

Purpose

Explaining responsibilities for providing communication access to patients with hearing loss (patients who use the spoken language to communicate and not sign language).

Audience

Healthcare staff, providers, and compliance personnel.

Why This Matters

If a patient has a hearing loss, they are entitled to the same information and to participate equally in their healthcare as hearing patients. Some patients may require equipment and/or services to fully understand information and make informed medical decisions. Importantly, providing accessible communication is not only essential for quality care – it is also required by law.



Photo Credit: Bellman & Symfon

Under the Americans with Disabilities Act (ADA) and related laws, healthcare providers are legally required to ensure effective communication by offering appropriate auxiliary aids and services at no cost to the patient. This ensures equal access to healthcare for patients and their companions. When providers fail to provide adequate communication support, patients with hearing loss are often denied equal access to their healthcare information compared to their hearing peers.

What is Effective Communication?

The ADA defines effective communication as ensuring that individuals with hearing loss can understand information and express themselves as effectively as individuals without disabilities. This requirement also applies to companions (family members, friends, or associates) who are involved in the patient's care and have communication disabilities.

The goal is to ensure the patient can both receive information from and communicate information to their healthcare provider.

Auxiliary Aids and Services

To achieve effective communication, providers must provide auxiliary aids and services when needed to communicate effectively with people who have communication disabilities, such as hearing loss.

The key to deciding what aid or service is needed is to consider the nature, length, complexity, and context of the communication, as well as the person's normal method of communication and preferred auxiliary aid/service. For more information, visit: [ADA Requirements: Effective Communication | ADA.gov](https://www.ada.gov/ADA-Requirements-Effective-Communication)

Examples of auxiliary aids and services for people with hearing loss include, but are not limited to:

- Captioning
 - Computer-generated captions, such as speech-to-text apps on provider-furnished devices
 - Human-generated captions, such as Communication Access Realtime Translation (CART)
 - live captioning by a real person in person or remotely
 - Captions provided in telehealth platforms
 - Captioned telephones

Effective Communication in Healthcare Settings for Patients with Hearing Loss Under the Americans with Disabilities Act (ADA)

- Assistive Listening Systems, including classrooms for educational sessions, etc.
- Counter hearing loops at service counters and consultation rooms for one-on-one communication
- Personal amplifiers for one-on-one communication
- Videophones
- Written materials
- Notetaking
- Other aids and services as defined by the ADA

Note: Communication support providers (e.g., co-navigator, support services provider) are not required to be paid by the provider, but if the patient requests their presence, the provider must allow them to be present in the room.

Patient's Personal Device

Patients may choose to use their own speech-to-text apps on personal devices during in-person or telehealth appointments. This is permitted, and using a personal device does not violate HIPAA as the patient's personal device/app is not subject to HIPAA. However, a provider may not require a patient to use their own equipment.

Some providers have incorrectly told patients they cannot use their apps due to HIPAA concerns, creating unnecessary communication barriers. Such breakdowns can lead to misunderstandings, reduced quality of care, negative health outcomes, and potential violations of the ADA.

ADA and Disability Rights

Even when HIPAA requirements are met, healthcare providers have additional legal responsibilities under:

- Americans with Disabilities Act (ADA)
- Section 504 of the Rehabilitation Act
- Section 1557 of the Affordable Care Act

These laws require providers to ensure full and equal access to healthcare for people with disabilities, including those with hearing loss.

Resources

For additional resources to care for patients with hearing loss, visit the Center for Hearing Access

- All resources, including vendors: [Hearing loss accommodation in healthcare](#) (webpage)
- [Handouts](#) for Healthcare Providers (webpage)
- Captioning resources, including [HIPAA compliant apps](#) (webpage)
- Statistics
 - [Hearing Loss](#), General Statistics (1 page)
 - [Hearing Loss and Healthcare](#) Statistics (webpage)
- Avenues for Patients to Submit [Discrimination Complaints](#) (webpage)

This handout is for educational purposes only and does not constitute legal or medical advice. For specific guidance, consult a qualified attorney or healthcare professional.

Developed by Kathy Johnson

About the Center for Hearing Access

Founded in 2024, the nonprofit Center for Hearing Access is a national advocacy and education initiative of The John G. Shedd Institute in Eugene, OR. We champion and educate users, facility staff, audiologists, and hearing instrument specialists about all ADA-compliant assistive listening systems and other strategies to increase access to healthcare, theaters, libraries, conferences, government offices, courtrooms, places of worship, and other public and private spaces.

- We create and provide advocacy materials, ADA information, a speaker's bureau, videos, articles, vendor lists, and templates for consumers and staff.
- Our website has 150+ webpages, 1000+ hyperlinks, and 150+ handouts.
- The Center for Hearing Access provides educational and informational resources and does not endorse any product, business, or service.

About Hearing Loss Accommodations in Healthcare Initiative

A national collaborative initiative with the Center for Hearing Access, state agencies, and skilled advocates, all of whom have lived experience. The work focuses on patients with hearing loss who use the spoken language to communicate (and do not use sign language). The goals are to:

1. Increase providers' awareness of barriers to effective communication with their patients and ways to enhance their processes and websites to achieve effective communication access for their patients.
2. Increase patients' knowledge about their rights and ways to advocate for and achieve communication access in healthcare.

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