

## COMMUNICATION SERVICES ALLEGEDLY DENIED

# Deaf patients sue five hospitals

By **LONNIE MACK**  
STAFF WRITER

Five New Jersey hospitals, including St. Peter's Medical Center in New Brunswick and Raritan Bay Medical Center in Perth Amboy, are facing lawsuits for their alleged failure to provide interpreters and telecommunications devices to deaf patients.

### MIDDLESEX COUNTY

The suits, which allege that deaf patients were denied services in violation of the Americans with Disabilities Act and the Rehabilitation Act, have been filed by deaf persons represented by East Brunswick attorney Clara Smit, who is fluent in American Sign Language.

In addition to St. Peter's and Raritan Bay, suits have been filed against Neptune Shore Medical Center in Neptune, Jersey City Medical Center and St. Joseph's Hospital in Paterson.

In what Smit calls one of the first cases of its kind in New Jersey and in the nation, Bayonne Hospital recently agreed to pay an undisclosed amount of monetary damages and attorney fees to a deaf Hudson County couple, Victoria and Michael Murphy, for failure to provide interpreters, closed captioning and telecommunications devices during the birth of their first child in 1993.

As part of the settlement, Smit said, the hospital has entered into a public consent order filed in Superior Court in Hudson County agreeing to utilize certain proto-

col to assure that reasonable accommodations will be provided to deaf patients in the future.

The order, Smit said, is being used as a model across the country, including a case in Maine brought by the Department of Justice and cases brought by the National Center for Law and Deaf in Washington, D.C.

Smit, the daughter of deaf parents, said the Murphys decided to file suit after experiencing "terror, frustration and emotional anguish" while receiving medical treatment "without understanding much of what went on during the birth of their first child."

Smit in all the suits argues that by denying her clients interpreters, hospitals force deaf patients

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