

Americans with Disabilities Act (ADA) provider training

Please note, this communication applies to Anthem HealthKeepers Plus Medicaid products offered by HealthKeepers, Inc.



Anthem HealthKeepers Plus
Offered by HealthKeepers, Inc.

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About the *ADA*

The *ADA* is divided into [five] titles (or sections) relating to different areas of public life.

Section:	Topic/area addressed:
Title I	Employment practices of private employers with 15 or more employees, state and local governments, employment agencies, labor unions, agents of the employer, and joint management labor committees
Title II	Programs and activities of state and local government entities
Title III	Private entities that are considered places of public accommodation
Title IV	Telecommunications
Title V	Miscellaneous



ADA and health care providers

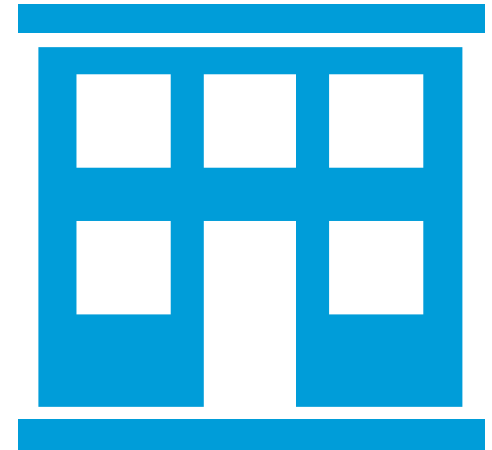
Title II and III of the *ADA* and *Section 504* require that medical care providers offer individuals with disabilities:

- Full and equal access to their health care services and facilities.
- Reasonable modifications to policies, practices and procedures when necessary to make health care services fully available to individuals with disabilities unless the modifications would fundamentally alter the nature of the services (in other words, alter the essential nature of the services).



ADA and health care facilities/ provider offices

- The *ADA* sets forth requirements for new construction and alterations to buildings and facilities, including health care facilities (28 *CFR* 35.151 for Title II entities and 28 *CFR Part 36, Subpart D* for Title III entities).
- All buildings (including those built before the *ADA* went into effect) are subject to accessibility requirements for existing facilities.
- Under Title III, existing facilities are required to remove architectural barriers where such removal is readily achievable.



ADA and health care facilities/ provider offices (cont.)

- Barrier removal is considered readily achievable when it is easily accomplishable and able to be carried out without much difficulty or expense.
- If barrier removal is not readily achievable, the entity must make its services available through alternative methods if those methods are readily achievable.
- Under Title II, a public entity must ensure that its program as a whole is accessible; this entails removing architectural barriers or adopting alternative measures such as relocating activities to accessible locations.
 - This program accessibility standard applies under *Section 504* as well.



Importance of the *ADA* in health care settings

- HealthKeepers, Inc. wants to ensure services, programs and activities are readily accessible and useable to Anthem HealthKeepers Plus members with disabilities.
- As a contracted provider with HealthKeepers, Inc., you're legally required to provide full and equal access to medical services, and your public accommodations must not exclude, segregate or treat people unequally.



Importance of the *ADA* in health care settings (cont.)

- Providing full and equal access to those with disabilities includes:
 - Removing physical barriers.
 - Providing a means for effective communication with those that have vision, hearing or speech disabilities.
 - Making reasonable modifications to policies, practices and procedures.



Accommodations for those with disabilities

You must deliver services in a manner that accommodates the needs of members by:

- Providing flexibility in scheduling.
- Providing interpreters or translators for members who are deaf or hard of hearing.
- Having an understanding of disability-competent care.
- Ensuring individuals with disabilities and their companions if applicable are provided with reasonable accommodations to ensure effective communication (including auxiliary aids and services).
- Having accessible facilities.
- Providing reasonable modifications/accommodations.



Reasonable modifications/ accommodations

Reasonable modifications/accommodations depend on the particular needs of the individual and include:

- Ensuring safe and appropriate physical and communication access to buildings, services and equipment.
- Allowing extra time for members to:
 - Dress and undress.
 - Transfer to exam tables.
 - Speak with the practitioner to ensure the individual is fully participating and understands the information.



Accessible exam rooms

Accessible exam rooms should have:

- An accessible route to and through the room.
- An entry door with adequate clear width, maneuvering clearance and accessible hardware.
 - Door hardware should not require tight grasping, tight pinching or twisting of the wrist in order to use.
- Appropriate models and placement of accessible exam equipment including:
 - Sufficient floor space next to the exam table so an individual using a wheelchair can approach the side of the table for transfers.
 - Turning space for wheelchairs to make 180 degree turns.
- Adequate clear floor space inside the room for side transfers and use of lift equipment.



