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Health & Fitness

# Settlement Reached in ADA Complaint Filed by Disability Rights CT

\$10,000 in Compensation, Revised Practices & Training at Hartford Hospital's Institute of Living

 Express Strategies, Community Contributor

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Reply



A complaint filed with the U.S. Attorney's Office for the District of Connecticut by Disability Rights Connecticut has resulted in a settlement agreement under the Americans with Disabilities Act (ADA) with the Institute of Living, a department of Hartford Hospital, on behalf of itself and its professional emergency room and managed mental health center within Hartford Hospital. The complainant was filed on behalf of a Connecticut resident who is profoundly deaf.

The settlement agreement requires the Institute to provide free of charge appropriate auxiliary aids and services, including qualified interpreters, at all of its patient facilities to individuals who are Deaf, hard of hearing, or DeafBlind, whenever it is necessary to ensure effective communication for those individuals. The Institute will also provide ADA training to all staff members, and the Institute will compensate the complainant represented by Disability Rights Connecticut in the amount of \$10,000.

Announced this month by the U.S. Attorney's Office, the agreement resolves the complaint that the Institute of Living violated Title III of the ADA by failing to provide effective communication to the complainant. The Institute of Living is a mental health center that specializes in comprehensive patient care, research and education in the fields of behavioral, psychiatric and addiction disorders whose services are provided to the public.

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It was alleged in the complaint that the individual went to the Hartford Hospital Emergency Room and was then transferred to and treated by the medical staff at the Institute. On multiple occasions, the complainant requested a sign language interpreter during her several days of admission to understand treatment options and to attend group therapy sessions, and to understand and sign documents provided to her during her stay. She was not provided with a qualified interpreter and was not able to participate in group therapy sessions to treat her depression and suicidal ideations. The complainant also could not communicate with her treating psychiatrist and did not fully understand why she had been admitted into the hospital.

"Compliance with the requirements of the Americans with Disabilities Act is the law, unwavering and absolute, and adherence is not optional," said DRCT Executive Director Deborah Dorfman. "We appreciate the efforts of the U.S. Attorney's Office in Connecticut in reaffirming that bedrock principle and in reaching this agreement, and Hartford Hospital for agreeing to take these essential steps to ensure compliance with the ADA."

Disability Rights Connecticut, an independent statewide non-profit organization, advocates for the human, civil, and legal rights of people with disabilities in Connecticut. DRCT is the Protection & Advocacy System for Connecticut, having replaced the state Office of Protection & Advocacy for Persons with Disabilities in 2017. DRCT's mission is to advocate, educate, investigate and pursue legal, administrative, and other appropriate remedies to advance and protect the civil rights of individuals with disabilities to participate equally and fully in all facets of community life in Connecticut.

The ADA authorizes the U.S. Department of Justice to investigate complaints and undertake periodic reviews of compliance of covered

discrimination or that raises issues of general public importance, and to seek injunctive relief, monetary damages, and civil penalties.

Title III of the ADA requires places of public accommodation, including hospital facilities, to take steps to ensure that individuals with disabilities are not excluded, segregated or otherwise treated differently due to the absence of auxiliary aids and services, such as qualified interpreters.

"This case demonstrates this office's commitment to protecting the rights of those who are deaf or hard of hearing, and ensuring that these individuals are able to effectively communicate with health care professionals," said Acting U.S. Attorney Leonard Boyle. "I thank the Institute of Living at Hartford Hospital for their cooperation during this investigation and for addressing these ADA issues without the need for litigation."

To learn more about Disability Rights Connecticut, visit [www.disrightsct.org](http://www.disrightsct.org).

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