

FOR IMMEDIATE RELEASE
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Coalition Urges Virginia Governor to Issue Clear Policy to Prevent Discrimination Against Patients with Disabilities During COVID-19

RICHMOND, Va. — Today, a coalition of state and national disability groups sent a **letter** to Governor Ralph Northam urging him to ensure Virginia hospitals and other health care facilities comply with federal civil rights law and recent guidance from the Office for Civil Rights at the US Department of Health and Human Services (HHS OCR) to ensure patients with communication and other disability-related support needs are able to access the in-person supports they need while receiving medical treatment.

In response to the COVID-19 pandemic, many hospitals in Virginia adopted no-visitor policies to prevent the transmission of the coronavirus. In most cases, however, these policies make exceptions and permit support people for some types of patients, including children and women in labor and delivery, but prevent similar access for patients with disabilities who may require in-person supports to help them communicate with healthcare providers, remain calm, and reduce the need for physical and chemical restraints. In order to receive equitable access to health care, patients with disabilities are entitled to the reasonable support necessary to be able to effectively communicate their symptoms and discomforts, ask questions, and provide informed consent for treatment.

In one example described in the letter, a 29-year-old man with autism experienced significant negative health outcomes when he was denied his right to support. Without his disability support personnel, he was unable to communicate effectively with medical personnel, unable to use the call bell when he needed medical attention, and when nurses and doctors were present, he was unable to communicate changes in symptoms, pain, discomfort, and other needs, all resulting in a threat to his recovery.

The letter to Governor Northam is signed by 41 national and state disability organizations, including The Arc of Virginia, the Virginia Board for People with Disabilities, CommunicationFIRST, and the Center for Public Representation.

On June 9, 2020, HHS OCR resolved a complaint filed by some of the signatories to today's letter against the State of Connecticut for failing to put in place a clear policy to ensure that patients with disabilities are able to access these in-person supports and that hospitals must revise overly restrictive no-visitor policies to safely comply with federal law while simultaneously addressing public health and safety during the pandemic.

Today's letter urges Governor Northam to take similar action to ensure state health care facilities do not continue to violate patients' civil rights.

“People with developmental disabilities are contracting and dying from COVID-19 at higher rates than people without disabilities. With these higher risks, we must correct discriminatory policies that could mean the difference between life and death for people with disabilities who need in-person supports,” says Tonya Milling, Executive Director of The Arc of Virginia.

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