



U.S. Department of Justice

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MEDIA RELEASE
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**CONCORD HOSPITAL ENTERS INTO SETTLEMENT AGREEMENT TO RESOLVE
ALLEGED VIOLATIONS OF THE AMERICANS WITH DISABILITIES ACT**

CONCORD, NEW HAMPSHIRE - United States Attorney Tom Colantuono announced that Concord Hospital agreed to enter into a settlement agreement to resolve allegations that it violated the Americans with Disabilities Act ("ADA") by failing to provide appropriate auxiliary aids and services (such as sign language interpreters) that were necessary to ensure effective communication with deaf and hard-of-hearing individuals. As part of the settlement, Concord Hospital, which cooperated in the investigation, has agreed to establish a program to ensure that it provides effective communication to deaf and hard-of-hearing patients in the future. The hospital also has agreed to pay a total of \$100,000.00, which will be divided among several complainants.

The complainants were all deaf individuals who sought treatment at Concord Hospital or who accompanied a family member who was seeking treatment at the hospital. Two of the complainants also had impaired vision. The complainants alleged that Concord Hospital discriminated against persons who are deaf or hard-of-hearing, as well as others associated with them, by failing to provide appropriate auxiliary aids and services when necessary for effective communication. The complainants use American Sign Language as their primary means of communication. The complainants alleged that they were unable to communicate adequately with hospital personnel while they, or someone they were with, received medical treatment at Concord Hospital because they were not provided with sign language interpreters, they were required to use inadequate or inappropriate auxiliary aids, and hospital personnel did not know how to operate auxiliary aids. The complainants further alleged that, in some instances, they were required to rely upon family members or other unqualified individuals to assist them in communicating about their medical concerns.

Without admitting any liability, Concord Hospital has agreed to enter into a settlement agreement to resolve these allegations. As part of the agreement, the hospital has agreed to establish a program to provide effective communication for individuals who are deaf or hard-of-hearing. This includes the appointment of Program Administrators to answer questions and provide appropriate assistance regarding immediate access to and proper use of appropriate auxiliary aids and services required by the

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settlement agreement. The hospital agreed to make efforts to determine the needs of deaf and hard-of-hearing individuals and to provide them with appropriate auxiliary aids and services (including qualified interpreters) in a timely fashion. Among other things, the hospital also has agreed to obtain and provide other equipment to assist individuals who are deaf and hard-of-hearing, to provide training for its staff, and to provide reports to the U.S. Attorney's Office regarding its compliance with the agreement.

Under the ADA, hospitals must provide effective means of communication for patients, family members, and hospital visitors who are deaf or hard of hearing. The ADA applies to all hospital programs and services, such as emergency room care, inpatient and outpatient services, surgery, clinics, educational classes, and cafeteria and gift shop services. Wherever patients, their family members, companions, or members of the public are interacting with hospital staff, the hospital is obligated to provide effective communication. More information about the ADA may be found at www.ada.gov.

This case was handled by Assistant United States Attorney John J. Farley with assistance from the Disability Rights Section of the Civil Rights Division at the United States Department of Justice.

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