Accessible exam rooms (cont.)

- The number of exam rooms with accessible equipment needed by the medical care provider depends on the size of the practice, the patient population and other factors.
 - One such exam room may be sufficient in a small doctor's practice, while more will likely be necessary in a large clinic.



Accessible medical equipment

- Availability of accessible medical equipment is an important part of providing accessible medical care.
- Providers must ensure that medical equipment is not a barrier to individuals with disabilities.
- Examples of accessible medical equipment includes:
 - Adjustable-height exam tables and chairs.
 - Wheelchair-accessible scales.
 - Adjustable-height radiologic equipment.
 - Portable floor and overhead track lifts.
 - Gurneys and stretchers.



Accessible medical equipment (cont.)

- The right solution or solutions for providing accessible medical care depends on existing equipment, the space available both within the exam room and for storage of equipment, the size of the practice and staff, and the patient population.
- What is important is that a person with a disability receives medical services equal to those received by a person without a disability.



Linguistic services

You must be responsive to the linguistic, cultural and other unique needs of members with disabilities and special populations including the capacity to communicate with members in languages other than English and with those who are deaf, hard of hearing or blind.

Guidelines around communicating with a member with a disability:

You cannot rely on a minor to facilitate communication.

You cannot require patients bring another person to interpret.

An accompanying adult can be relied on to facilitate communication if it is an emergency or the patient requests it and the accompanying adult agrees. This arrangement must also be appropriate for the circumstances (*28 CFR, Section 36.303*).



Linguistic services (cont.)

- Patients *cannot* be charged for the:
 - Use of an interpreter, other auxiliary aid or service needed for effective communication.
 - Costs of barrier removal and reasonable modifications in policies, practices and procedures (*28 CFR, Section 36.301[c]*).



Linguistic services (cont.)

- Providers need to:
 - Assist members with skilled medical interpreters and resources.
 - Have interpreters/translators available for those who are deaf-, visual- or hearing-impaired or request interpreter services from HealthKeepers, Inc. when they do not have services available in their office.
 - Be responsive to the unique linguistic, cultural, ethnic, racial, religious, age, gender or other unique needs of members including those who are homeless or disabled (both congenital and acquired disabilities) as well as other special populations.



Linguistic services (cont.)

To request interpreter services from HealthKeepers, Inc.:

- Providers and members should call **800-901-0020** for Anthem HealthKeepers Plus services.



Transportation

- All provider vehicles must comply with the vehicle specifications outlined in the *ADA*.

Guidelines around transportation:

There must be functioning, clean and accessible seat belts for each passenger seat.

Each vehicle must utilize child safety seats when transporting children under 8 years of age.

Vehicles must be available for members who have special needs when needed.



Mobility devices

- Individuals with mobility disabilities are permitted to use manual and power-driven mobility devices in areas open to pedestrian use.
- Modifications to policies, practices and procedures must be made to allow the use of power-driven mobility devices unless these devices “cannot be operated in accordance with legitimate safety requirements” (Sec. 36.311).
- Under the *ADA*, the definition of a power-driven mobility device includes a golf cart or Segway.



Mobility devices (cont.)

- To determine whether a device is allowed, a list of assessment factors must be considered including size, speed of device, volume of facility pedestrian traffic, facility design, whether legitimate safety requirements can be established and risk of serious harm to the immediate environment.
- It's not permissible to ask the individual with the device about the nature and extent of his or her disability, but it is allowable to ask for credible assurance that the mobility device is needed due to the disability. Verbal assurance is sufficient if it's not contradicted by your observation.



Want to learn more?

- Ongoing training is essential.
- From the first contact a member has with your office, staff should be knowledgeable about not refusing service, not providing separate or unequal access to health care services to any individual with a disability, and not giving the appearance of discriminating against any person.



Want to learn more? (cont.)

For additional information on the *ADA*, visit <https://www.ada.gov> or reference the *Access to Medical Care for Individuals with Mobility Disabilities* handbook (<https://www.ada.gov> > Featured Topics > *Access to Medical Care for Individuals with Mobility Disabilities*).

We offer additional training resources for you and your staff as listed below:

- *Cultural Competency Toolkit*: <https://providers.anthem.com/va> > Provider Education > Manuals, Directories, Training & More > Anthem HealthKeepers Plus Directories, Training, & Resources > *Cultural Competency Toolkit*
- *Cultural Competency Training for Health Care Providers*: <https://providers.anthem.com/va> > Provider Education > Manuals, Directories, Training & More > Anthem HealthKeepers Plus Directories, Training, & Resources > Cultural Competency Training



Thank you

If you have any questions about this communication, call Anthem HealthKeepers Plus Provider Services at **800-901-0020**.

<https://providers.anthem.com/va>

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