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Disability Rights Complaint Resolution Announced In CT

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Rich Kirby
June 9, 2020

CONNECTICUT — The state Department of Public Health issued an executive order on Tuesday meant to ensure that people with disabilities are not denied reasonable access to needed support persons. The order came in response to complaints made to the Office for Civil Rights at the U.S. Department of Health and Human Services. Following the issuing of the order, the OCR announced it has reached an Early Case Resolution with the state.

OCR also reached an ECR with Hartford HealthCare Corporation after it agreed to grant a 73-year old woman with aphasia access to support persons to help with her communication and comprehension in her treatment.

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In May 2020, OCR received complaints from Disability Rights Connecticut, CommunicationFIRST, the Arc of Connecticut, and Independence Northwest: Center for Independent Living of Northwest CT alleging that Connecticut guidance regarding hospital visitation for people with disabilities violates the Americans with Disabilities Act, Section 504 of the Rehabilitation Act and Section 1557 of the Affordable Care Act, which are enforced by OCR.

The complainants alleged that Connecticut guidance concerning hospital "no visitor" policies during the COVID-19 pandemic allowed only narrow exceptions for support persons for individuals with disabilities receiving certain services from the state Department of Developmental Services, leaving large groups of persons with disabilities unable to avail themselves of the exception. The complainants alleged that without support persons, specific patients with disabilities in Connecticut facilities were being denied equal access to medical treatment, effective communication, the ability to make informed decisions and provide consent, and that they were being unnecessarily subjected to physical and pharmacological restraints.

The [executive order](#) makes clear that a "designated support person" a family member, personal care assistant, similar disability service provider, or other individual knowledgeable about the management of their care, to physically or emotionally assist them or to ensure effective communication during their stay in such a facility, provided proper precautions are taken to contain the spread of infection.

Story continues

Complainants also alleged that Hartford Hospital, a 937-bed facility in the state, unlawfully failed to provide a reasonable modification to the hospital's no-visitor policy to a 73-year-old patient with aphasia and severe short-term memory loss, who is mostly non-verbal, and was denied in-person access to support persons able to help with her communication and comprehension during care. The patient did not fall under the exception to no-visitor policies under Connecticut's guidance because she did not receive services from the state DDS.

OCR has reviewed the complaints, communicated with, and provided assistance to Connecticut, the Connecticut Department of Public Health, and Hartford HealthCare Corporation, and mediated a resolution of the matters acceptable to all parties, according to a news release.

As part of the resolution, Connecticut is issuing an executive order to ensure that people with disabilities have reasonable access to support personnel in hospital settings in a manner that is consistent with disability rights laws and the health and safety of patients, health care providers, and support persons. The order includes establishing a statewide policy requiring hospitals and other acute care settings to permit the entrance of a designated support person for a patient with a disability and permitting family members, service-providers or other individuals knowledgeable about the needs of the person with a disability to serve as a designated support person. Where patients with a disability are in such a setting for longer than one day, they may designate two support persons, provided only one is present at a time. OCR mediated an agreement between Hartford Hospital and the complainants that granted the 73-year-old patient access to a designated in-person support person. Based on Hartford Hospital's responsive actions, OCR is closing this complaint as satisfactorily resolved, according to the news release.

"We cannot commend Connecticut enough for quickly updating its policies to protect the right of persons with disabilities to equal treatment especially during a crisis," said Roger Severino, director of OCR.

"This resolution proves that states can keep people safe during this pandemic without sacrificing the right of persons with disabilities to the support they need to receive equal access to medical care and treatment," Severino said.

Connecticut submitted the following statement to OCR for inclusion in this announcement:

"As vulnerable populations around the state continue to be disproportionately affected by the COVID-19 pandemic, it was a priority for my office and the state to come to a resolution on allowing a support person to accompany and advocate for individuals with disabilities into our hospitals," Gov. Ned Lamont said. "The order issued by Commissioner Gifford implements vital safeguards for individuals with special needs to ensure proper and safe care is being provided and received in a hospital setting."

"I am pleased to have worked with the Governor's Office, the Department of Public Health, and the HHS Office for Civil Rights to issue the DPH order that protects the rights of individuals with disabilities and facilitates a process to allow every voice, even in a hospital setting, to be heard," said Jordan A. Scheff, commissioner of the Department of Developmental Services.

