



DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MEDICAL COMMAND
2050 WORTH ROAD
FORT SAM HOUSTON, TEXAS 78234-6000

REPLY TO
ATTENTION OF
MCEE (690)

5 May 2000

MEMORANDUM FOR Commanders, MEDCOM Major Subordinate
Commands

SUBJECT: Applicability of AR 600-7, Nondiscrimination on the
Basis of Handicap in Programs and Activities Assisted or
Conducted by the Department of the Army, in Medical Command
(MEDCOM)

1. References :

a. Memorandum, Headquarters, U.S. Army Medical Command
(HQ MEDCOM), MCEE, 12 Jun 98, subject: Reasonable Accommodation
and Access to Services for Individuals with Disabilities
(Enclosure 1).

b. Information Paper, HQ MEDCOM, MCEE, 10 Apr 00, subject
as above (Enclosure 2).

c. The MEDCOM Poster 600-7-1, MCEE, Mar 00
(Enclosure 3).

d. Checklist for Use in U.S. Army Medical Command
Activities, Mar 00 (Enclosure 4).

2. Goal three of the Army Medical Department's Health Strategic
Plan, 2000-2007, is: "Provide quality, accessible, cost-
effective health services." Access obviously means something
unique for our health care recipients who are disabled. Based
on the complaints that have been filed against our activities in
the past, we recognize that we should remain proactive in
assuring access and accommodation for individuals with
disabilities who use our services. Therefore, we encourage you
to review the information prepared by the Office of Equal
Employment Opportunity (EEO) Programs, referenced above.

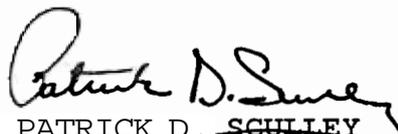
MCEE

SUBJECT: Applicability of AR 600-7, Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of the Army, in Medical Command (MEDCOM)

3. Our point of contact is Mrs. Delia Rairez Trimble, Director, Office of EEO Programs at DSN 471-8170, Commercial (210) 221-8170, or at E-mail delia.trimble2@cen.aedd.army.mil.

FOR THE COMMANDER:

4 Encls
as



PATRICK D. SCULLEY
Major General
Chief of Staff



DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY MEDICAL COMMAND
2050 WORTH ROAD
FORT SAM HOUSTON, TEXAS 78234-6000

REPLY TO
ATTENTION OF

MCEE (690)

12 JUN 1998

MEMORANDUM FOR Commanders, MEDCOM Major Subordinate Commands

Subject: Reasonable Accommodation and Access to Services for
Individuals with Disabilities

1. We remind commanders at all levels of the need to comply with subject requirements, not only for our employees but also for those persons using programs and activities conducted by the U.S. Army Medical Command (MEDCOM). This memorandum also serves as notice that the subject topic is being added to the Western Regional Medical Command, Center of Excellence for Customer Relations, Train-the-Trainer Course on "Constructing Corporate Culture Change."
2. For your information, recently, family members with disabilities have filed complaints against MEDCOM medical treatment facilities for lack of reasonable accommodation and access to services. Beyond having clear policies and **SOPS** covering subject areas, it is clear that we have to provide awareness training for our staff members regarding these regulatory requirements. They must also know what to do if someone wants to file a discrimination complaint because of alleged noncompliance. In this regard, I encourage you to become familiar with the information prepared by our Office of Equal Employment Opportunity (EEO) Programs (Enclosure 1).
3. Our point of contact is Mrs. Delia Ramirez Trimble, Director, Office of EEO Programs at DSN 471-8170 or Commercial (210) 221-8170.

Encl
as


JOHN L. CUDDY
Major General, DC
Chief of Staff

Encl

4 June 1998

Information Paper

Subject: Reasonable Accommodation and Access to Services for Individuals with Disabilities

1. PURPOSE. To provide recommended guidance for local commanders regarding subject topic.

2. **FACTS.**

a. In the past, we have investigated discrimination complaints filed by military dependents (family members) with disabilities against some of our medical treatment facilities (MTFs) for lack of subject accommodation and services. **We** have also issued reminders about MTF responsibilities in these areas, based on existing laws and regulations.

b. At present, we are investigating two complaints filed by family members. In the first case, a deaf military dependent allegedly was not provided certified sign language interpreter services, even though she had given sufficient notice about this request. In the second case, a wheelchair-bound family member allegedly was not provided the assistance necessary for a routine examination.

c. The appropriate corrective action for the MTFs in the above cases is to make sure the same or similar noncompliance situation will not happen again. To assure this, we recommend the following plan of action for local commanders:

Establish a clear policy.

