


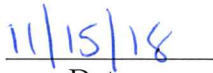


**STATE OF CONNECTICUT**  
**Department of Mental Health & Addiction Services**



A Healthcare  
Service Agency

**Commissioner's Policy Statement and Implementing Procedures**

<b>SUBJECT:</b>	ADA Title II: Equal Access to DMHAS Services, Programs and Activities
<b>P &amp; P NUMBER:</b>	Chapter 6- Clinical and Facilities
<b>APPROVED:</b>	 Miriam Delphin-Rittmon, Commissioner, Ph.D. <span style="float: right;">           Date       </span>
<b>EFFECTIVE DATE:</b>	7/15/1997
<b>REVISED</b>	7/15/1997, 12/28/2010, 1/4/2011, 10/15/15, October 2018 Replaces Chapter 2.20 “Accessibility to Services Programs and Activities”
<b>REFERENCES:</b>	<p>The <a href="#">Americans with Disabilities Act of 1990</a> subchapter II (Title II): as amended by the ADA Amendments Act of 2008 (<a href="#">Pub.L. 110-325</a>)</p> <p>Americans with Disabilities Act of 1990, Title II ADA Technical Assistance Manual: <a href="http://www.ada.gov/taman2.html">http://www.ada.gov/taman2.html</a></p> <p><a href="#">28 C.F.R. Part 35</a> Nondiscrimination On the Basis of Disability in State and Local Government Services</p> <p><a href="#">42 U.S. Code, §12131- 12134</a> Title 42--Public Health and Welfare, Equal Opportunity. Chapter 126-- Equal Opportunity for Individuals with Disabilities, Subchapter II Public Services, Part A, Prohibition Against Discrimination and Other Generally Applicable Provisions.</p> <p><a href="#">45 C.F.R Part 84</a> Section 504 of the Rehabilitation Act of 1973, Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance.</p> <p><a href="#">DMHAS ADA Webpage</a></p> <p><a href="#">DMHAS ADA Notice</a></p> <p><a href="#">DMHAS Deaf and Hard of Hearing Services</a></p> <p><a href="#">DMHAS ADA Title II Guide to Service Animals</a></p> <p><a href="#">DMHAS Client Grievance Procedure</a></p> <p><a href="#">DMHAS Client Complaint and Grievance Form</a></p> <p><a href="#">DMHAS Commissioner Policy Chap 2 Reasonable Accommodation Request</a></p>

**STATEMENT OF PURPOSE:** The Department of Mental Health and Addiction Services (DMHAS) provides patients, clients, visitors and guests with disabilities effective communication and equal access to programs, services and activities.

**POLICY:**

DMHAS services, programs and activities are equally accessible to individuals with disabilities as they are to other persons in integrated settings without discrimination or surcharge. DMHAS does this by making reasonable modifications to policies and practices; providing effective communication and auxiliary aids and/or services for people with disabilities to use when receiving services from DMHAS facilities and programs except when doing so leads to a fundamental alteration of the service, program or activity or results in an undue financial or administrative burden or when there is a risk of safety to the individual and/or others.

1. This policy covers clients, patients, visitors and guests with disabilities who are considered qualified persons with disabilities under Title II of the Americans with Disabilities Act (ADA) because they meet essential requirements for receiving DMHAS services and/or participating in DMHAS programs with or without a disability and who:
  - Have a physical or mental impairment that substantially limits one or more major life activity;
  - Have a record of such an impairment; or
  - Is regarded as having such an impairment
2. DMHAS employees and members of the DMHAS workforce are not covered by this policy.
3. Client, patients, guests and visitors of DMHAS facilities who need equal access to a DMHAS service or program and whose disability is not evident may request a reasonable disability related modification by:
  - a. Speaking to the DMHAS staff responsible for the service, program or activity or:
    - Submitting a written request to the DMHAS facility's designee for addressing disability related requests or
    - Contacting the DMHAS ADA Title II Coordinator
  - b. Written requests for disability related modification(s) should include:
    - Name of person making the request as well as his/her contact information
    - Reason for the request
    - Specific modification requested by the person
    - When and where will the modification be needed
  - c. Requests for disability related modifications should be made at least 10-days before the requested modification is needed to allow time for the request to be reviewed and necessary arrangements made. However, the DMHAS facility may waive the 10-day period if there is an urgent need to respond to the request.
  - d. The preferences of the person requesting the disability related modification will be considered when the DMHAS facility responds to the request.
  - e. While the request is being reviewed, the individual making the request may be asked questions necessary for addressing the request.

- Questions and responses regarding a request for disability related modifications will be kept confidential.
  - A denial will not be based on whether the person refuses to answer questions regarding his/her request.
- f. DMHAS is not required to provide aids for a person's use at home or in the community including but not limited to: hearing aids, ramps and wheelchairs.
4. The DMHAS Commissioner designates an ADA Title II Coordinator to promote DMHAS compliance with the ADA and address ADA related concerns and complaints. The ADA Title II Coordinator does this by working with the DMHAS ADA Title I Coordinator, DMHAS Deaf and Hard of Hearing (DHOH) Services, DMHAS facility Chief Executive Officers and site supervisors; DMHAS facility Client Rights Officers and advocates.
5. DMHAS addresses ADA related complaints at the lowest possible level.
- a. ADA related complaints from clients and patients of DMHAS facilities and programs are addressed under the DMHAS Client Grievance Procedure.
  - b. ADA related complaints from visitors or guests of a DMHAS facility or program can be submitted in writing to the DMHAS ADA Title II Coordinator. ADA related complaints from DMHAS employees or members of the DMHAS workforce should be directed to the DMHAS ADA Title I Coordinator.
  - c. Anyone with an ADA-related complaint may contact the United States Department of Justice 950 Pennsylvania Avenue, NW Civil Rights Division, Disability Rights Section NYAV Washington, DC 20530 1-800-514-0301 Fax: 202-307-1197 [www.ADA.gov](http://www.ADA.gov)
6. Notices on DMHAS compliance with the ADA will be posted by DMHAS facilities and programs in prominent locations and as well as on the DMHAS website. Such notices will include contact information for the ADA Title I and ADA Title II Coordinators.