

Disability Rights Network of Pennsylvania
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AUGMENTATIVE COMMUNICATION DEVICES FOR NURSING FACILITY RESIDENTS

This fact sheet provides a brief overview of your right to get an augmentative communication device (speech generating device) if you are a nursing facility resident.

Does the nursing facility have to provide an augmentative communication device?

Yes, if the device is medically necessary for you. If you are in a nursing facility that participates in Medical Assistance (Medicaid), the nursing facility must provide services and activities that will achieve your highest practicable physical, mental, and psychosocial well-being. The nursing facility must assess your communication abilities and address your communication needs in your care plan. The nursing facility must maintain or improve your ability to use speech, language, or other ways to communicate. The nursing facility must keep your ability to communicate

from diminishing. Thus, the nursing facility must provide you with a speech-language assessment, speech therapy, and an augmentative communication device when medically necessary. Once these services and devices are prescribed by a doctor, they are considered to be medically necessary, must be included in your care plan, and must be provided to you. You or your representative has the right to participate in this process.

Who pays for the augmentative communication device?

If Medical Assistance (Medicaid) pays for you to be in the nursing facility, the nursing facility must pay for the device with the money that it receives from Medical Assistance. The nursing facility can also ask the Department of Public Welfare to reimburse it for the device through an Exceptional Durable Medical Equipment Grant. To do so, the nursing facility must submit a doctor's written prescription, Letter of Medical Necessity, and other documentation. For more information on Exceptional Durable Medical Equipment Grants, including appeal rights, please review the Disability Rights Network of Pennsylvania's brochure called, "How to Get Assistive Technology in a Nursing Facility."

Can I keep the augmentative communication device if I leave the nursing facility?

Even though equipment generally belongs to the nursing facility, you can ask the Department of Public Welfare to allow you to keep the augmentative communication device if you go to another facility or go to live in the community.

Who can I contact for help?

If you need more information or need help, please contact the intake unit of the Disability Rights Network of Pennsylvania (DRN) at 800-692-7443 (voice) or 877-375-7139 (TDD). The email address is: intake@drnpa.org.

You can also contact the Department of Health Nursing Facility Complaint Hotline at 800-254-5164 (voice) or an advocate who visits the nursing facility.

The mission of the Disability Rights Network is to advance, protect, and advocate for the human, civil, and legal rights of Pennsylvanians with disabilities. Due to our limited resources, the Disability Rights Network cannot provide individual services to every person with advocacy and legal issues. The Disability Rights Network prioritizes cases that have the

potential to result in widespread, systemic changes to benefit persons with disabilities. While we cannot provide assistance to everyone, we do seek to provide every individual with information and referral options.

IMPORTANT: This publication is for general informational purposes only. This publication is not intended, nor should be construed, to create an attorney-client relationship between the Disability Rights Network and any person. Nothing in this publication should be considered to be legal advice.

PLEASE NOTE: For information in alternative formats or a language other than English, contact the Disability Rights Network at 800-692-7443 Ext. 400, TDD: 877-375-7139, or drnpa-hbg@drnpa.org.

This project is funded by a grant to the Disability Rights Network under the Protection and Advocacy for Assistive Technology (\$137,000, 100%).

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