Develop/distribute easily understood SOPs.

Do the right training for the right people.

d. What are the requirements under the law? The enclosed listing addresses the matter of reasonable accommodation and services. Where should the training be incorporated? Most appropriately, in the MEDCOM Customer Relations course. Who should be trained? All MTF staff members who may interact with the persons(8) requesting subject assistance.

3. ADDITIONAL INFORMATION. Those **MTFs** which do not have frequent requests for certain services, like sign language interpreters, may need to simply identify how services may be obtained in their localities. Some possible sources include:

a. Local Civilian Personnel Advisory Centers which may routinely provide interpreter services for deaf employees who attend training, meetings, briefings, etc.

b. Installations which maintain contracts for interpreter services on an as-needed basis.

c. Private hospitals or community-based organizations which have identified networks that are able to provide information **on** the availability of certified interpreters.

d. More resource information is enclosed.

References

Primary References:

The Joint Commission **1997** Accreditation Manual for Hospitals, Scoring Guidelines, chapter on Patient Rights and Organization Ethics, RI.1.1 which states: The hospital's responsibility to provide access to care is governed by The Americans with Disabilities Act (ADA) and other applicable laws and regulations.

Army Regulation (AR) 600-7, subject: Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of the Army, dated 15 Dec **83**, which covers "any program or activity that is conducted by DA." (Chapter **4** covers the Equal Employment Opportunity [EEO] Complaints Processing System.)

Additional References:

Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against otherwise qualified persons with disabilities in programs and activities assisted or conducted by the Federal Government. 29 U.S. Code **794**, DoD Directive 1020.1, **AR 600-7**.

The Architectural Barrier Act of 1968, as amended, which requires buildings and facilities designed, constructed, altered after **1968**, or leased after **1977**, by or for the Federal Government be made accessible to and usable by persons with disabilities. **42 U.S.C. 4151-4157**.

Section 502 of the Rehabilitation Act of 1973, as amended, which establishes the Access Board (formerly the Architectural and Transportation Barrier Compliance Board) to enforce the Barriers Act, 29 U.S. Code 792. The Board's procedures for processing complaints under the Barrier Act against DoD facilities are referred to DoD for investigation. 36 CFR 1150.

Minimum Guidelines for Requirements for Accessible Design issued by the Board under the Barrier Act. Federal accessibility standards under the Barriers Act must comply. 36 CFR 1190.

Uniform Federal Accessibility Standards issued jointly by the Department of Defense, Department of Housing and Urban Development, U.S. Postal Service and General Services Administration. These are the standards enforced by the Board

under the Barriers Act. They are published as Federal Standards 795. 49 FR 31528 and DEPSEC Memo of 8 May 85.

Memorandum adopting the Americans with Disabilities Act Accessibility Guidelines to supplement the Uniform Federal Accessibility Standards for purposes of DoD compliance with the Barrier Act and Section 504 Rehabilitation Act. SECDEF Memo, 20 Oct 93.

The Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination in employment, state and local programs and services (including transportation), public accommodations, commercial facilities, and telecommunications. This law does not apply to Executive Branch of the Federal Government. However, Section 504 of the Rehabilitation Act of 1973 had already established similar requirements in Federally conducted programs and activities.

Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG), issued by the Architectural and Transportation Barriers Compliance Board under the ADA. 36 CFR Part 1191.

The Telecommunications Accessibility Enhancement Act of 1988, which requires that the Federal telecommunications system be made usable by people with hearing and speech impairments (including those who are Federal employees). 40 U.S.C. 762.

Section 508 of the Rehabilitation Act of 1973, as amended, which requires that computers and other electronic office equipment purchased or leased by the Federal Government be made accessible to persons with disabilities (including Federal employees). 29 U.S.C. 794d.

