

# Know Your Rights

## COVID-19 & Reasonable Accommodations in Hospitals

Updated: May 12, 2020

This guide gives general information about your rights to accommodations in hospitals during the COVID-19 pandemic. People with disabilities who go to the hospital or another medical facility may need help and support with their care, communication and managing healthcare decisions. This help or “accommodations” gives them equal access to care.

Every healthcare provider in the state must accommodate people with disabilities. During the COVID-19 pandemic, the need for proper accommodations is even more important so that people with disabilities can safely have their healthcare needs met during this emergency.

### Hospitals Must Allow Individuals Who Provide Support to Patients

- » **You can bring a family member or other helper with you unless they are also sick.**
  - » A support person may be a family member, personal care provider, or communicator who is knowledgeable about their care, able to assist them with communicating their needs, or able to provide ongoing personal care assistance.
- » **You can ask for changes to existing policies or practices you need for your disability.** The hospital and doctors have to consider these changes unless it would be very dangerous or difficult, even with supports. For example, even if a hospital has restricted visitors, you can ask for the hospital to modify this policy if your visitor helps you communicate with your doctor.
  - » You can fill out an accommodations request form to bring with you to the hospital. Show the form to everyone and make sure a copy is put in your medical chart.

## Visitation Policies

- » Reasonable accommodations must be part of a hospital's or medical facility's visitor policy.
  - » Rush University Medical Center in Chicago has a visitation policy that balances both the public health concerns with COVID-19 and the rights of patients with disabilities:
  - » 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.

## Other Reasonable Accommodations Examples

- » There are many other examples of reasonable accommodations that you may need. Below are a few:
  - » You can bring your own equipment like a ventilator or wheelchair.
  - » You can bring a trained assistance animal with you most of the time.
  - » If you are deaf or hard of hearing, you have the right to ask for an ASL interpreter or CART. You can get papers in Braille, large print or in a computer file.
  - » You have the right to a communication device like sound boards or pages of pictures you can use.



## Advocacy Tips

You can ask for hospitals, doctors, or clinics to change their policies to accommodate your disability. You can fill out an accommodations request form to bring with you to the hospital. Show the form to everyone and make sure a copy is put in your medical chart.

If you are worried about not getting an accommodation when you get to the hospital, you may want to print off these two documents from the Oregon Health Authority about your rights:

- » Hospital visitor policies: <https://droregon.org/OHA-visitor-guidance/>
- » Anti-discrimination in healthcare: <https://droregon.org/OHA-antidiscrimination/>

You can also contact the Oregon Health Authority Ombudsman:

- » Email: [OHA.OmbudsOffice@dhsoha.state.or.us](mailto:OHA.OmbudsOffice@dhsoha.state.or.us)
- » Phone: 1-877-642-0450 to leave a message (TTY: 711)

If your request for a reasonable accommodation to a visitor policy is denied, contact us at: 503-243-2081 or 1-800-452-1694 or write us at Disability Rights Oregon, 511 SW 10th Avenue, Suite 200, Portland, Oregon 97205.