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## Not communicating with the deaf costs medical center \$700,000

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The Jersey City Medical Center has agreed to pay \$700,000 to four deaf patients because it failed to provide sign-language interpreters during dozens of hospital visits over a 10-year period, according to the patients' lawyers.

In settling the 1995 lawsuit with the four Jersey City residents, the hospital also agreed to take steps to improve communication with the deaf, the lawyers said yesterday.

"They all suffered trauma," said Clara R. Smit, an East Brunswick lawyer who has filed similar lawsuits against other New Jersey hospitals.

"It's kind of like treating animals, which is a horrible thing to say, but that's what it's like," she said. "It's kind of like veterinary medicine when you're treating them without telling them anything about their condition or understanding their symptoms."

Advocates for the deaf have won similar victories against hospitals throughout the country in recent years.

In February, Bayonne Hospital agreed to settle a lawsuit filed by Smit for an undisclosed amount. A federal jury in Long Island last August ordered two hospitals to pay a deaf woman \$250,000.

"Unfortunately, there are a lot of these cases out there," said Marc Charmatz, a lawyer for the National Association of the Deaf Law Center, based in Silver Springs, Md. Charmatz said the size of the Jersey City award is believed to be the largest of its kind in the country.

One of the profoundly deaf patients, Vanessa Pettiford, had undergone a Caesarean section without fully understanding what was happening, Smit said.

Pettiford also had not understood that doctors performed a procedure that rendered her sterile, the lawyer added.

In another incident, the staff suggested Ida Hickson use her 9-year-old son to translate while she sought help for her 3-year-old daughter, who had the flu, Smit said.

The attorney, whose parents are deaf, said medical staff relied on family members, hand gestures or notes to communicate with patients instead of employing interpreters.

Hospital spokesman Bill Dauster said the medical center has worked to accommodate the needs of Hudson County's diverse population, but it had learned of its failings to deaf patients only through litigation. Now the hospital is working to correct the problem, he said.

"We're probably the most diverse city in New Jersey, if not all of America," Dauster said. "It's our mission to meet patient needs."

Four lawsuits filed by Smit against New Jersey hospitals are pending, and she said she has drafted the complaints for five more.