

**UPMC
POLICY AND PROCEDURE MANUAL**

POLICY: HS-HD-PR-03 *
**INDEX TITLE: Patient Rights/
Organizational Ethics**

SUBJECT: Non-discrimination in Patient Care
DATE: April 28, 2023

I. PURPOSE

Every patient has the right to competent, considerate and respectful care in a setting that fosters the patient’s comfort and dignity and is free from all forms of abuse, harassment, and discrimination.

II. POLICY

It is the policy of UPMC to comply with all relevant state, local and federal laws including the provisions of the Civil Rights Act of 1964 and Sections 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, Section 1557 of the Affordable Care Act, PA Code Title 28 Chapter 51 (§ 51.11, § 51.12, § 51.13), and all requirements imposed pursuant thereto. Accordingly, at UPMC no person shall be excluded from participation in, be denied benefits of, or otherwise be subjected to discrimination in the provision of any care or service on the grounds of race, color, religion, limited English proficiency ancestry, national origin, age, gender, genetics, sexual orientation, gender identity, gender expression, marital, familial, disability status or status as a covered veteran or any other legally protected status. This statement applies to patients, physicians, and staff. (See also – UPMC Policy HS-HD-PR-04 Inpatient Room Assignment for People with Disabilities)

Links to related policies can be found in Section V.

III. SCOPE

This policy is applicable to the following UPMC hospitals and their respective long-term care facilities. In addition, it applies to UPMC’s freestanding long-term care facilities.

[Check all that apply]

- | | |
|--|---|
| <input checked="" type="checkbox"/> UPMC Children’s Hospital of Pittsburgh | <input checked="" type="checkbox"/> UPMC Pinnacle Hospitals |
| <input checked="" type="checkbox"/> UPMC Magee-Womens Hospital | <input checked="" type="checkbox"/> UPMC Carlisle |
| <input checked="" type="checkbox"/> UPMC Altoona | <input checked="" type="checkbox"/> UPMC Memorial |
| <input checked="" type="checkbox"/> UPMC Bedford | <input checked="" type="checkbox"/> UPMC Lititz |
| <input checked="" type="checkbox"/> UPMC Chautauqua | <input checked="" type="checkbox"/> UPMC Hanover |

- UPMC East
- UPMC Hamot
- UPMC Horizon
- UPMC Jameson
- UPMC Kane
- UPMC McKeesport
- UPMC Mercy
- UPMC Northwest
- UPMC Passavant
- UPMC Presbyterian Shadyside
 - Presbyterian Campus
 - Shadyside Campus
 - UPMC Western Psychiatric Hospital
- UPMC St. Margaret
- UPMC Muncy
- UPMC Wellsboro
- UPMC Williamsport
 - Divine Providence Campus
- UPMC Lock Haven
- UPMC Cole
- UPMC Somerset
- UPMC Western Maryland

Provider-based Ambulatory Surgery Centers

- UPMC Altoona Surgery Center
- UPMC Children’s Hospital of Pittsburgh North
- UPMC St. Margaret Harmar Surgery Center
- UPMC South Surgery Center
- UPMC Center for Reproductive Endocrinology and Infertility
- UPMC Digestive Health and Endoscopy Center
- UPMC Surgery Center – Carlisle
- UPMC Surgery Center Lewisburg
- UPMC Pinnacle Procedure Center
- UPMC West Mifflin Ambulatory Surgery Center
- UPMC Community Surgery Center
- UPMC Leader Surgery Center

Free-Standing Ambulatory Surgery Facilities:

- UPMC Hamot Surgery Center (**JV**)
- Hanover Surgicenter
- UPMC Specialty Care York Endoscopy
- Susquehanna Valley Surgery Center (**JV**)
- West Shore Surgery Center (**JV**)

IV. PROCEDURE

- A. The non-discrimination policy includes (but is not limited to) the following:
 - 1. Inpatient care, outpatient care, long-term care, including all clinic locations, and emergency room care will be provided on a non-discriminatory basis. All patients will be admitted and receive equal access and equitable care without regard to any legally protected status.
 - 2. Patient room assignments will be based on the patient’s medical diagnosis and acuity consistent with applicable laws as well as UPMC Policy HS-HD-PR-04 Inpatient Room Assignment for People with Disabilities.

