



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
OFFICE FOR CIVIL RIGHTS AND RISK MANAGEMENT

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Tel: (360) 236-4008 • 711 Washington Relay Service*

February 7, 2020

Dr. Tom Horiagan

via e-mail chestmedicine@gmail.com

Dear Dr. Tom Horiagan:

The purpose of this letter is twofold: (1) to inform you of the actions that the Washington State Department of Health (DOH) is taking in response to your complaint against the Washington State Physicians Health Program (WPHP); and (2) what steps WPHP is taking to address Americans with Disabilities Act (ADA) compliance concerns in the future.

On January 24, 2020, DOH, along with its legal counsel, met with WPHP to discuss your complaint. All parties agreed that WPHP had an obligation to comply with Title II of the ADA. Further, all were in agreement that WPHP had an obligation to comply with the ADA compliance provisions in the contract it has with DOH. As a result, DOH understands WPHP will develop an ADA compliance policy and procedures and appoint an ADA coordinator to both investigate and resolve any complaints. The development of its compliance program will comply with Title II of the ADA and information on how to initiate a grievance will be communicated to the public. DOH will work with WPHP to ensure that this is put in place and provide any technical assistance it needs in order to comply.

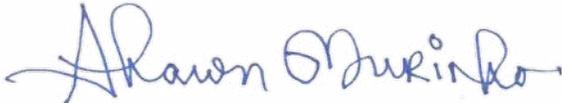
For its part, DOH will monitor ADA compliance with contractors by obtaining contractor policies and procedures and a log of complaints made. Information in the log must indicate the basis for which a complaint was made, the date it was initiated, and when and how it was resolved. This log will not include the names of parties making the complaint. DOH will also require that contact information is provided for the contractor's ADA coordinator. The required gathering of this information will ensure that DOH is holding its contractors accountable for complying with the terms of the contract. It will also help us identify those contractors who may be in breach or may require technical assistance or follow up to ensure compliance.

As shared with you previously, there are enforcement agencies available to you. They are as follows:

- The U.S. Department of Justice
Civil Rights Division, Disability Rights Section
950 Pennsylvania Avenue, NW
Washington, D.C. 20530
Telephone: 202-307-0663 Website: www.ada.gov
- The Washington State Human Rights Commission
711 S. Capitol Way, Suite 402
Olympia, WA 98504
Telephone: 1-800-233-3247
Website: www.hum.wa.gov
- U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201
Telephone: 1-800-368-1019
Website: www.hhs.gov/civil-rights/index.html

Thank you, once again, for contacting DOH.

Sincerely,



Shawn Murinko
Chief, Office for Civil Rights and Risk Management