

DEPARTMENT: Capital Deployment – Construction and Equipment	POLICY DESCRIPTION: Removal of Physical Barriers ADA Construction Program
PAGE: 1 of 3	REPLACES POLICY DATED: 5/1/2018, 1/1/2023
EFFECTIVE DATE: September 1, 2023	REFERENCE NUMBER: ADA.002
APPROVED BY: Ethics and Compliance Policy Committee	

SCOPE:

All Company-affiliated entities including, but not limited to, hospitals, ambulatory surgery centers, outpatient imaging centers, physician practices, free standing emergency departments, urgent care clinics, HealthTrust Workforce Solutions, Corporate Departments, Groups and Divisions.

PURPOSE:

To identify and remove physical accessibility barriers in accordance with the Americans with Disabilities Act (ADA).

POLICY:

1. All facilities within Scope, shall ensure the facility’s physical plant and buildings are ADA compliant.
2. All construction projects, new or renovation, shall be ADA compliant.
3. Every seven (7) years, facilities must conduct an ADA Compliance Audit under the direction of the HCA Healthcare corporate Director of ADA and Physical access.
 - a. If not fully ADA compliant, a corrective action plan will be prescribed using the results of the audit.
 - b. This physical access plan shall be prioritized and budgeted to correct any ADA deficiencies.

PROCEDURE:

1. Facility-managed ADA Removal of Physical Barriers Compliance Process
 - a. Facilities must conduct an ADA Compliance Audit every seven (7) years.
 - b. Any deficiencies shall be coordinated for correction with ongoing construction and routine maintenance projects. The audit will generate a list of ADA compliance deficiencies and when an area of the facility is modified (e.g., a sleep lab) the facility must consult the deficiency list and correct those items in the modified area as part of the project.
 - c. If the barrier removal effort requires funding, the facility will plan accordingly. Some deficiency work may not require additional funding, just attention to detail and basic maintenance, such as adjusting door closure pressures or cleaning loose gravel off disabled parking spaces.
2. Corporate-funded and managed ADA Compliance Process for Ambulatory Surgery Centers (ASCs) and Acquisitions. Projects that are funded and managed by the Corporate office, including remedial efforts at ASCs and for newly acquired facilities require the following actions by the facility:

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- a. Coordination with the corporate Capital Deployment, Construction and Equipment department.
- b. Budgeting and cash flow management by the corporate Director of ADA and Physical Access.
- c. Undertaken in an ADA compliant manner.
3. The corporate Director of ADA and Physical Access is the Company subject matter expert for all ADA physical access issues. Facilities should contact the corporate Director of ADA and Physical Access regarding ADA physical access questions, issues, complaints, and litigation.
4. The corporate Director of ADA and Physical Access will conduct Due Diligence surveys for corporate real estate on an as needed basis.

DEFINITIONS:

1. **Accessible.** Refers to a site, facility, work environment, service, or program that is easy to approach, enter, operate, participate in, and/or use safely and with dignity by a person with a disability.
2. **ADA Compliance Audit.** An audit of the current physical condition of a facility to determine compliance with ADA requirements.
3. **Alteration.** Includes, but is not limited to, remodeling, renovation, rehabilitation, reconstruction, and changes or rearrangement in the plan configuration of walls and full height partitions that affect or could affect the usability of the building or facility.
4. **Barrier removal.** Remove physical barriers in existing facilities to improve accessibility where it is "readily achievable." Barrier removal is considered "readily achievable" when it can be easily accomplished, without much difficulty or expense.
5. **Facility.** All or any portion of buildings, structures, site improvements, elements, and pedestrian routes or vehicular ways located on a site.

REFERENCES:

1. The Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12181)
2. 28 CFR Part 36, revised as of July 1, 1994 entitled "Non Discrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities"
(<http://www.ada.gov/req3a.html>)
3. Rehabilitation Act of 1973, Section 504
4. Access to Services Policy, [ADA.001](#)

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5. American with Disabilities Act, Access To Medical Care For Individuals with Mobility Disabilities, published by the U.S. Department of Justice, dated July 2010 (http://www.ada.gov/medicare_mobility_ta/medicare_ta.htm)
6. [HCA Healthcare ADA Quick Reference Guide](https://www.hccapitaldeployment.com/wp-content/uploads/2018/03/ADA_Quick_Reference_Guide_Current.pdf): https://www.hccapitaldeployment.com/wp-content/uploads/2018/03/ADA_Quick_Reference_Guide_Current.pdf
7. [ADA Construction Templates](https://www.hccapitaldeployment.com/): <https://www.hccapitaldeployment.com/>