

VIA EMAIL TO: [nicole.alexanderscott@health.ri.gov](mailto:nicole.alexanderscott@health.ri.gov)

June 17, 2020

Director Nicole Alexander-Scott, MD, MPH  
Rhode Island Department of Health  
3 Capitol Hill  
Providence, RI 02908

RE: *Violation of Hospital Visitation Policy for Individuals with Disabilities*

Dear Director Alexander-Scott:

I write on behalf of Disability Rights Rhode Island (DRRI), the federally mandated designated Protection and Advocacy (P&A) agency for Rhode Island.<sup>1</sup> As you know, we had urged you to adopt a statewide policy on hospital visitors that includes exceptions for people with disabilities who may require a support or other assistance during emergency room visits and hospitalizations.

We proposed that Rhode Island immediately issue a directive stating that hospitals that bar visitors must include an exception for patients for whom a support person has been determined to be essential to the care of the patient, including patients who have altered mental status, communication barriers, or behavioral concerns including those with intellectual and/or developmental disabilities (I/DD) and patients with cognitive impairments including dementia.

We were very pleased when your department did exactly that on May 8, 2020.

I write today with great concern that violations of this policy have come to our attention. In one of multiple examples of which we are aware, there was an egregious violation, this past weekend, at Miriam Hospital involving a young man with intellectual and developmental disabilities. This young man came to the hospital with his mother with a high fever and other symptoms. Although his mother was permitted to accompany him into the emergency room treating area, she was not permitted to accompany him to the hospital floor when medical staff recommended he be admitted. His mother happens to be trained as a Registered Nurse and so had brought guidance from your department as well as from the Office of Civil Rights. This made

<sup>1</sup> P&A agencies are created pursuant to federal laws designed to protect individuals with mental health, developmental and other disabilities, including the Protection and Advocacy for Individuals with Mental Illness Act (PAIMI) 42 U.S.C. § 10801 et seq., the Developmental Disabilities Assistance and Bill of Rights Act, 42 U.S.C. § 15041 et seq., and the Protection and Advocacy of Individual Rights Act, 29 U.S.C. § 794e.

no difference to hospital personnel, who stated to her they had never heard of the visitation policy.

We know you are aware that this policy is far more than a “convenience” for individuals with disabilities – it is critical for their equal access to hospital care, and in some cases, potentially life-saving care. The trauma that individuals with disabilities can experience when they are separated from necessary support individuals during a hospital visit or stay can be severe and long-lasting.

We are deeply concerned about the failure of the hospital to follow the issued directive from your office and what else may be happening in the community of which we are not yet aware.

With this letter, I am requesting a phone call with you at your earliest convenience to discuss your response to this issue. I am available at your convenience at 401-831-3150, ext. 202 and [mmurray@drri.org](mailto:mmurray@drri.org).

Sincerely,

/s/

Morna A. Murray, J.D.  
Executive Director

cc: Honorable Gina M. Raimondo, Governor  
Kathryn Power, Director, RI Dept. of Behavioral Healthcare, Developmental Disabilities and Hospitals