are deaf or hard of hearing with the full and equal enjoyment of services, privileges, facilities, advantages and accommodations other patients. These services shall be offered to patients and companions, free of charge; however, nothing shall prohibit the Clinic from seeking reimbursement for the cost of interpreter services from a third-party payor, to the extent allowed by applicable law.

A. Clinic Services Available

The WILLAMETTE FAMILY MEDICAL CENTER, INC. shall provide hard of hearing patients a qualified interpreter and TTY services if the patient requests either service at least 48 hours prior to an appointment. TTY auxiliary aids will be available at all times, including non-schedule appointments, within the Clinic. Nothing in this policy limits the Clinic from providing other auxiliary aids as the Clinic deems appropriate.

For non-clinic communications, the WILLAMETTE FAMILY MEDICAL CENTER, INC. may use TRS services to communicate with a person who is hard or hearing, unless the patient chooses to use other means of communication.

In the event the Clinic chooses to provide other hearing impaired services, the Clinic will follow the requirements for each auxiliary aid or service as set forth in this policy.

B. Staff and Clinic Responsibilities

Staff should be aware of the importance of identifying the need for communication assistance and offering assistance to hearing-impaired patients and visitors. Management and non-management staff should be aware of the types of assistance available to assist hearing-impaired individuals and understand the requirements of this standard practice. Types of auxiliary aids that may be needed to facilitate effective communication include:

1. Sign language interpreters;
2. TTY services;
3. Assistive listening devices and systems;
4. Pictographs forms;
5. Pen and paper; and
6. Acquisition or modification of equipment or devices.

The Clinic may not require, coerce, or rely upon a family member, companion, advocate, patient, or friend of a patient and/or companion to interpret or facilitate communications between clinic personnel and a patient and/or companion. However, such a person may be used to interpret or facilitate communications (1) in an emergency involving an imminent threat to the safety or welfare of an individual or the public where there is no interpreter available, or (2) where the individual with a disability specifically requests that the accompanying adult interpret or facilitate communication, the accompanying adult agrees to provide such assistance, and reliance on that adult for such assistance is appropriate under the circumstances. **The use of minors as interpreters is not permitted**, except for the most extraordinary circumstances, such as medical emergencies. This provision in no way lessens the Clinic's obligation to provide appropriate auxiliary aids as otherwise required.

WILLAMETTE FAMILY MEDICAL CENTER, INC. is responsible for ensuring that information concerning this standard practice is communicated in orientation for all clinic employees.

WILLAMETTE FAMILY MEDICAL CENTER, INC. will maintain public notices at its primary points of entry or patient/visitor lobby, and conspicuously on its business website concerning the availability of accommodations for hearing-impaired patients, including the international symbols for “interpreters” and “TTY’s.” Non-website signs shall conform to applicable ADA standards and guidelines. The Clinic will also maintain information concerning such accommodations. Such signs shall state:

To facilitate effective communication with patients, their family members, and companions who are deaf or hard of hearing, we provide auxiliary aids and services free of charge, that could include: sign language and oral interpreters, TTYs, video remote interpreting (VRI), written materials, telephone handset amplifiers, pocketalkers, and telephones compatible with hearing aids.

Please ask your nurse or other Clinic personnel for assistance, or contact the office manager.

Where provided, caption television is available in patient rooms and waiting areas. Access to caption for televisions in the patient rooms is available through the remote control. Open captions will always be used for televisions in waiting areas.

C. Selecting an Auxiliary Aid

The Clinic personnel shall consult with the individual to determine what type of auxiliary aid or interpretive service is needed to facilitate effective communication. While consultation is strongly encouraged, the ultimate decision as to what measures to take rests with the HIPAA compliance officer, provided that the method chosen results in effective communication.

While written forms or information sheets may provide effective communication in situations where there is limited need for interactive communications (i.e. filling out admission forms and medical history inquiries, providing billing information, etc.). They typically are not, however, suitable communication aids for medical appointments involving examination, medical decision-making, and/or treatment, but may be suitable for appointments that are routine in nature from a patient’s perspective such as an allergy injection.

Clinic personnel should offer pen/pencil and paper to individuals who are deaf and hard of hearing for the purpose of communicating messages, instructions and for answering questions when appropriate.

