

POLICY

Patient Nondiscrimination

Category: Organizational

Sub-Category: Rights & Responsibilities

Other: Click here to enter text.

Type: POLICY

Status: Active

Last Reviewed: 03/27/2019

Regulatory Source(s): **The Joint Commission; CMS** **Other:** Affordable Care Act, Section 1557; Washington State Hospital Association Nondiscrimination Policy Updates (August 22, 2016)

Regulatory Citation Number(s): RI.01.01.01; 42 CFR 482.13(h)(3); 42 CFR 489.102 (a)(3); RCW 49.60.010; 45 CFR 92.1 – 92.303

Citation title: RI.01.01.01 The hospital respects, protects, and promotes patient rights

42 CFR 482.13(h)(3) Condition of participation: Patient right's

42 CFR 489.102 (a)(3) Requirements for providers

RCW 49.60.010 Law against discrimination

45 CFR 92.1 – 92.303 Procedures for health programs

Foundational Mirrored Policy: To be determined

PURPOSE:

To ensure that all patients and visitors of Virginia Mason Medical Center (VMMC) are treated with equality, in a welcoming, nondiscriminatory manner, consistent with applicable state and federal law.

SCOPE: Workforce

This policy applies to all members of the Virginia Mason Medical Center workforce, including staff and non-staff working on VMMC property.

POLICY:

Virginia Mason Medical Center is dedicated to providing services to patients and welcoming visitors in a manner that respects, protects, and promotes patient rights.

1. **Nondiscrimination.** The VMMC Workforce will treat all patients and visitors receiving services from or participating in other programs of Virginia Mason Medical Center including its clinics with equality, and in a welcoming manner, that is free from discrimination based on age, race, color, creed, ethnicity, religion, national origin, culture, language, marital status, sex, sexual orientation, gender identity or expression, physical or mental disability, association, whether or not an advanced directive has been executed, socioeconomic status, veteran or military status, or any other basis prohibited by federal, state, or local law.
2. **Notice.** VMMC will post a Notice of Nondiscrimination and Language Assistance which describes VMMC's commitment to providing access to, and the provision of services, in a welcoming, nondiscriminatory manner, consistent with applicable state and federal law. The Notice states that Virginia Mason does not discriminate on the basis of age, race, color, creed, ethnicity, religion, national origin, culture, language, marital status, sex, sexual orientation, gender identity or expression, physical or mental disability, association, whether or not an advanced directive has been executed, socioeconomic status, veteran or military status, or any other basis prohibited by federal, state, or local law. Virginia Mason does not exclude people or treat them differently because of age, race, color, creed, ethnicity, religion, national origin,

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- culture, language, marital status, sex, sexual orientation, gender identity or expression, physical or mental disability, association, whether or not an advanced directive has been executed, socioeconomic status, veteran or military status, or any other basis prohibited by federal, state, or local law.
3. **Access; Services.** VMMC will provide equal access to its facilities and services, and determine eligibility for and provide services, financial aid, and other benefits to all patients, without subjecting any individual to separate or different treatment on the basis of age, race, color, creed, ethnicity, religion, national origin, culture, language, marital status, sex, sexual orientation, gender identity or expression, physical or mental disability, association, whether or not an advanced directive has been executed, socioeconomic status, veteran or military status, or any other basis prohibited by federal, state, or local law. Equal access includes physical accommodations for disabled persons, nondiscriminatory delivery of benefits, and reasonable aid in accessing electronic health programs.
 4. **Reasonable Accommodations.** VMMC workforce will inform patients of the availability of and make reasonable accommodations for patients consistent with federal and state requirements. This includes, for example, informing patients of their right to appropriate auxiliary aids and services such as qualified language interpreters for non-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 and in a timely manner when such aids and services are necessary to ensure an equal opportunity to participate to individuals with disabilities or to provide meaningful access to individuals with limited English proficiency. The VMMC Notice of Nondiscrimination and Language Assistance provides detail regarding such aids and services, for patients.
 5. **Visitation Rights.** The VMMC Workforce will afford visitation rights to patients free from discrimination based on age, race, color, creed, ethnicity, religion, national origin, culture, language, marital status, sex, sexual orientation, gender identity or expression, physical or mental disability, association, whether or not an advanced directive has been executed, socioeconomic status, veteran or military status, or any other basis prohibited by federal, state, or local law and will ensure that visitors receive equal visitation privileges consistent with patient preferences. The VMMC Patient Visitors policy provides further detail.
 6. **Complaints and Grievances.** Any person who believes that he, she, or another person has been subjected to discrimination which is not permitted by this Policy, may file a complaint using the Virginia Mason Medical Center complaint and grievance procedure, as described in the VMMC Complaint and Grievance Policy and the Patient Rights and Responsibilities notice.
 7. **Compliance.** The Administrative Director, Patient Experience serves as the Nondiscrimination Coordinator, whose accountabilities include coordination of efforts to comply with Virginia Mason Patient Nondiscrimination Policy and Section 1557 of Affordable Care Act, and its implementing regulations.
 8. **No Retaliation.** Staff are prohibited from retaliating against any person who opposes, complains about, or reports discrimination, files a complaint, or cooperates in an investigation of discrimination or other proceeding under federal, state, or local anti-discrimination law.

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DEFINITIONS:

Refer to Medical Center Policy Development & Approval - Appendix A for standard workforce, roles and work product definitions.

REFERENCES:

Policy:

Patient Rights and Responsibilities
 Complaint and Grievance
 Patient Visitor

KEYWORD Indexes:

Patient Rights, Interpreter Services

Effective Date:	April 22, 2019	Term Date:	
Governing Department:	Safety and Regulatory Compliance		
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Approved By:	Senior Council	Date:	April 2019
Next Review Date:	April 2022		

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