[This article](#) originally appeared on the [Across Connecticut Patch](#)

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Latest Stories



Yahoo News

Democrats inch closer to retaking the U.S. Senate as Warnock declared the winner in Georgia runoff and Ossoff pulls ahead

Democrats were on the verge of taking control of the U.S. Senate early Wednesday morning after Raphael Warnock was declared the winner in his Georgia runoff election with GOP Sen. Kelly Loeffler, and Jon Ossoff pulled into the lead in his race with Republican Sen. David Perdue.

10h ago



Associated Press

Pakistani court orders rebuilding of destroyed Hindu temple

Pakistan's Supreme Court ordered authorities Tuesday to rebuild a century-old Hindu temple that was vandalized and set on fire by a mob last week, drawing condemnation from the government and leaders of minority Hindus. The court ruled after authorities said they arrested more than 100 people for attacking the temple and several police officers were fired for neglecting to protect the structure. Supporters of Pakistan's radical Jamiat Ulema-e-Islam party and residents attacked the building after being incited by a local cleric who was opposed to the temple's planned renovation.

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President Trump stood little chance of compelling Congress to change the stimulus package or defense funding bill. So why did he take a stand on both pieces of legislation?

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National Review

Ossoff Declares Victory as Senate Race Remains Uncalled

Democrat Jon Ossoff declared victory Wednesday morning in one of the two Georgia Senate runoff elections despite the race remaining uncalled."Georgia, thank you so much for the confidence that you have placed in me. I am honored, honored by your support, by your confidence, by your trust, and I will look forward to serving in the United States Senate with integrity, with humility, with honor, and getting things done for the people of Georgia," Ossoff said in a video message posted on Twitter.The race remains uncalled, but Ossoff currently leads his Republican opponent David Perdue by more than 16,000 votes. Perdue was a Georgia senator from 2015 until Sunday, when his term ended.If Ossoff wins, he will be the youngest member of the Senate. His win would cement Democrats' control over the upper chamber after Democrat Raphael Warnock won Georgia's other Senate runoff on Tuesday.About 98 percent of the votes in the race have been counted, according to the Associated Press.

2h ago



The Week

Trailing behind Warnock, Loeffler says she still has 'a path to victory'

Sen. Kelly Loeffler (R-Ga.) told supporters on Tuesday night that she's certain she'll be able to gain enough votes to defeat her Democratic challenger, the Rev. Raphael Warnock. With 97 percent of the vote in, Warnock is ahead of Loeffler by nearly 36,000 votes. "This is a game of inches," she said during a brief speech. "We're gonna win this election. We're gonna save this country." Loeffler declared that she still has "a path to victory," and will make sure "every legal vote" is counted. Loeffler was appointed to her seat in late 2019, after Republican Sen. Johnny Isakson resigned due to health issues. She announced Monday night that she will join Sen. Ted Cruz (R-Texas) and other Republican senators in objecting to the formal Electoral College vote count on Wednesday. They are doing this at the behest of President Trump, who has falsely claimed the election was fraudulent. During her Tuesday night speech, Loeffler said she will head to Washington, D.C., in the morning so she can "fight for this president." More stories from theweek.com 7 scathing cartoons about Trump's Georgia phone call What will, and might, happen if Democrats sweep Georgia races for a 50-50 Senate Are we witnessing the fall of the United States? 11h ago



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The Telegraph

China is desperate to control the narrative of Covid-19's origin - whatever the cost

International experts from the World Health Organisation trying to investigate the origins of the coronavirus in China, a year after it first emerged in the central city of Wuhan, continue to run into roadblocks. The delay for the WHO mission – already plagued by politics and posturing – adds to persistent worries that China will whitewash and frustrate the investigation. Indeed, a two-person WHO team on a three-week mission last August, aimed at laying out plans for further study, sat through a 14-day quarantine upon arrival and never visited Wuhan. This comes as Beijing engages in a relentless propaganda campaign to distract from its cover-up and rewrite the narrative – all aimed at claiming the coronavirus originated outside China. Officials have seeded a number of conspiracy theories, including blaming the US military for infecting China. The most recent theory flouted is to label imported frozen seafood as the culprit. Foreign minister Wang Yi has gone so far as to claim the virus emerged in many countries, and that China was simply the first to spot it. "We raced to report the epidemic first," he told state media. Mr Wang's comments are a far cry from the experiences of doctors, including the late Li Wenliang and Ai Fen, both of whom were reprimanded by Chinese authorities after discovering coronavirus infections in December 2018 and seeking to warn colleagues.

