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Owner Kara Glover: HIM and HIPAA/ Compliance Manager  
Area Compliance

## Patient Non-Discrimination

### I. Purpose

The purpose of this policy is to establish patient non-discrimination requirements.

### II. Scope

This policy applies to all members of the Wellfound Behavioral Health Hospital (WBHH) workforce including, but not limited to, employees, medical staff, volunteers, students, administrative staff, contractors, and other persons performing work for or at WBHH.

### III. Policy

It is the policy of WBHH to provide equal access to its facilities and services without discrimination based on age, race, color, creed, national origin, ethnicity, religion, martial status, sex (including pregnancy), sexual orientation, gender identity or expression, disability, citizenship or immigration status, veteran or military status, or any other basis prohibited by federal, state, or local law.

This policy applies to WBHH workforce member's interactions with patients, companions, guests, and visitors of WBHH.

Admission to WBHH is evaluated based on current appropriate psychiatric diagnoses, current patient census, the facility's ability to safely and competently provide the care required by the patient, and other Patient Admission Criteria (see Patient Admission Criteria policy).

WBHH provides free aids and services to people with disabilities to communicate effectively with WBHH representatives, such as:

- Qualified sign language interpreters, and
- Written information in other formats (i.e. large print, audio, accessible electronic formats, other

formats, etc.)

WBHH also provides free language services to people whose primary language is not English, such as:

- Qualified interpreters
- Information written in other languages

If you need these services, contact the Clinical Services Department Leadership.

## 1. Special Instructions

Any person who believes they or other protected individuals have been subjected to prohibited discrimination may file a complaint with WBHH's Compliance Officer through the Compliance Hotline.

A person may also file a civil rights complaint with the U.S. Department of Health and Human Services (HHS), Office of Civil Rights (OCR) electronically through the OCR Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at:

U.S. Department of Health and Human Services

200 Independence Avenue, SW Room 509F, HHH Building

Washington, D.C. 20201

1-800-368-1019, 800-537-7697 (TDD)

Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>

No person will suffer retaliation for reporting discrimination, filing a complaint, or cooperating in an investigation of a discrimination complaint.

## IV. Procedure

### A. Non-discrimination:

WBHH will treat all patients and visitors receiving or participating in services in a manner that is consistent with WBHH's patient non-discrimination policy.

### B. Notice:

WBHH will provide notices through posters, handbooks, brochures, and other means to patients regarding this policy and its commitment to providing access to and the provision of services in a non-discriminatory manner pursuant to Section 1556 of the Affordable Care Act (ACA) and Section 504 of the Rehabilitation Act.

### C. Reasonable Accommodation/Effective Communication:

WBHH will inform patients, companions, and visitors of the availability of language assistance and other

auxiliary aids and services and make reasonable accommodations for patients consistent with Federal and State requirements. This includes, for example, informing patients of their right to appropriate auxiliary aids and services, such as qualified language interpreters for limited English-speaking patients and sign language interpreters for hearing-impaired patients and how to obtain these aids and services. Auxiliary aids and services will be provided free of charge to the patient and the patient companion in a timely manner, when such aids and services are necessary to ensure an equal opportunity to participate to individuals with disabilities or to provide meaningful access to individuals with limited English proficiency.

## **D. Visitation Rights:**

WBHH will afford visitation rights to patients free from discrimination and will ensure that individuals receive visitation privileges consistent with patient preferences.

## **E. Accessibility:**

WBHH will ensure compliance with regulations established by the Americans with Disabilities Act (ADA) of 1990 with respect to accessibility to WBHH facilities. WBHH will monitor facilities for location identification and condition of signage, door operation, parking, ramps, and restrooms.

Access features will include:

- Convenient off-street parking designated specifically for disabled persons.
- Curb cuts and ramps between parking areas and buildings.
- Level access into first floor level with elevator access to all other floors.
- Fully accessible offices, meeting rooms, restrooms, public waiting areas, and patient treatment areas, including examining rooms and patient units.
- A full range of assistive and communication aids provided to persons who are deaf, hard of hearing, blind, or with other sensory impairments. (There is no additional charge for such aids.)

## **F. Provision of Services:**

WBHH workforce will determine eligibility for and provide services, financial aid, and other benefits to all patients in a similar manner, without subjecting any individual to separate or different treatment on the basis of legally protected characteristics.

If any WBHH workforce member is informed, recognizes, or has any reason to believe that a patient or a relative, close friend, or companion of a patient is deaf, deaf-blind, or hard-of-hearing, the workforce member will advise the person that appropriate auxiliary aids and services will be provided free of charge to the patient or companion. (See also Language Assistance and Auxiliary Aids: Services for Persons with Limited English Proficiency (LEP) and Disabilities policy).

- Examples of auxiliary aids and services include, but are not limited to, qualified sign language interpreters, notetakers, written materials, exchange of written notes, assistive listening devices, assistive listening systems, voice, text, and video-based telecommunications products and systems, videophones, or equally effective telecommunications devices, videotext

displays, accessible electronic and information technology, Braille and displays, and large print materials.

- The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual, the nature, length, and complexity of the communication involved, and the context in which the communication is taking place.

If the WBHH workforce member is the responsible health care provider, the provider must ensure that such auxiliary aids and services are provided when appropriate. All other personnel should that person to the Clinical Services Department Leadership.

## G. Compliance:

WBHH's Compliance Officer, or designee, is responsible for coordinating compliance with this polyc.

WBHH has designated its Compliance Officer to coordinate efforts under 1557 of the Affordable Care Act and Section 504 of the Americans with Disabilities Act.

For questions regarding employment discrimination, please see the WBHH Equal Employment Opportunity and Employment Law policy.

For questions you can contact the Compliance Hotline by phone at 800-845-4310 or online at <http://compliancehotline.commonspirit.org/>.

## V. References

1557 of the Affordable Care Act

Americans with Disabilities Act (ADA) of 1990, Section 504 of the Americans with Disabilities Act

Section 504 of the Rehabilitation Act

## Approval Signatures

Step Description	Approver	Date
Policy Committee	Cat Kintu: Director, Quality	09/2024
HIM and HIPAA/Compliance Manager	Kara Glover: HIM and HIPAA/ Compliance Manager	08/2024
Owner	Kara Glover: HIM and HIPAA/ Compliance Manager	08/2024