

G490

(Rev. 182, Issued: 09-28-18, Effective: 09-28-18, Implementation: 09-28-18)

§484.50(f) Standard: Accessibility.

Information must be provided to patients in plain language and in a manner that is accessible and timely to—

§484.50(f)(1) Persons with disabilities, including accessible web sites and the provision of auxiliary aids and services at no cost to the individual in accordance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act.

§484.50(f)(2) Persons with limited English proficiency through the provision of language services at no cost to the individual, including oral interpretation and written translations.

Interpretive Guidelines §484.50(f)(2)

“Plain language” (also referred to as “Plain English”) is communication the patient and/or his or her representative (if any) can understand the first time they read or hear it. Language that is plain to one set of readers may not be plain to others. Written material is in plain language if the audience can:

- Find what they need;
- Understand what they find; and
- Use what they find to meet their needs.

Section 504 of the Rehabilitation Act and the Americans with Disabilities Act protect qualified individuals with disabilities from discrimination on the basis of disability in the provision of benefits and services. Concerns related to potential discrimination issues under 504 should be referred to the Office of Civil Rights for further review.

“Auxiliary aids and services” for individuals who are deaf or hard of hearing include services and devices such as, but not limited to: qualified interpreter services (on-site or through video remote interpreting (VRI)); 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 realtime captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs), videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; and accessible electronic and information technology. Auxiliary aids and services for individuals who are blind or have low vision include services and devices such as: qualified readers; taped texts; audio recordings; Braille materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; and accessible electronic and information technology.

The patient's clinical record should include evidence that the HHA facilitated the availability of needed auxiliary aids and language services.