For complicated and interactive communications, it is necessary for the Clinic to provide a qualified sign language interpreter to facilitate effective means of communication for patients and visitors. Examples of circumstances when the communication may be sufficiently lengthy or complex so as to require a sign language interpreter include the following:

1. Discussing a patient’s symptoms and medical condition, medications, and medical history;

2. Explaining medical conditions, treatment options, tests, medications, surgery and other procedures;
3. Providing a diagnosis and recommendation for treatment;
4. Communicating with a patient during treatment, testing procedures, and during physician's rounds;
5. Obtaining informed consent for treatment;
6. Providing instructions for medications, post-treatment activities and follow-up, treatments;
7. Providing mental health services, including group or individual counseling for patients and family members;
8. Providing information about blood or organ donations;
9. Discussing powers of attorney, living wills and/or complex billing and insurance matters; and
10. During educational presentations, such as birthing or new parent classes, nutrition and weight management programs, and CPR and first-aid training.

D. Sign Language Interpreter Services - Overview

WILLAMETTE FAMILY MEDICAL CENTER, INC. does not charge a fee for interpreter services or other communication aids and services that are provided by the Clinic. However, patients may elect to provide their own communication aids and/or interpreters at their own cost to assist them while obtaining services from the Clinic. Due to such considerations as maintaining patient confidentiality, staff should not ask family members, companions or other visitors to interpret for a person who is deaf or hearing impaired. However, patients may request such services of family members and give permission to the health care team to share information with said family member(s). Clinic staff should record such permission in the patient's records.

When using an interpreter, the staff member should speak to and look at the deaf individual, not the interpreter.

VI. Procedures

A. Requesting Interpreter Services

1. The need for sign language interpretation services must be documented by staff.
2. Requests for sign language interpretation services should be forwarded to the *designated contact person* immediately when an appointment is scheduled, or at least 48 hours in advance. However, the Clinic will make a reasonable effort to obtain a sign language interpreter if notice was not provided at least 48 hours in advance of the scheduled appointment.
3. Use of communication assistance should be documented in the patient's medical record. Questions concerning interpretation services should be directed to the office manager.

B. Provision of Interpreters in a Timely Manner

For a scheduled appointment, when an individual requests an interpreter at *least 48* hours in advance of the time when the services of the interpreter are required, the Clinic will make an interpreter available at the time of the scheduled appointment or need.

For all non-scheduled incidents, the Clinic will make an interpreter available as soon as practicable if necessary and TTY services are either not available or do not meet the patient's needs. Between the time when an interpreter is requested and when an interpreter is made available, Clinic personnel shall continue to try to communicate with the deaf individual for such purposes and to the same extent as they would have communicated with the person but for the disability, using the most effective means of communication, particularly written notes and/or sign language pictographs.

C. Relay Service for Persons Who are Hearing-Impaired or Speech-Impaired

The ADA established a free nationwide relay service network to handle voice-to-TTY and TTY-to-voice calls. Individuals may use this network to call the hospital from a TTY device. This relay consists of an operator with a TTY who receives the call from a TTY user and then places the call to the hospital. If you receive a relay call from a TTY user, the operator will explain this. One should plan for relay system calls taking a little longer than voice calls. If one needs to contact a deaf or hearing-impaired person by telephone who is away from the Clinic (for example, to confirm a patient appointment, speak to a patient's relative, etc.), simply dial 711 (or the office manager if calling from an internal telephone line). An operator will answer and ask the number that one is calling.

Relay services for deaf and hard-of-hearing: dial 711.

Speech-to-Speech (STS) services for persons with speech limitations in the Salem, Oregon area dial: (1-877-735-7525). Provide the area code and telephone number that one wants to call and any special instructions. Speak directly to the person that one is calling in a clear manner. The operator will relay one's communication to the individual and will relay his or her responses to the staff member as they are made. Requests for accommodations must be received as soon as possible, but not less than four business days before an activity or event. (See UTCR 7.060.)

D. Records and Successive Patient Visits.

WILLAMETTE FAMILY MEDICAL CENTER, INC. personnel shall keep appropriate records that reflect the provision of auxiliary aids and services, alternate formats, or other accommodations to individuals, such as notations in patients' medical charts.

VII. Distribution of Policy

The Clinic shall distribute this policy to all Clinic personnel with patient responsibility (including affiliated physicians with practicing or admitting privileges), and to all new Clinic

personnel with patient responsibility (including newly affiliated physicians) upon their employment or affiliation with the Clinic.

VIII. Staff and other Personnel Training

All relevant Clinic staff, employees, or contract personnel shall receive training to facilitate compliance with this policy.