3. Patients will not be asked if they are willing or desire to share a room with a person of another race, color, religion, ancestry, national origin, age, genetics, sexual orientation, gender identity, or marital, familial, or disability status or status as covered Veteran or any other legally protected group status.
4. Staff members and physicians will be assigned to patient services as required by the patient's medical needs as well as the staffing needs without regard to either the patient or the employee's membership in a legally protected class.
5. Transfers of patients from assigned or selected rooms shall not be done for any discriminatory reason. However, any patient may request to change the room assigned, or selected, at any time for any reason provided that the room requested is available.
6. At discharge, patients shall be referred only to those physician offices, skilled nursing care facilities, intermediate care facilities, personal care facilities, assisted living facilities or foster homes which are not known by the hospital to be noncompliant with the provisions of the Pennsylvania Human Relations Act. (See HS-QM0887 Freedom of Choice for Post Discharge Services)
7. All training programs and opportunities offered by the hospital shall be open to qualified applicants without regard to race, color, religion, ancestry, national origin, age, sex, genetics, sexual orientation, gender identity, or marital, familial, or disability status or status as covered Veteran or any other legally protected group status.
8. An employee's failure to abide by this policy may result in disciplinary action pursuant to the UPMC policy HS-HR0704 entitled "Corrective Action and Discharge". Other non-employee work force members may be sanctioned in accordance with applicable UPMC procedures.
9. The hospital Patient Relations Representative and/or Social Services is designated to investigate complaints regarding discrimination involving patients, parents, and guests.
10. Every UPMC hospital has a separate grievance procedure for resolving concerns arising under the ADA and Section 504 of the Rehabilitation Act that applies to employees, visitors, patients and guests. If the UPMC Human Resources Department or Patient Relations Department receives a complaint of disability discrimination that complaint shall be reported to the appropriate Section 504 Disability Coordinator. Staff can also refer to the UPMC policies for Americans with Disability Act (ADA) Patient Accommodations for Inpatient Care, Americans with Disability Act

(ADA) Accommodations for Outpatient Care, Communication Assistance Services for Inpatient Care, Communication Assistance Services for Outpatient Care, and Service Animal for Patients and Visitors.

11. If the UPMC Human Resources Department or Patient Relations Department receives a non-disability related discrimination complaint, the complaint shall be reported to the UPMC Compliance Hotline at 1-877-983-8442 or emailed to Section1557@upmc.edu.

V. POLICIES REFERENCED WITHIN THIS POLICY

[HS-HD-PR-04 Inpatient Room Assignment for People with Disabilities](#)

[HS-HD-PR-05 UPMC Communication Assistance Services in Patient Care](#)

[HS-HD-PR-06 UPMC Communication Assistance Services in Outpatient Care](#)

[HS-HD-PR-07 Americans with Disabilities Act \(ADA\) Patient Accommodations for Inpatient Care](#)

[HS-HD-PR-08 Americans with Disability Act \(ADA\) Accommodations for Outpatient Care](#)

[HS-HR0705 Harassment-free Workplace](#)

[HS-HD-PR-01 Patients' Notice and Bill of Rights and Responsibilities](#)

[HS-QM0887 Freedom of Choice for Post Discharge Services](#)

[HS-HR0704 Corrective Action and Discharge](#)

[HS-RI1308 Service Animal for Patients and Visitors Policy](#)

SIGNED: Joel Yuhas, FACHE
EVP/UPMC and President, UPMC Hospitals/HSD

ORIGINAL: April 1, 2002

APPROVALS: August 22, 2019

Policy Review Subcommittee: April 13, 2023

Executive Staff: April 28, 2023

PRECEDE: March 30, 2022

SPONSOR: Director, Disabilities Resource Center
Chief Nursing Officers Leadership Team/System Clinical Directors
Chief Diversity and Inclusion Officer

*** With respect to UPMC business units described in the Scope section, this policy is intended to replace individual business unit policies covering the same subject matter. In-Scope business unit policies covering the same subject matter should be pulled from all manuals.**