

Who gets to choose, the doctor or the Deaf patient?

According to the Eleventh Circuit Court of Appeals, “If effective communication under the circumstances is achievable with something less than an on-site interpreter, then the hospital is well within its [Americans with Disabilities Act] obligations to rely on other alternatives. Indeed, the implementing regulations clarify that ‘the ultimate decision as to what measures to take rests with’ the hospital.”

So it all depends on whether the deaf person has an equal opportunity to understand and participate in his or her medical treatment and medical decisions.