

Non-Discrimination: Patients, Members, and Visitors	Policy Number:	F-04-020
	Adopted:	08/13/1980
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POLICY STATEMENT:

Kaiser Foundation Health Plan of Washington (KFHPWA), on its own behalf and on behalf of the Washington Region of Kaiser Permanente (KPWA), is committed to providing services on a non-discriminatory basis.

EXPLANATION:

This policy supports NATL.HPHO.007 [Nondiscrimination in the Provision of Healthcare](#). Kaiser Foundation Health Plan of Washington (KFHPW) operates in a manner that does not unlawfully discriminate against patients, members, or visitors. KFHPW does not exclude people or treat them differently because of race, color, national origin, age, disability, sex, sexual orientation, or gender identity.

KFHPW strives to make its services and facilities accessible to all patients, members, and visitors and complies with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Patient Protection and Affordable Care Act, and other laws and regulations. To these ends, KFHPW:

- Provides auxiliary aids and services as necessary to ensure effective communication with patients, members, and visitors who have speech, hearing or sight impairments;
- Permits persons with disabilities who use service animals to be accompanied by their service animals on KFHPW premises to the maximum extent reasonably possible;
- Addresses accessibility for those with mobility impairments; and
- Provides free language assistance services to individuals with limited English proficiency.

APPLICABILITY:

This policy applies to all persons who use or who seek to use KFHPW’s services, programs, or activities, or visit its facilities.

SCOPE:

This policy applies to all services, programs, activities or facilities operated, offered or maintained by KFHPW, except those related to recruitment or employment of staff members, which are covered by other policies.

RESPONSIBILITIES:

The Quality Department is responsible for this policy.

DEFINITIONS:

Auxiliary aids and services include qualified sign language interpreters, written information in alternative formats (large print, audio, and accessible electronic formats), and assistive devices (magnifiers, Pocket Talkers, and other aids). Auxiliary aids and services are provided free of charge to patients, members, and visitors.

Disability means a physical or mental impairment which substantially limits one or more major life activities including, without limitation, functions such as caring for one’s self, performing manual tasks, standing, lifting, bending, walking, seeing, hearing, speaking, communicating, learning and working.

Limited English Proficient (LEP) Individuals can be those who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.

Relay service is a free service provided by the telephone industry that enables persons who have text telephones to carry on telephone conversations with persons who do not, through use of an intermediary person—the relay operator. The relay operator reads the TDD message to the person without the TDD and types that person’s spoken message back to the TDD

user. Relay services are available 7 days a week, 24 hours a day.

Service animal: A service animal is an animal trained to assist a person who has a disability. Service animals guide people with vision impairments, alert individuals with hearing impairments, pull wheelchairs, alert and protect people who are having a seizure, and perform other special tasks.

Text telephone, TTY, TDD: "Text telephone" is a generic term for devices (also referred to as TTYs (teletypewriters) or TDDs (telecommunications devices for deaf persons) that provide access to real-time telephone communications for persons with hearing or speech impairments. Text telephones provide some form of keyboard input and visual display output to callers and receiving parties connected over standard telephone lines and networks. A call from one text telephone can only be received by another (compatible) text telephone. The term "text telephone" or the acronym TTY, rather than TDD, is the preferred usage.

OPERATIONAL REQUIREMENTS:

1. Health care is provided in a non-discriminatory manner.
2. All patients, members, and visitors are treated in a non-discriminatory manner.
3. For patients, members, or visitors with disabilities and/or limited English proficiency (LEP), the following accommodations are available to make services and facilities accessible and facilitate effective communication:

a. Visually-impaired Persons

- **Physical Assistance**

If visually impaired persons arrive unattended at a KFHPW facility, staff should ask them whether they need assistance or directions to their destination.

NOTE: An individual's visual impairment may not be obvious. Seventy-five percent (75%) of visually impaired persons have some field of vision, and many function independently. Staff should be observant and alert for cues that an individual needs assistance in reading directional signs or navigating the facility, etc.

