

Rights and Responsibilities

Patients

Your Rights

Every patient has rights. federal, state, local laws, and guidelines protect you if you are hard of hearing or deaf to make sure you receive information in a way you can understand. This is called *effective communication*.

Effective communication is when information between two or more people is shared or exchanged and each person is able to fully understand and make decisions based on that information. This is often a process that requires going back and forth with questions and answers until everyone has a clear understanding.

Although medical staff will make the final decisions as to what services they will provide, they need to include you in the discussion. You should work together to make sure your communication needs are met.

Your family and caregivers also have the same rights to aids and services so that they can be included in your care and treatment (Department of Justice, 2005).

Americans with Disabilities Act (ADA) Title III, says that all health care providers (including private doctor and dentist offices) must provide aids and services to hard of hearing, deaf, and DeafBlind patients so they can communicate clearly. For more information, see [ADA](#).

Section 1557 of the Affordable Care Act Section 1557 is the nondiscrimination provision of the Affordable Care Act (ACA). The law prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in certain health programs or activities.

The Joint Commission (TJC) is a nonprofit organization that makes sure hospitals have high standards of care for patients, their families, and caregivers. Hospitals are expected to follow TJC guidelines. This link will show you what hospitals need to do to provide access to effective communication: A Roadmap for Hospitals. [TJC "Roadmap"](#).

Centers for Medicare and Medicaid (CMS) is part of the Department of Health and Human Services. As a federal agency, CMS has many programs that help people get low-cost health care services.



Your Responsibilities

Have a Plan

If you have a plan before you see your doctor, you will feel more comfortable and less anxious. Review this Guide to make sure you know what to bring to your appointments and how to get the services you need.

Be Willing to Share

It is important to tell your doctors and staff that you are hard of hearing or deaf. You may not always feel comfortable doing this, but it can help you get the best possible care and keep you safe.

Try to be Patient

It will take time for your health care team to understand your communication needs. You may feel frustrated and even angry at times. Take a deep breath and continue to educate them until you get what you need.

Be Sure to Participate

You are the expert in what it is like to be hard of hearing or deaf and what you need to communicate. Your health care team members are the experts in medicine and treatment. By working together, you can get the communication aids and services you need.

Filing a complaint

While hospitals, facilities, and practices have the responsibility, by law, to provide aids and services to hard of hearing and deaf patients, families, and caregivers, it is your responsibility to take action when your needs are not being met. If your rights are being violated (you are not provided the services you are legally allowed), you have the right to file a complaint.

[ADA Complaint](#)

[The Joint Commission Complaint](#)

You may also file a complaint with CMS and your state's Department of Health.