

# **Tennessee Alliance for Legal Services**

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## **DLAC Files Lawsuit in Federal District Court**

### **DEAF INDIVIDUAL FILES LAWSUIT ABOUT COMMUNICATION PROBLEMS AT ATHENS REGIONAL MEDICAL CENTER IN ATHENS, TENNESSEE**

Plaintiff Alleges Defendants Failed to Appropriately Provide Sign Language Interpreters (Chattanooga, TN)—Disability Law & Advocacy Center of Tennessee (DLAC) has filed a lawsuit in the Federal District Court for the Eastern District of Tennessee on behalf of Anthony Rummel. The lawsuit alleges that defendants Athens Regional Medical Center, LLC and LifePoint Hospitals, Corp. discriminated against Rummel on the basis of his disability.

On June 16, 2012, Rummel was swimming in a lake when he began experiencing painful cramps throughout his body. He was then transported to Athens Regional Medical Center's Emergency Department by ambulance. Rummel is deaf and his primary language is American Sign Language (ASL) which does not follow the same structure as spoken or written English. A sign language interpreter helps Rummel understand complex and lengthy communications, including those about his healthcare.

Despite Rummel's repeated requests for a sign language interpreter, the hospital did not provide Rummel with a qualified sign language interpreter at any time during his hospitalization. As a result, Rummel was unable to understand his diagnosis, prognosis, course of treatment and expected discharge. Rummel was also unable to understand information about medical tests the hospital performed and medications he was given.

During Rummel's hospitalization from June 16, 2012 to June 19, 2012, the hospital's failure to provide

effective communication caused Rummel to feel embarrassment, fear, anger and stupidity. He also felt left out of decisions about his own body, overwhelmed, and stressed. "Being in the hospital is a difficult experience for anyone. That difficulty was significantly magnified for Mr. Rummel due to communication barriers that could have easily been addressed," observed DLAC's Executive Director, Lisa Primm.

Rummel's lawsuit claims defendants have violated the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504). Both laws require hospitals to provide sign language interpreters to people who are deaf when necessary to ensure effective communication. It is generally necessary to provide a sign language interpreter when attempting to discuss complex information such as medical information. "Providing effective communication to patients with communication disabilities is a win-win," stated DLAC's Legal Director, Martha M. Lafferty. "Patients need to understand information about their health care. In order to provide appropriate treatment, medical providers need to ensure that they understand a patient's issue and that a patient has given informed consent."

This is not the first such lawsuit DLAC has filed on behalf of persons who are deaf. DLAC regularly receives calls from people with disabilities across Tennessee who are being denied sign language interpreters and similar auxiliary aids/services such as computer assisted real time translation (CART) or Braille in medical, legal and other settings.

If you or someone you know has been or is being denied a sign language interpreter or similar auxiliary aids/services or has experienced other disability related discrimination, DLAC may be able to help address your issue. Please contact DLAC at 1.800.342.1660 (Voice). DLAC accepts relay calls to its voice 800 number.

DLAC is a private nonprofit agency designated as the protection and advocacy agency for Tennessee. In this

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Printed: August 8, 2020

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