



Coronavirus (COVID-19) - Hospital Visitation for Patients with Disabilities

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Produced by: Disability Rights California and Disability Rights Education and Defense Fund

Some doctors and hospitals have a “no visitors” rule because of COVID-19. The State of California sent a Letter¹ to hospitals and other health facilities about these rules. The Letter says that people with disabilities sometimes need to bring a support person with them to the hospital or the doctor. A copy of this letter is at the end of this document. Read on to learn about your legal rights.

Patients with Disabilities Can Have a Support Person with Them When Needed for Equal Care

- Many patients with disabilities need a support person when they are in the hospital.
 - Hospitals and doctors must give all people with disabilities the “reasonable modifications” they need to get equal care.
 - “Reasonable modifications” are changes that disabled people need to be equal. One example is to let you have a support person with you in the hospital.
 - A support person can help you in different ways like:
 - talk or communicate with others.
 - get around your room and the hospital.

- feel better and less worried.
- help you with things like eating and staying clean
- help you plan for your care after you leave the hospital.
- The support person can be your personal care attendant, a family member, a friend, or other caregiver.

The Support Person Can't Be Sick and Must Wear a Mask

- Your support person must not have COVID-19 or any signs of being sick with COVID-19. The hospital or doctor is allowed to check support persons for COVID-19.
- Your support person must follow the rules about personal protective equipment. This is sometimes called "PPE" for short.
 - Masks and gloves are examples of personal protective equipment. Your support person must wear personal protective equipment if the hospital or doctor tells them to.
 - Your support person should bring their own mask and gloves. If your support person does not have their own, they should ask for some at the visitor check-in area.

Patients with Disabilities Can Have Video and Phone Calls, With Help and Extra Time if Needed

- You can have video and phone calls using phones or tablets or computers.
- You may need help to use a phone, computer, tablet or other device. This help could include:
 - A staff person to help you use a phone, tablet, or computer.
 - A larger screen or a videophone or something else for your disability.
 - Extra time with a computer or other device that the hospital owns and lets patients use.

Rules about Visitors Should be Public

- Hospitals and doctors have to tell you and your family all of their rules for visitors. The rules should talk about support persons for people with

disabilities. The rules should also talk about PPE like masks or gloves.

- Hospital and doctors should put up signs about visitors at the building, in parking lots, and where you enter. They should post their rules online and on Facebook, Instagram, and other places. They should make sure that you can understand these rules.

How to File a Complaint if You Are Not Allowed to Bring a Support Person

- If you need a support person and your hospital or doctor does not allow you to bring your support person, you may wish to file a complaint. To file a complaint, you may:
 - File a complaint with the California Department of Fair Employment and Housing: <https://www.dfeh.ca.gov/complaintprocess>
 - You may also file a complaint with the U.S. Department of Health & Human Services, Office for Civil Rights at the following link: <https://www.hhs.gov/ocr/complaints>
 - If you are on Medi-Cal, you may also file a complaint with the Department of Health Care Services, Office of Civil Rights: <https://www.dhcs.ca.gov/discrimination-grievance-procedures>

We are Here to Help

Disability Rights California and DREDF are here to help. If you or someone you know have problems with access to your support person or making online or phone visits, please contact us.

Disability Rights California

Phone: 1-800-776-5746

Visit: <https://www.disabilityrightsca.org/contact-us/how-to-get-help>

Disability Rights Education and Defense Fund

Phone: (510) 644-2555

Email: info@dredf.org

Supporting Documents

- [CDPH Visitor Policy Guidance](#)
- [DRC and DREDF Guidance for Health Care Facilities](#)

¹ Department of Public Health, All Facilities Letter 20-38.1, Visitor Limitations Guidance (May 2, 2020) at <https://www.cdph.ca.gov/Programs/CHCQ/LCP/Pages/AFL-20-38.aspx>

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For legal assistance call 800-776-5746 or complete a [request for assistance form](#). For all other purposes call 916-504-5800 (Northern CA); 213-213-8000 (Southern CA).

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