

	TITLE: Patient Nondiscrimination: Compliance with Section 1557 of the Patient Protection and Affordable Care Act	
	SECTION: Administration	- Corporate Compliance
	AFFECTED DEPARTMENT(S): All	
	EFFECTIVE DATE: 10/2016	
	REVISION DATE(S): 08/2021; 08/2022; 03/2025	
APPROVED BY: Travis Dorr		Compliance Officer
APPROVED BY: Korrey Klein, MD		CEO
POLICY #	028	

PURPOSE

The purpose of this policy is to ensure that all patients and visitors to FHW facilities are treated with respect, in a nondiscriminatory manner, which is consistent with all applicable state and federal laws.

POLICY

FHW is dedicated to providing services to patients and welcoming visitors in a manner that respects, protects, and promotes patient rights. We provide equal access to our facilities and services irrespective of age, race, color, creed, ethnicity, religion, national origin, citizenship status, marital status, sex, sexual orientation, gender, gender identity or expression, disability, association, veteran or military status, or any other basis prohibited by federal, state, or local law.

PROCEDURE

1. **Nondiscrimination.** FHW staff will treat all patients and visitors in a manner that is free from discrimination based on age, race, color, creed, ethnicity, religion, national origin, marital status, socioeconomic status, sexual orientation, gender identity or expression, disability, association, veteran or military status, or any other basis prohibited by local, state, or federal, including Section 1557 of the Patient Protection and Affordable Care Act.¹
2. **Notice.** FHW will provide notices to patients regarding this policy pursuant to Section 1557 of the Patient Protection and Affordable Care Act.
3. **Reasonable Accommodations.** FHW staff will make every effort to inform patients of the availability of and make recommendations for accommodations consistent with federal, state, or local laws. This includes informing patients of their right to appropriate aids and services such as qualified language interpreters for non-English speaking patients and sign language interpreters for hearing-impaired individuals. 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.
4. **Visitation Rights.** FHW will afford visitation rights free from discriminations outlined in this policy. Additional information is available in the FHW "Visitation" policy.
5. **Provision of Services.** FHW staff will determine eligibility for and provide services, financial aid, and other benefits to all our patients in a similar manner without subjecting any individual to separate or different treatment on the basis of discriminations outlined in this policy.
6. **Complaints/Grievances.** Any person who believes that he or she has been subjected to discrimination which is specifically prohibited by this policy may file a complaint/grievance as outlined below. FHW has designated the

Patient Advocate as the Section 1557 Coordinator who is responsible for reviewing and investigating all complaints.

- a) Complaints/Grievances should be submitted to the Patient Advocate within 60 days of the date the person filing the complaint/grievance becomes aware of the alleged discriminatory action.
- b) The complaint/grievance must be in writing containing the name and relevant contact information of the person filing it. The complaint/grievance must state the issue, problem, or action alleged to be discriminatory.
- c) The Patient Advocate is responsible for conducting an internal investigation which will afford all interested persons the opportunity to submit evidence relevant to the investigation. The Patient Advocate is responsible for maintaining all files and records pertaining to all investigations.
- d) The Patient Advocate will issue a written decision on the complaint/grievance, based on the preponderance of evidence, no later than 30 days after its filing, including a notice to the complainant of their rights to pursue further administrative legal remedies. The person filing the complaint/grievance may appeal the decision of the Patient Advocate by writing the President/CEO of Family Health West within 15 days of receiving the Patient Advocate's decision. The President/CEO shall issue a written decision in response to the appeal no later than 30 days after its filing.
- e) The availability and use of this procedure do not prevent a person from pursuing other legal or administrative remedies including filing a complaint of discrimination in court or with the U.S. Department of Health and Human Services, Office for Civil Rights.
- f) FHW will make arrangements to ensure that individuals with disabilities or limited English proficiency are provided auxiliary aids and services or language services if needed to facilitate participation in this process.

REFERENCES

1. Centers for Medicare & Medicaid Services. *Nondiscrimination in Health and Health Education Programs or Activities, Delegation of Authority*. June 19, 2020.
<https://www.federalregister.gov/documents/2020/06/19/2020-11758/nondiscrimination-in-health-and-health-education-programs-or-activities-delegation-of-authority>