6h ago



Associated Press

Republican Party faces defining moment under Trump's shadow

The Republican Party is facing a defining moment. The nearly 167-year-old party is divided over the typically mundane congressional certification of President-elect Joe Biden's Electoral College victory. The process, which will unfold Wednesday on Capitol Hill, is opening a schism between those wanting to honor democratic norms and those staying in lockstep with President Donald Trump out of hopes of avoiding his wrath and inheriting his supporters.

11h ago



NBC News

Your stimulus check might be delayed if you filed your taxes with an online tax preparer

Stimulus payments may be delayed for as many as 14 million customers, the IRS and major tax prep software companies warned.

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The Week

The Drudge Report thinks Democrats won both Georgia runoff races, control of the Senate

The Associated Press still hasn't called either of Georgia's Senate races, but Matt Drudge is ready to project that Democrats Raphael Warnock and Jon Ossoff have upset both Republican incumbents, demoting Sen. Mitch McConnell (R-Ky.) to minority leader.> Drudge tonight pic.twitter.com/A2qihCMf0M> > — Jon Passantino (@passantino) January 6, 2021Warnock looks very likely to win, with a 36,000-vote lead and nearly all ballots counted, but Ossoff and Perdue are basically tied. "As of Wednesday morning," AP says, "it was too early to call the close races." But since most of the thousands of outstanding votes are in solidly Democratic counties, the Cook Political Report's Dave Wasserman predicted that not only would Ossoff beat Perdue, he would likely do so by enough to avoid a recount.> It's not yet assured Ossoff's victory will end up outside GA's 0.5% recount threshold, but it's likely. GASEN> > — Dave Wasserman (@Redistrict) January 6, 2021The New York Times election needles concur.> Per the needles ... pic.twitter.com/6fRZKx6fLr> > — Scott Wilson (@RScottWilson) January 6, 2021If both Warnock and Ossoff win, the Senate will be tied 50-50. And with Vice President Kamala Harris as the deciding vote, Democrats would be in charge of the White House and both chambers of Congress.More stories from theweek.com 7 scathing cartoons about Trump's Georgia phone call What will, and might, happen if Democrats sweep Georgia races for a 50-50 Senate Are we witnessing the fall of the United States?

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Yahoo News Video

U.S. attorney in Virginia announces resignation

The leader of one of the country's most prominent U.S. attorney's offices said Tuesday he is resigning after almost three years of prosecuting terrorists, spies and political operatives.

21h ago



Reuters

China says it will respond to planned Taiwan, U.S. defense talks

China said on Wednesday it would make a "necessary response" to a planned military dialogue between the United States and Chinese-claimed Taiwan, saying it firmly opposed the event. China has been angered by stepped up support for the democratic island by outgoing U.S. President Donald Trump's administration, including new arms sales and visits to Taipei by senior U.S. officials, which have strained already poor Beijing-Washington ties. The U.S. State Department said Assistant Secretary of State for Political-Military Affairs Clarke Cooper would deliver "virtual remarks" at the Taiwan political and military dialogue from the State Department late on Wednesday, though gave no other details.

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Associated Press

Biden largely mum on Trump's effort to reverse election

President-elect Joe Biden is mostly steering clear of the controversy engulfing President Donald Trump's final days in office, aiming to project the different approach to governing Americans can expect when he moves into the White House on Jan. 20. Biden and his team have offered a muted response to Trump's efforts to overturn the election, which reached a new level this past weekend when he pressured Georgia's Republican secretary of state to "find" enough votes to flip the state in his favor. While some Democrats say Trump's actions merit new impeachment proceedings, Biden has been more circumspect. 2d ago



NBC News

UPS worker seen on racist rant video while delivering to a Latino household is fired

"This is about the things people do when they think no one is watching them," said the mother of a young Latino police officer who lives in the house.

