

**F. NONDISCRIMINATION POLICY**

1). *Overview:* As an equal opportunity employer and recipient of Federal financial assistance, The Company does not exclude, deny benefits to, or otherwise discriminate against any person on the ground of race, color, age, sex (including pregnancy, sexual orientation, and gender identity), marital status, religion, creed, disability, national origin, or veteran status, in admission to, participation in, or receipt of the services and benefits under any of its programs and activities, whether carried out by The Company directly, or through a contractor or any other entity with which The Company arranges to carry out its programs and activities.

This statement is in accordance with the provisions of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Regulations of the U.S. Department of Health and Human Services issued pursuant to these statutes at Title 45 Code of Federal Regulations Parts 80, 84, and 91.

2). *Implementation:*

1. The Company will not consider the race, color, age, sex (including pregnancy, sexual orientation, and gender identity), marital status, religion, creed, disability, national origin, or veteran status, of an applicant.
2. The Company and its employees will not discharge or cause an employee to resign on the basis of race, color, age, sex (including pregnancy, sexual orientation, and gender identity), marital status, religion, creed, disability, national origin, or veteran status.
3. The Company will not base pay rates, salary, benefits, or other employee privileges on the basis of race, color, age, sex (including pregnancy, sexual orientation, and gender identity), marital status, religion, creed, disability, national origin, or veteran status.
4. The Company will not tolerate any jokes or insensitive comments relating to race, color, age, sex (including pregnancy, sexual orientation, and gender identity), marital status, religion, creed, disability, national origin, or veteran status. Any such statements are to be reported to a Department Head and the Administrator.
5. All complaints of discrimination are to be made to the employee's Department Head and then forwarded to the Administrator.

**In case of questions, please contact:**

Company Name:     Jewel Health and Rehab    

Contact Person/Section 504 Coordinator: Administrator of Record

Telephone number:           610-432-4351          

TDD or State Relay number: 7-1-1

2). *Dissemination of Nondiscrimination Statement*

- a. For the public:

1. A copy of the nondiscrimination statement is posted in The Company for visitors and clients/residents to view.
2. The nondiscrimination statement is printed in The Company brochure and is routinely distributed to residents, referral sources, and the community.
3. The nondiscrimination statement is included in newspaper advertisements for The Company.
- b. For the residents:
  1. The nondiscrimination statement is included in resident admissions packet.
  2. The nondiscrimination statement is discussed with residents upon their initial visit with The Company.
  3. A copy of the nondiscrimination statement is available upon request.
- c. For the employees:
  1. The nondiscrimination statement is included in employee advertisements.
  2. The nondiscrimination statement is included in the employee handbook.
  3. The nondiscrimination statement is discussed and distributed during employee orientation.
  4. The nondiscrimination statement is posted in employee break rooms.

The Company Nondiscrimination Policy is posted on The Company website. Please visit our website for more details and to find additional information about The Company.

The Company Nondiscrimination clause is incorporated into the accompanying documents.

- 3). *Nondiscrimination & Accessibility Requirements:* The Company complies with applicable Federal civil right laws and does not discriminate based on race, color, national origin, age, disability, or sex (including pregnancy, sexual orientation, and gender identity).

The Company does not exclude people or treat them differently because of race, color, national origin, age, disability, or sex (including pregnancy, sexual orientation, and gender identity).

- 4). *Auxiliary Aids and Services:* This company provides the following:
  - a. Free aids and services to people with disabilities for effective communications with The Company include:
    1. Qualified sign language interpreters
    2. Written information in other formats (large print, audio, accessible electronic formats, other formats)
  - b. Free language services to people whose primary language is not English, such as:
    1. Qualified interpreters
    2. Information written in other languages

To access these services, contact the Administrator of Record or designee at \_\_\_\_\_

#### **G. DISCRIMINATION AGAINST RESIDENTS AND PAYMENT PROVISIONS**

- 1). *Overview:* It is the policy of The Company to maintain identical policies and practices for all individuals regarding transfer and discharge, regardless of payment sources, and to comply with all applicable law with respect to admissions decisions, as well as the provision of services under the state Medicaid plan.

