

Health Care, Insurance & Public Benefits: The Legal Rights of Persons with Disabilities

People with disabilities need quality, affordable health care, but getting health services can be more difficult when we have a disability.

There are many barriers. The cost of services can be prohibitive. Transportation to and from medical facilities may be difficult to arrange. Physical barriers can make it difficult to use medical equipment, or even get into health care buildings. Communication barriers, such as not having a sign language interpreter, can affect quality of service. And health care providers may not understand how a disability impacts overall health, or they may not give a person with a disability the respect they deserve.

Under the law, persons with disabilities **HAVE THE RIGHT:**

- ✓ To equal access to health services, free from discrimination.
- ✓ To removal of most physical barriers that make it hard for us to use a health care facility.
- ✓ To a sign language interpreter, free-of-charge, for effective communication with a health care provider (if necessary).
- ✓ To health information in formats that work for people who are blind or have low vision.
- ✓ To useable medical equipment—like lower examination tables, wheelchair scales, and accessible mammography machines and eye examination equipment.
- ✓ To be accompanied by a service animal when visiting a health care facility.
- ✓ To receive emergency room treatment to stabilize emergency medical conditions, regardless of ability to pay.
- ✓ Not to have health care denied, delayed, or limited just because a person has a disability.
- ✓ Not to be shut out of or charged a higher premium for an employer's group health plan based on a disability.
- ✓ Not to have an application for individual health, disability, or life insurance denied on the basis of disability, unless the insurer has evidence justifying the denial.
- ✓ To limits on how long a health plan can refuse to cover care for pre-existing health problems.
- ✓ To pick a primary care physician and not have to wait too long for an



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appointment.

- ✓ To see specialists and get second opinions when necessary for health improvement.
- ✓ To appeal if a health plan refuses to pay for needed care.
- ✓ To have access to an Independent Medical Review if a health plan refuses to pay for a covered benefit.
- ✓ To continue group health plan coverage for 18-36 months after a job loss, divorce, or a child's loss of dependent status under the plan. Coverage may be extended further if dependent child is disabled.

To learn more, request the free handbook "Through the Maze..." from the non-profit Disability Rights Advocates:

Voice: 510-451-8644

TTY: 510-451-8716

Fax: 510-451-8511

Handbooks are available in English, Spanish and alternative formats.

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