Date

Name

Address

Town, Zip

Dear Dr.

As you know, I am a qualified individual with a disability. I am deaf. In order to communicate with me, you will need to provide reasonably effective communication, which for me means that you need to provide an American Sign Language (ASL) interpreter. I have previous requested that you provide me with an interpreter and either you or your staff continues to deny me or insist that I pay for it out of my own pocket. I am guessing that you may not be clear on what the law requires and I would like to provide you with this information.

According to the ADA Title III, the law requires that your business provide and pay for a Sign Language Interpreter in order to reasonably accommodate someone with a hearing impairment. *See*, 28 C.F.R. 36.301; §36.303.

Like you, many health care providers often fail to provide adequate communication services for the deaf and hard of hearing in compliance with Title III of the Americans with Disabilities Act (ADA). Frankly, attorneys are not much better. Since 2006, the Department of Justice has settled with 14 medical and law offices over ADA violations related to effective communication with the deaf and hard of hearing. Many service providers, particularly smaller organizations, do not understand the ADA’s legal requirements. Those who are not aware of the law may have the same reaction as one attorney who confidently documented his ADA violation by writing to a client, “I have never had to pay to converse with my own client.” Many smaller firms mistakenly believe that because there is a size limitation (15 or more employees) on the ADA’s coverage of employers under Title I,4 there is a corresponding limitation on the coverage of Title III. However, Title III contains no such limitation.

Communication is critical to both medical and legal services. Under Title III of the

ADA, individuals with disabilities are entitled to “full and equal enjoyment” of the

services of a “public accommodation.” An “office of an accountant or lawyer…professional office of a health care provider, hospital, or other service establishment” are explicitly listed as a public accommodation under Title III. The ADA includes both a prohibition and an affirmative duty. Public accommodations providers may not discourage or discriminate against individuals with disabilities seeking their services.

The ADA clearly states that you must provide an interpreter at no cost to the client. I hope that this letter clarifies and helps you better understand the legal requirements of the ADA in your practice. I sincerely believe that if you know and understand the law that you will readily comply with it and provide me with effective communication.

I look forward to our next appointment.

Sincerely,

Name