

Patient Nondiscrimination

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Approvals

- Signature: Jennifer McAleer, Chief Compliance & Risk Officer signed on 9/29/2025, 4:51:31 PM
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Policy : Patient Nondiscrimination

Policy/Summary Intent

To establish Overlake Medical Center & Clinics ("Overlake") guidance regarding how the organization ensures that Overlake does not discriminate against any patients, companions or visitors.

Definitions

Americans with Disabilities Act (ADA) - A federal civil rights law enacted in 1990 that prohibits discrimination against people with disabilities in areas like employment, government services, public accommodations, transportation, and telecommunications. Its goal is to ensure that individuals with disabilities have the same opportunities and access to everyday life as everyone else, requiring things like reasonable accommodations in the workplace and accessibility in public spaces.

Auxiliary Aids - includes, but is not limited to, Qualified Interpreters provided either on-site or through VRI services; note takers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones, videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible electronic and information technology; or other effective methods of making aurally delivered information available to individuals who are deaf, deaf-blind, blind, low vision or hard of hearing.

Companion - a person who is a family member, friend, or associate of an individual seeking access to, or participating in, the healthcare related goods, services, facilities, privileges, advantages, or accommodations of MHS, who, along with such individual, is an appropriate person with whom the public accommodation should communicate.

Language Assistance Services - oral and written language services needed to assist LEP individuals to communicate effectively with staff, and to provide LEP individuals with meaningful access to, and an equal opportunity to participate fully in MHS services and programs.

Limited English Proficiency (LEP) - describes an individual who is not fluent in English, with limited ability to read, speak, write, or understand the language, often because English is not their primary language.

Patient - any individual who is seeking access to, or participating in, the healthcare related goods, services, facilities, privileges, advantages, or accommodations of MHS, whether as an inpatient or an outpatient.

Qualified Interpreter - an interpreter who, via VRI service or an on-site appearance, is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified Interpreters include sign language interpreters, tactile interpreters, oral transliterators, and cued-language transliterators. Qualified Interpreters must be knowledgeable with medical terminology.

Workforce Members - credentialed providers, students, contractors, volunteers, vendors, members of the Boards of Trustees, and any others working under the auspices of the Overlake brand, whether they are paid by or under the direct control of the facility, and employees of allied organizations.

Affected Departments/Services

This policy applies to the entities of Overlake and all Workforce Members.

Policy

It is the policy of Overlake to provide equal access to its facilities and services without discrimination on the basis of age, race, color, creed, national origin, ethnicity, immigration status, religion, marital status, sex, sexual orientation, gender identity or expression, disability, citizenship, medical condition, or any other basis prohibited by federal, state, or local law.

This policy applies to Overlake Workforce Members' interactions with patients, companions, and visitors of Overlake. For questions regarding employment discrimination, please see the Overlake Policy and Procedure "Equal Employment Opportunity."

For questions you can contact the Office of Compliance & Risk Management at OCRM@overlakehospital.org.

Special Instructions

Any person who believes they or any specific class of individuals have been subjected to prohibited discrimination may file a complaint with the Privacy & Civil Rights Office through the Integrity Line.

All reports will receive a written response within fourteen (14) days.

A person may also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>, or by mail or phone at:

U.S. Department of Health and Human Services 200 Independence Avenue, SW Room
509F, HHH Building

Washington, D.C. 20201

1-800-368-1019, 800-537-7697 (TDD)

OCRComplaint@hhs.gov

Or with the U.S. Department of Justice Civil Rights Division through the Complaint Portal, available at <https://www.ada.gov/file-a-complaint/> or by mail:

U.S. Department of Justice Civil Rights Division

950 Pennsylvania Avenue, NW Washington, D.C. 20530

1-800-514-0301 (voice) or 1-833-610-1264 (TTY)

[ada.gov](https://www.ada.gov)

Procedures

1. Nondiscrimination: Overlake will treat all patients and visitors receiving or participating in services with equality and in a welcoming manner that is consistent with Overlake's nondiscrimination policy. Specifically, Overlake does not discriminate or exclude people or treat them differently because of age, race, color, creed, national origin, ethnicity, immigration status, religion, marital status, sex, sexual orientation, gender identity or expression, disability, citizenship, medical condition, or any other basis prohibited by federal, state, or local law.
2. Notice: Overlake will provide notices to patients regarding this policy and its commitment to providing access to and the provision of services in a nondiscriminatory manner pursuant to Section 1557 of the Affordable Care Act and Section 504 of the Rehabilitation Act.

3. **Effective Communication:** Overlake will inform patients, companions, and visitors of the availability of interpreter services free of charge. Overlake will inform patients of their right to appropriate auxiliary aids and services such as qualified language interpreters for limited English-speaking patients and sign language interpreters for hearing-impaired patients and how to obtain these aids and services. Aids and services will be provided free of charge to the patient and the patient's companion in a timely manner when such aids and services are necessary to ensure an equal opportunity to participate. Overlake will provide meaningful access to individuals with limited English proficiency. A Notice of Language Availability will be advertised in the state's top 15 languages as required.
4. **Reasonable Accommodation:** Overlake will make reasonable accommodations for a patient consistent with Federal and State requirements.
 - The Section 1557 Coordinator, or appropriate Office of Compliance & Risk Management delegate, will help determine and approve the suitable change or exception.
 - Contact Section 1557 Coordinator, or appropriate Office of Compliance & Risk Management delegate, to request reasonable accommodations:

