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Settlement reached after CT complaint about communications for deaf, hard of hearing

By **Tara O'Neill** Published 5:32 pm EST, Wednesday, November 20, 2019



DISTRICT OF CONNECTICUT

UNITED STATES ATTORNEY'S OFFICE

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A settlement agreement was recently reached to ensure access to effective communication for deaf and hard of hearing individuals at Concentra facilities throughout the country.

The matter began with a complaint filed with the U.S. Attorney's Office for the District of Connecticut by Disability Rights Connecticut — a Hartford-based nonprofit advocacy organization, **according to a news release** from John Durham, U.S. Attorney for Connecticut.

Disability Rights Connecticut filed the complaint on behalf of a complainant, who is deaf, that alleged he required physical therapy for a workplace injury and went to

Concentra's Norwich location and informed staff he would need an interpreter to effectively communicate.

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The complainant was told he would have to provide his own interpreter, the news release said.

"The complainant requested that an interpreter be provided to him for his subsequent visits to Concentra," it said. "At each follow up appointment, the complainant renewed his request for an interpreter. Throughout his course of treatment at Concentra, the complainant was never provided with interpreter services."

Concentra – based in Addison, Texas – is a national health care company that provides occupational medicine, urgent care, physical therapy and wellness services at more than 520 medical centers in 44 states.

Under the Americans with Disability Act of 1990, Title III requires places of public accommodation to provide appropriate services – such as a qualified interpreter – when necessary to ensure effective communication with individuals with disabilities.

As a network of professional offices providing health care services, Concentra is considered a public accommodation under Title III of the ADA and its facilities are

places of public accommodation.

The ADA states that places of public accommodation are prohibited from requiring an individual with a disability to bring another person to interpret for them.

The settlement agreement resolves the complaint, the news release said.

It requires Concentra to provide appropriate auxiliary aids and services – free of charge – at all of its patient facilities to individuals who are deaf or hard of hearing whenever it is necessary to make sure there is effective communication available.

Concentra will also submit a “effective communication policy,” that includes a grievance procedure to the U.S. Attorney’s Office for approval. After approval, the policy will be implemented nationwide and posted on its website.

Concentra will also designate a national ADA coordinator, responsible for implementing the terms of the settlement and in charge of investigating patient complaints. All Concentra staff members will be provided ADA training.

The complainant was awarded \$7,500, to be paid by Concentra.

“This case reflects this office’s steadfast 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 throughout the State of Connecticut and the nation,” Durham said. “I thank Concentra’s management for their cooperation during this investigation and for addressing these ADA issues without the need for litigation.”

More information about the ADA can be found at www.ada.gov, or by calling the Justice Department’s toll-free information line at 800-514-0301. The TTY number is 800-514-0383.

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