Telecommunications accessibility for persons with hearing and speech impairments. Federal Information Management Regulation (FIRMR) Bulletin C-10. 41 CFR 201.

AR 608-75, dated 24 May 96, **subj:** Exceptional Family Member Program, contains the requirements of AR 600-7.

AR 608-1, dated 30 Oct 90, **subj:** Army Community Service Programs, contains the requirements of AR 600-7. Note: Change 1, dated 21 Feb 97, and Change 2, dated 30 Jul 97.

Resource Information

Managing Information Resources for Accessibility, December **1991, U.S.** General Services Administration Information Resources Service **(202) 501-4906** (voice) or the Clearinghouse on Computer Accommodation (COCA), Information Resource Management Service (IRMS), General Services Administration, Room **MKC1234, 18th & F Streets NW, Washington, DC 20405.**

Department of Defense Computer/Electronic Accommodations Program (CAP), Defense Medical Information Management, 5111 Leesburg Pike, Suite **810, Falls Church, Virginia 22041-3206, phone (703) 681-8812.**

The National Center for Law and Deafness, **800 Florida Avenue NE, Washington, DC 20002-3695, fax (202) 651-5381, TDD (202) 651-5373.**

Federal Information Relay Service, U.S. General Services Administration Information Resources Management Services, **P.O. Box 7910, Shawnee Mission, KS 66207, 1-800-877-0996. A U.S. Government Directory on Telephonic Devices for Deaf (teletype devices for deaf) TDD call 1-800-877-8845.**

Telecommunications for Deaf, Inc., **8719 Colesville Road, Suite 300, Silver Spring, MD 20901.** Information on Telephonic Devices for Deaf, also publishes a directory of TDD numbers.

Regional Disability and Business Technical Assistance Center, **1-800-949-4232.** All ADA publications developed under grants from the National Institute on Disability and Rehabilitation Research (NIDRR).

Department of Justice, Public Access Section, P.O. Box **66738, Washington, DC 20035-9998, 1-800-514-0301, TDD 1-800-514-0383.** They can provide a list of organizations that were awarded grants under the Department of Justice's **1992 Americans with Disabilities Act (ADA)** Program to develop technical assistance materials.

ABLEDATA, 8455 Colesville Road, Suite 935, Silver Spring, MD 20910-3319, 1-800-227-0216. A consumer referral service that contains more than 18,000 listings of adaptive devices for all disabilities, responds to requests for information.

President's Committee on Employment for People with Disabilities, 1331 F Street NW, Room 300, Washington, DC 20004-1107, phone (202) 376-6200, TDD (202) 376-6205, fax (202) 376-6859. Information on accommodation, employee rights, employee incentives for hiring individuals with disabilities, low cost video films on accommodation and Americans with Disabilities Act (ADA) .

MCEE/Jun 98

10 April 2000

Information Paper

SUBJECT: Applicability of AR 600-7, Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of the Army, in the Medical Command (MEDCOM)

1. PURPOSE. To provide Major Subordinate Command Commanders recommended guidance for the implementation of subject AR in MEDCOM facilities.

2. FACTS.

a. References:

--The Rehabilitation Act of 1973, as amended, especially:

- (1) Section 502-Architectural Access, applies to buildings and facilities
- (2) Section 504-Federally Funded Programs, applies to non-employment programs and activities

--The Architectural Barriers Act of 1968

b. The Americans with Disabilities Act of 1990, as amended, has resulted in increased regulatory oversight and compliance emphasis in this area.

c. Army reports that, in the past, complaints under subject AR have included access or accommodations issues at family housing, recreational/entertainment facilities, day care centers, and other sites. In MEDCOM, those filing subject AR complaints have been family members who were patients at Army hospitals or clinics.

d. In an attempt to preclude complaint situations, a "Checklist for Use in U.S. Army Medical Command Activities" pertaining to AR 600-7 has been developed.

e. "MEDCOM Poster 600-7-1 (MCEE) Mar 2000" is available through Publications channels or from the local servicing Equal Employment Opportunity (EEO) office. The poster addresses the procedures for filing a discrimination complaint with that local EEO office.

f. All CONUS and OCONUS EEO offices that service MEDCOM personnel have been provided this information. Note that the address and phone number for the local EEO office must be displayed on the poster.