Email: OCRM@overlakehospital.org

Integrity Line: 877-683-7525

Integrity Portal: integrity.overlake.ethicspoint.com

Mail: Overlake Medical Center & Clinics

Attn: Office of Compliance & Risk Management

1035 116th Ave NE

Bellevue, WA 98004

5. **Visitation Rights:** Overlake will afford visitation rights to patients free from discrimination and will ensure that visitors receive equal visitation privileges consistent with patient preferences.
6. **Accessibility:** Overlake will ensure compliance with regulations established by the Americans with Disabilities Act of 1990 with respect to accessibility to OVERLAKE facilities. OVERLAKE will perform continual monitoring of facilities for location identification, and condition of signage, door operation, parking, ramps, and restrooms. Access features will include:
 - Convenient off-street parking designated specifically for disabled persons.
 - Curb cuts and ramps between parking areas and buildings.
 - Level access into first floor level with elevator access to all other floors.
 - Fully accessible offices, meeting rooms, restrooms, public waiting areas, cafeteria, patient treatment areas, including examining rooms and patient wards.
 - A full range of assistive and communication aids provided to persons who are deaf, hard of hearing, blind, deaf-blind, low vision or with other sensory impairments. There is no additional charge for such aids.
7. **Provision of Services:** Overlake Workforce Member will determine eligibility for and provide services, financial aid, and other benefits to all patients in a similar manner, without subjecting any individual to separate or different treatment on the basis of age, race, color, creed, national origin, ethnicity, immigration status, religion, marital status, sex, sexual orientation, gender identity or expression, disability, citizenship, medical condition, or any other basis prohibited by federal, state, or local law.

If any Overlake Workforce Member recognizes or has any reason to believe that a patient or a relative, close friend, or companion of a patient is deaf, deaf-blind, or low vision, the Workforce Member must advise the person that appropriate auxiliary aids and services will be provided free of charge to the Patient or Companion. Examples of auxiliary aids and services include, but are not limited to, qualified sign language interpreters, notetakers, real-time computer-aided

transcription services, written materials, exchange of written notes, assistive listening devices, assistive listening systems, closed caption decoders, voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices, videotext displays; accessible electronic and information technology, Brailled materials and displays; and large print materials. The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length, and complexity of the communication involved; and the context in which the communication is taking place. If the Overlake Workforce Member is the responsible health care provider, the provider must ensure that such aids and services are provided when appropriate.

8. A person may also file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for Civil Rights Complaint Portal, available at <https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf>, or by mail or phone at:

U.S. Department of Health and Human Services 200 Independence Avenue, SW

Room 509F, HHH Building Washington, D.C.
20201

1-800-368-1019, 800-537-7697 (TDD)

Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>

Or with the U.S. Department of Justice Civil Rights Division through the Complaint Portal, available at <https://www.ada.gov/file-a-complaint/> or by mail:

U.S. Department of Justice Civil Rights Division

950 Pennsylvania Avenue, NW

Washington, D.C. 20530

1-800-514-0301 (voice) or 1-833-610-1264 (TTY)

ada.gov

9. Compliance: Overlake's Office of Compliance & Risk Management is responsible for coordinating compliance with this Policy. Overlake has designated Office of Compliance & Risk Management to coordinate efforts under 1557 of the Affordable Care Act and Section 504 of the Americans with Disabilities Act.

Related Policies

- Policy on Compliance with the Americans With Disabilities Act, Section 504 of the Rehabilitation Act of 1973 and Section 1557 of the Patient Protection and Affordable Care Act (Public Facing)
- Compliance Investigations
- Compliance, Privacy & Ethics Sanctions Policy
- Patient Complaint & Grievance Process & Policy
- Equal Employment Opportunity
- Equal Employment Opportunity
- Emergency Medical Treatment and Labor (EMTALA)

References

The Americans with Disabilities Act of 1990 (ADA), 42 USC §§ 12101 et seq.

Washington Law Against Discrimination, Ch. RCW 49.60.030

Washington State Human Rights Commission regulations, Ch. 16226 WAC

ADA Title III regulations, 28 CFR §§36.301 et seq.

Section 1557 of the Patient Protection and Affordable Care Act (42 U.S.C. 18116)

Section 504 of the Rehabilitation Act of 1973

Title VI of the Civil Rights Act of 1964 Age Discrimination Act of 1975

45 C.F.R. § 80 (2012) – Nondiscrimination under programs receiving Federal assistance through the Department of Health and Human Services effectuation of Title VI of the Civil Rights Act of 1964.

45 C.F.R. § 84 (2012) – Enforcement of nondiscrimination on the basis of handicap in programs or activities conducted by the Department of Health and Human Services.

45 C.F.R. § 91 (2012) – Nondiscrimination on the basis of age in programs or activities receiving Federal financial assistance from HHS.

RCW 49.60 – Discrimination – Human Rights Commission

29 U.S.C. § 794 – Nondiscrimination under Federal grants and programs

RCW 49.60

WAC 246-341-0420(4), WAC 246-341-0420(5), WAC 246-341-0420(6)

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Attachments: (REFERENCED BY THIS DOCUMENT)	Equal Employment Opportunity Equal Employment Opportunity http https https https://ocrportal.hhs.gov/ocr/smartscreen/main.jsf integrity.overlake.ethicspoint.com www.ada.gov/file-a-complaint/		
Other Documents: (WHICH REFERENCE THIS DOCUMENT)	Compliance with the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973 and Section 1557 of the Patient Protection and Affordable Care Act (Public Facing)		

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