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The Week

Republicans are 'privately furious' at Trump over the Georgia election losses

Republicans on Wednesday are reeling over the loss of one, probably two Senate seats in Georgia on Tuesday. If Democrats Raphael Warnock and Jon Ossoff flip both Senate seats, as now expected, the Democrats will take control of the Senate on Jan. 20. And "Republicans, who enabled President Trump with their silence and compliance, are privately furious with him for blowing their Senate majority," Mike Allen reports at Axios. "It's a fitting and predictable end to Trump's reign." "In four years, Trump has lost his presidency, and the House and the Senate for the GOP," Marc Caputo notes at Politico. And "while Trump has a phoenix-like ability to rise from the ashes of his norm-shattering outrages, others just become ash." The "blame game is already burning within the GOP," he adds, but aside from Georgia election official Gabriel Sterling — who blamed Trump on CNN — most Republicans "are criticizing Trump anonymously." "Trump is the cause of this, lock, stock, and barrel," one Republican strategist told Politico. "But when you're relying on someone to win you a Senate race that also lost statewide eight weeks prior, you're not in a position of strength." A senior Senate GOP aide, when asked why Republicans lost on Tuesday, said, "Donald J. Trump." Some Trump allies pushed back, blaming Senate Majority Leader Mitch McConnell (R-Ky.) for refusing to hold a vote on \$2,000 stimulus checks. The Republican candidates, Kelly Loeffler and David Perdue, also took friendly fire. But many "top Republicans blame Trump for sabotaging what should have been two easy wins — turning off suburban voters with his chaos and craziness, and sowing distrust of the Peach State election machinery with base voters," Axios' Allen writes. Still, "as a curtain call for Trumpism, approximately a dozen senators and 100+ House Republicans today will publicly support an idea that many of them think is idiotic and doomed to fail, as they protest congressional certification of President-elect Biden's victory." More stories from theweek.com 7 scathing cartoons about Trump's Georgia phone call What will, and might, happen if Democrats sweep Georgia races for a 50-50 Senate Are we witnessing the fall of the United States?

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Associated Press

Kashmiri activists rally in Pakistan, demand referendum

Dozens of Kashmiri activists rallied in Pakistan's capital Tuesday to urge the United Nations to ensure Kashmir's right to self-determination under a decades-old resolution on the disputed region. Chanting slogans including "we want freedom" they urged the world community to take notice of alleged Indian human rights violations in Kashmir, which is split between Pakistan and India and claimed by both in its entirety. The rally in Islamabad came as Kashmiris marked the anniversary of a U.N. resolution passed in 1948 that called for a referendum on whether Kashmiris wanted to merge with Pakistan or India.

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The Independent

Georgia Senate election results – live: Biden cheers Ossoff and Warnock victories as Trump blamed for defeats

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The Week

GOP congressmembers won't reject Electoral College vote because party 'depends' on it for presidential wins

Republican House members against an attempt to oppose the certification of the Electoral College's vote are saying the quiet part of their argument very, very loud. A coalition of 11 GOP senators are planning to join with some House Republicans to oppose the certification of President-elect Joe Biden's win on Wednesday, giving debunked claims of election fraud as their reasoning. But another group of seven House congressmembers warned against undermining trust in the Electoral College, saying in a Monday statement that doing so could cost the party its only chance to win a future presidential election. Reps. Thomas Massie (R-Ky.), Kelly Armstrong (R-N.D.), Ken Buck (R-Colo.), Mike Gallagher (R-Wisc.) Nancy Mace (R-S.C.), Tom McClintock (R-Calif.), and Chip Roy (R-Texas) released their joint statement Monday, claiming they do believe "significant abuses in our election system" took place in 2020. The U.S. electoral system should guarantee "only legal votes are cast to select its leaders" and the electors who formally choose them, the statement said. "But only the states have authority to appoint electors," and after they do so, Congress can only count their votes, the group wrote. "To take action otherwise" only "strengthen[s] the efforts of those on the left" who want to end the Electoral College altogether. From there, the groups gets specific about the "purely partisan" side of their argument. Republican presidential candidates have only won the popular vote once in the past 32 years, relying on the Electoral College for the majority of their wins. "If we perpetuate the notion that Congress may disregard certified electoral votes ... we will be delegitimizing the very system that led Donald Trump to victory in 2016, and that could provide the only path to victory in 2024," the congressmembers finished. Top intelligence officials and former Attorney General William Barr have affirmed there is no evidence of election-altering fraud in the 2020 election. More stories from theweek.com Are we witnessing the fall of the United States? McConnell stares down the barrel of Trump's gun After getting vaccinated, New Orleans woman delivers a blunt message to non-believers

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Associated Press

EU commission greenlights Moderna's COVID-19 vaccine

The European Union's executive commission gave the green light Wednesday to Moderna Inc.'s COVID-19 vaccine, providing the 27-nation bloc with a second vaccine to use in the desperate battle to tame the virus rampaging across the continent. The European Commission granted conditional marketing authorization for the vaccine. The decision came against a backdrop of high infection rates in many EU countries and strong criticism of the slow pace of vaccinations across the region of some 450 million people.

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