Delia Ramirez Trimble|MCEE, U.S. Army MEDCOM IDSN 471-8170

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March 2000

CHECKLIST FOR USE IN U.S. ARMY MEDICAL COMMAND ACTIVITIES

Reference AR 600-7, Subject: Nondiscrimination on the Basis of Handicap in Programs and Activities Assisted or Conducted by the Department of the Army [Coverage under this AR extends to any person with a disability who participates in any program or activity conducted by DA.]

1. Accessibility and Accommodation. This facility has the following in place: [The list is not all-inclusive.]

--Properly graded ramps for wheelchair access.

YES _____ NO _____ IF NO, WHY

NOT? _____

--Clearly marked parking spaces for the disabled

YES _____ NO _____ IF NO, WHY

NOT? _____

--Parking spaces wide enough for the disabled with vans.

YES _____ NO _____ IF NO, WHY

NOT? _____

--Entry doors that open automatically. Accessible door opener switch or button.

YES _____ NO _____ IF NO

NOT? _____

--Dressing rooms, examination rooms, and restrooms with access for the disabled.

YES _____ NO _____ IF NO, WHY

NOT? _____

--Hospital and clinic personnel who are trained and ready to provide assistance to persons with disabilities during scheduled visits.

YES _____ NO _____ IF NO, WHY

NOT? _____

--Appropriate signage for the blind.

YES _____ NO _____ IF NO

NOT? _____

--Telecommunication devices (TDDs) or other telephonic devices for the deaf.

YES _____ NO _____ IF NO,
NOT? _____

--Access to certified sign language interpreter services for the deaf.

YES _____ NO _____ IF NO,
NOT? _____

--Closed captioned televisions, medical information videos, and building information videos.

YES _____ NO _____ IF NO, WHY
NOT? _____

2. Architectural Barriers Considerations. The following have been reviewed:

--Existing facilities are accessible for the disabled.

YES _____ NO _____ IF NO, WHY
NOT? _____

--New facilities and alterations to existing facilities will be designed and constructed to be accessible for the disabled.

YES _____ NO _____ IF NO, WHY
NOT? _____

3. Training of Personnel. The following has been done:

--Appropriate personnel have been informed of the services and equipment provided to medical treatment facilities by the Department of Defense Computer/Electronics Accommodation Program.

YES _____ NO _____ IF NO, WHY
NOT? _____

--The responsibility for appropriate staff to respond to the needs of persons with disabilities is addressed during Customer Service training.

YES _____ NO _____ IF NO, WHY
NOT? _____

--If applicable: Booklets and/or handbooks for patients list information on services available for the disabled.

YES _____ NO _____ IF NO, WHY
NOT? _____

--Appropriate staff have received information on the location(s) of the telephonic devices for the deaf and/or where to find the phone numbers for them.

YES _____ NO _____ IF NO, WHY

NOT? _____

--Sops have been established, in the appropriate departments, to formalize procedures for providing services for persons with disabilities.

YES _____ NO _____ IF NO, WHY

NOT? _____

--Emergency room staff members have been trained in the procedures to follow when dealing with persons with disabilities.

YES _____ NO _____ IF NO, WHY

NOT? _____

4. Discrimination Complaint Procedures. The following has been done:

--Appropriate personnel have been briefed on the procedures to follow if a person alleges discrimination on the basis of his/her disability.

YES _____ NO _____ IF NO, WHY

NOT? _____

--The MEDCOM Poster 600-7-1 (MCEE) Mar 2000, outlining the procedures for the filing of a complaint of discrimination on the basis of disability, has been posted in the necessary places.

YES _____ NO _____ IF NO, WHY

NOT? _____

--The servicing Equal Employment Opportunity (EEO) Officer has briefed appropriate personnel on the difference between the AR 600-7 complaints process and that followed under AR 690-600 for EEO complaints regarding employment issues filed by Army employees, applicants for employment, former employees, and some contract employees.

YES _____ NO _____ IF NO, WHY

NOT? _____