- **Auxiliary Aids and Services**

- I. **Written Information**

- A. Certain print materials are available to visually impaired persons on audio tape upon request.
- B. Health information is uploaded to the electronic medical record and the Kaiser Permanente member portal in a format that is compatible with text to speech devices.
- C. Patient requests for clinical documents containing patient-specific information related to the patient's care that are in a format that cannot be converted to text to speech are fulfilled by transcribing the patient-specific information into a templated form and saving it into a PDF that converts the information to a text to speech format. The resulting document is sent via secure e-mail to the patient within 2 business days of the patient request.
- D. Braille translations and alternative format of certain print materials are provided upon request
- E. Consent forms are read aloud by staff and/or relayed through professional interpreters to patients as needed.

- II. **Prescription Bottle Labels**

- A. Script Talk, which uses an RFID tag on prescription bottles that is read aloud by the patient's personal Script Talk device. This is available at several KFHPW pharmacies and through Mail Order/Centralized Refill Pharmacy.
- B. Braille prescription labels are available through Mail Order/Centralized Refill Pharmacy orders.
- C. Large font prescription labels are available at all KFHPW pharmacies.

- III. **Assistive Devices Program**

Assistive Devices are available at every clinical facility in centrally located areas and pharmacies. Patients and their companions are able to access items during their visit.

- A. Patients are asked upon appointing annually about sensory impairments that may limit their ability to communicate and are informed about the availability of assistive devices and how to access them.
- B. The Assistive Devices program will be reviewed annually at minimum and will include evaluation of device offerings.
- C. An Assistive Devices Point of Contact (ADPP) at each clinic periodically reviews their assistive devices inventory and orders additional supplies when needed.

b. Hearing- or Speech-impaired Persons

- **Interpreters**

KFHPW provides free professional sign language interpreters, including but not limited to American Sign Language, Tactile, Close Visual, and Certified Deaf Interpreters for those with speech and hearing impairments. See regional policy [Interpretive Services - F-04-052](#).

- **Relay Service**

- I. Calls to and from TTY users are supported through [State Relay Services](#).

- ii. Local managers of the facility (or designees) are responsible for ensuring that staff who interact with patients, members, and visitors are familiar with the use of the Relay Service.

c. **Persons Accompanied by Service Animals**

A service animal may accompany a person in the normal use of KFHPW facilities except when:

- The animal is out of control and its owner does not take effective action to control it,
- The animal poses a direct threat to health and safety of others, or
- Both.

d. **Persons with Mobility Impairments**

Actions to address accessibility for those with mobility impairments include:

- Removing architectural barriers from its facilities, where it is readily achievable to do so.
- Ensuring that all newly constructed medical centers, hospitals and other facilities are accessible to persons with disabilities.
- Providing accessible parking.

e. **Persons with Limited English Proficiency**

KFHPW provides timely language assistance services free of charge to individuals with limited English proficiency through in-person, phone, or video remote interpretation services.

4. **Grievance Procedure**

If any patient, member or visitor feels that they have been discriminated against by KFHPW, they may file a grievance in accordance with regional policy [Civil Rights Grievance - F-04-064](#). KFHPW reviews and responds to all civil rights grievances.

KFHPW prohibits retaliation against any patient, member, or visitor because they opposed or complained about discrimination in good faith, filed a grievance, or participated in a discrimination charge or other proceeding under federal, state, or local antidiscrimination law.

Related Policies:

- Operational Policy [Civil Rights Grievance - F-04-064](#)
- Operational Policy [D-07-020, Animals in Group Health Facilities](#)
- National Policy NATL.HPHO.007 [Nondiscrimination in the Provision of Healthcare](#)
- Operational Policy [Interpretive Services - F-04-052](#)

Applicable Laws and Regulations

- Washington Law Against Discrimination, [Ch. 49.60 RCW](#)
- Washington State Human Rights Commission regulations, [Ch. 162-26 WAC](#)
- [Americans with Disabilities Act of 1990 \("ADA"\), 42 USC §§ 12101 et seq.](#)
- Patient Protection and Affordable Care Act
- [ADA Title III regulations, 28 CFR §§36.301 et seq.](#)
- [Rehabilitation Act of 1973, §504, 29 USC §794](#)

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