

Effective communication is particularly critical in health care settings where miscommunication may lead to misdiagnosis and improper or delayed medical treatment.

U.S. Department of Justice

How can a health care provider best communicate with someone who is deaf or hard of hearing?

- If you do not know a person's preferred method of communication, ask.
- Make direct eye contact as you would with anyone.
- When speaking with a person who is using a sign language interpreter, speak directly to the person, not the interpreter.
- Do not ask the interpreter personal questions about the person he or she is interpreting for. It is not the job of the interpreter to voice personal opinions about the person's medical matters.

Will lip reading suffice in communicating with a person who is deaf or hard of hearing?

Not often. Research shows that English is not meant to read on the lips and even those who are trained to lip-read, understand approximately 40% or less. The ability of an individual who is deaf or hard of hearing to speak clearly does not mean that he or she can hear well enough to understand spoken communication or to lip-read effectively.

Georgia Advocacy Office is the Protection and Advocacy System for people with disabilities in Georgia and receives funding for this brochure through the US Dept. of Health and Human Services/Administration on Developmental Disabilities (PADD); the US Dept. of Health and Human Services/Center for Mental Health Services, Substance Abuse and Mental Health Services Administration (PAIMI); and the US Dept. of Education/Rehabilitation Services (PAIR). Other Georgia Advocacy Office brochures describe our programs aimed at securing protection and advocacy for people with other disabilities and needs.

Sign Language Interpreting Agencies

D.E.A.F., Inc.

Contact: Thai Morris
770-252-5223 (Office/Fax); Web: www.deafinc.net

Georgia Interpreting Services Network (GISN)

Contact: Steven Ricard
404-521-9100 or 800-228-4992 (both voice/TTY)
404-521-9121 (Fax); Web: www.gisn.org

Sign Language Interpreting Specialists (SLIS)

Contact: Cliff Cantrell
770-531-0700 (Voice); 770-287-9479 (TTY)
770-947-0894 (Fax); Web: www.slisinc.org

Technical Assistance

Southeastern Disability and Technical Assistance Center

404-541-9001 or 800-949-4232 (both voice/TTY)
404-541-9002 (Fax); Web: www.sedbtac.org

Georgia State Financing and Investment Commission/State ADA Coordinator's Office

404-657-7313 (voice) or 404-657-9993 (TTY)
404-463-5650 (Fax); Web: www.ada.georgia.gov

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Contact: ADA Information Line
800-415-0301 (Voice); 800-514-0383 (TTY)
Web: www.ada.gov

RESPONSIBILITIES of HEALTH CARE PROVIDERS for PERSONS WHO are DEAF or HARD OF HEARING

GAO GEORGIA ADVOCACY OFFICE
*The Protection and Advocacy System
for People with Disabilities in Georgia*

150 East Ponce de Leon Avenue, Suite 430
Decatur, Georgia 30030
404.885.1234 voice/TDD or 1.800.537.2329 voice/TDD
404.378.0031 fax
<http://www.thegao.org>; info@thegao.org

“The need and right to communicate is the most fundamental of human rights. To deny it is to harm the human spirit. To foster communication is to reveal all the possibilities of life.” Lawrence Siegel, J.D.

What is the ADA?

The Americans with Disabilities Act, or ADA, provides civil rights protections to individuals with disabilities in the areas of healthcare, employment, public accommodations, state and local government services, and telecommunications.

What are the obligations of health care providers under the ADA for individuals who are deaf or hard of hearing?

Health care providers have a duty to provide appropriate auxiliary aids and services when necessary to ensure that communication with individuals who are deaf or hard of hearing is as effective as communication with others. 28 C.F.R. § 36.303(c).

What types of auxiliary aids and/or services are required by the ADA?

- Qualified interpreters
- Computer-aided transcription services (CART)
- Assistive listening devices
- Captioning
- Telephone communication access (video phones, video-remote, TTY)

Who is qualified to be an interpreter in a health care setting?

A qualified interpreter is an interpreter who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. 28 C.F.R. § 36.104. The Registry of Interpreters for the Deaf defines a qualified interpreter as someone with national certification. In a medical setting, the interpreter requires medical interpreter training and must know specialized medical terminology.

Does every individual use the same kind of interpreter?

No. There are various kinds of interpreters. Some individuals may require interpreters who are fluent in American Sign Language while others may require interpreters who use Signed English, a form of signing which uses the same word order as does English. For individuals who do not use a form of sign language, they may prefer an Oral Interpreter or Cued Speech Interpreter.

Who incurs the cost for an auxiliary aid or service for a medical appointment if the cost exceeds the health care provider’s charge for the appointment?

A health care provider is expected to treat the costs of providing auxiliary aids and services as part of the overhead costs of operating a business.

Can the health care provider charge the individual for part or all of the costs of providing service?

No. A health care provider cannot charge the individual for the costs of providing auxiliary aids and services. 28 C.F.R. § 36.301(c).

Can health care providers receive any tax credits for the costs of providing auxiliary aids and services?

Yes. Eligible small businesses may claim a tax credit of up to 50% of eligible access expenditures that are over \$250, but less than \$10,250. (For more information, visit the U.S. Department of Justice ADA website at www.ada.gov/taxcred.htm.)