

# Communication Access to Health Care in New Jersey for People with Hearing Loss



**N**ew Jersey state and federal laws mandate that people who are Deaf or hard of hearing or late-deafened must have communication access to health care.

If you visit a doctor, hospital, mental health professional, social worker, dentist, or any other health care provider, they must provide means in order to communicate with you.

This may include the use of an auxiliary aid such as a qualified interpreter, a Teletypewriter (TTY), an Assistive Listening Device, realtime captioning, or notetaker.

This brochure, prepared by the New Jersey Department of Human Services, Division of the Deaf and Hard of Hearing, will assist you in accessing health care in New Jersey.

**Division of the Deaf and  
Hard of Hearing  
P.O. Box 074  
Trenton, N.J. 08625**

## You Have the Right

- ☞ To have the hospital provide you with a TTY or telephone amplification in your room while you are a patient at no additional charge (other than that of a regular voice telephone) and to a signalling device for alerting to a TTY call, such as a flashing light.
- ☞ Not to be discriminated against because of your hearing loss or speech impairment.
- ☞ To be served by staff who are sensitive to the needs of people with hearing loss.
- ☞ To have a qualified sign language, oral or tactile interpreter present during appointments with your doctor, mental health therapist or other health care provider at no cost to you, either directly or indirectly through insurance.
- ☞ To request an assistive listening device be provided at no cost to you if you are a patient in a hospital or live in a nursing home or other residential facility.
- ☞ To have open or closed captioning available in any health care facility for recreational television and instructional videotapes or written text with instructional tapes.

## If You're Not Satisfied

- ☞ Discuss the issue with the health care provider and make your specific accommodation request known.
- ☞ If this is an agency, hospital, or business, write to a supervisor or person in authority to attempt to remedy the situation.
- ☞ You may seek legal advice. The NJ Division of the Deaf and Hard of Hearing, 1-800-792-8339 V/TTY has a list of attorneys for referral.
- ☞ You may file a complaint with the US Department of Justice Civil Rights Division Office of the ADA P.O. Box 66118 Washington, DC 20035-6118 Phone: (800) 514-0301 Voice Phone: (800) 514-0383 TTY.

## The Law

*The following statutes are provided for further reference:*

- ✓ **Americans with Disabilities Act of 1990, P.L. 101-336**
- ✓ **The Rehabilitation Act of 1973, Section 504**
- ✓ **NJ Law Against Discrimination (N.J.S.A. 10:5-1 et seq.)**

## Exceptions

- ☞ You may not be denied an auxiliary aid unless it would be an undue burden to the provider or if it would alter the fundamental nature of the services or goods.
- ☞ Religious organizations are exempt from ADA requirements.



## You're Entitled to Quality Health Care

**D**o not assume the agency or doctor will deny you equal access. Explain the type of accommodation you require. The provider may be willing to accommodate your request but may not understand your particular needs. You are your own advocate!



Tell the provider in advance if you need an auxiliary aid, so they have time to make arrangements, such as contacting an interpreter referral service agency or sending literature/brochures about assistive listening devices and captioning.

Keep information in your wallet/purse so that emergency personnel will know that you are Deaf or hard of hearing. The international symbol of deafness is a recognized symbol.

Be assertive in making requests for your communication needs. Work in a positive and constructive manner toward attaining what you seek. It is important to maintain control of your emotions and be business-like, without being abusive. Many medical personnel are receptive and open to suggestions, as

they are aware of the Americans with Disabilities Act (ADA).

Give the provider resources to assist them in accommodating you. For example, tell them they may contact the New Jersey Division of the Deaf and Hard of Hearing to secure important information.

- ☞ Call the Self Help for the Hard of Hearing, Inc. (SHHH) at (301) 657-2249 TTY (301) 656-2248 Voice or [www.shhh.org/](http://www.shhh.org/) and ask for "hospital program" information or write to:  
**SHHH**  
**7910 Woodmont Avenue**  
**Suite 1200**  
**Bethesda, MD 20814**
- ☞ National Association of the Deaf (NAD) information can be obtained by calling (301) 587-1788 Voice (301) 587-1789 TTY or [www.NAD.org/](http://www.NAD.org/) or write to:  
**NAD**  
**814 Thayer Avenue**  
**Silver Spring, MD 20910**
- ☞ **Association of Late-Deafened Adults (ALDA)**  
**1145 Westgate St., Suite #206**  
**Oak Park, IL 60301**  
(877) 907-1738 Voice/Fax  
(708) 358-0135 TTY or [www.alda.org](http://www.alda.org)

## Definitions

### *Americans with Disabilities Act (ADA) -*

Federal law (P.L. 101-336), 1990, states people with disabilities, including people with hearing loss, must be given equal access to the same treatment as people without disabilities.

**Undue Burden** - Significant difficulty or expense. For example, if a small, non-profit company can prove they cannot afford an accommodation, they may not have to do this.

**Auxiliary Aid** - Device or service to facilitate communication: qualified interpreters, assistive listening devices, written materials, TTY's, telephone handset amplifiers, or open or closed captioning.

**Assistive Listening Device or System** - Equipment which amplifies sound and delivers it directly to the ear. Examples include an FM system, an audio loop, or infrared.

**Qualified Sign Language Interpreter** - Interprets effectively, accurately, and impartially - both receptively and expressively - using any specialized vocabulary.

**CART** - Computer aided realtime translation services. Spoken words are translated onto a monitor that is read by consumers.