- 2). *Implementation:* Providers may wish to include the following suggested elements as part of their corporate compliance policy:
- a. The Company will not require residents or potential residents to waive their rights under Medicaid or Medicare, and not require oral or written assurances that residents or potential residents are not eligible or will not apply for Medicaid or Medicare benefits.
  - b. The Company will not require a third-party guarantee of payment as a condition of admission, expedited admission, or continued stay at The Company. The Company may require a person who has legal access to and/or control over a resident's income or resources to pay for Company care or sign a contract to provide payment for the resident's services, without requiring the person to assume personal financial liability for such care.
  - c. For Medicaid eligible residents, The Company will not charge, solicit, accept, nor receive for services covered by Medicaid any gift, money, donation, or other consideration, in addition to any amount required to be paid under the state Medicaid plan, as a precondition of admission, expedited admission, or continued stay at The Company.
  - d. The Company may charge residents amounts above and beyond payment received by Medicaid for items and services required by the resident and not included in the Medicaid package of "nursing company services" as long as The Company gives proper notice of the availability and cost of such services or items and does not condition the resident's admission and continued stay on the purchase of such items or services.
  - e. The Company may solicit, accept, or receive charitable, religious, or philanthropic contributions from an organization or a person unrelated to a Medicaid resident as long as such contribution is not a condition of a resident's admission or continued stay. All offers for the donation of such contributions shall be reported to The Company Administrator, Corporate Compliance and Ethics Officer, or other person designated by The Company for a determination that such contribution is allowed under applicable law.

#### **H. SECTION 504 NOTICE OF PROGRAM ACCESSIBILITY**

- 1). *Overview:* The regulation implementing section 504 requires that an agency/company "...adopt and implement procedures to ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of services, activities, and facilities that are accessible to and usable by disabled persons." (**45 C.F.R. §84.22(f)**)
- 2). *Program Accessibility:* The Company and all of its programs and activities are accessible to and useable by disabled persons, including persons who are deaf, hard of hearing, blind, or who have other sensory impairments. Access features include:
  - a. Convenient off-street parking designated specifically for disabled persons.
  - b. Curb cuts and ramps between parking areas and buildings
  - c. Level access into first floor level with elevator access to all other floors
  - d. Fully accessible offices, meeting rooms, bathrooms, public waiting areas, cafeteria, patient treatment areas, including examining rooms, and patient wards
  - e. A full range of assistive and communication aids provided to persons who are deaf, hard of hearing, blind, or who have other sensory impairments. There is no additional charge for such aids. Some of these aids include:
    1. Qualified sign language interpreters for persons who are deaf or hard of hearing

2. A twenty-four-hour (24) telecommunication device (TTY/TDD) which can connect the caller to all extensions within The Company and/or portable (TTY/TDD) units, for use by persons who are deaf, hard of hearing, or speech impaired
3. Readers and taped material for the blind, and large print materials for the visually impaired
4. Flash cards, Alphabet boards, and other communication boards
5. Assistive devices for persons with impaired manual skills

If any of the aids listed above are needed, contact the receptionist, nurse, or the Administrator of record.

- 3). *Section 504 Grievance Procedure:* It is the policy of The Company not to discriminate based on the person's disability. The Company has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1972 (29 U.S.C. §794) or the U.S. Department of Health and Human Services regulations implementing the individual "...shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance...."
- a. The Law and Regulations may be examined in the office of the Administrator of Record\* who has been designated to coordinate the efforts of The Company to comply with Section 504.
  - b. Any person who believes she or he has been subjected to discrimination based on disability may file a grievance under this procedure. It is against the law for The Company to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.
  - c. If you believe that this Company has failed to provide these services or discriminated in another way based on race, color, national origin, age, disability, or sex, you can file a grievance with the Administrator of Record\*.

\_\_\_\_\_ 535 N.17<sup>th</sup> Street Allentown PA 18104 \_\_\_\_\_  
(Company Address)

\_\_\_\_\_ 610-432-4351 \_\_\_\_\_  
(Company Phone Number)

\_\_\_\_\_ Info@jewelhcc.com \_\_\_\_\_  
(Company Email)

*You can file a grievance in person or by mail, fax, or email. If you need help filing a grievance, the Administrator of Record is available to help you.*

- d. You can file a civil rights complaint with the U.S. Department of Health and Human Services, Office for Civil Rights, electronically through the Office for the Civil Rights Complaint Portal, available at <http://ocrportal/lobby.jsf>, or by mail or phone at:

U.S. Department of Health and Human Services  
200 Independence Avenue, SW / Room 509F, HHH Building  
Washington, D.C. 20201

1-800-368-1019, 800-537-7697 (TDD)

Complaint forms are available at <http://www.hhs.gov/ocr/office/file/index.html>

**LANGUAGE INTERPRETIVE ASSISTANCE FOR THE PROVISION OF HEALTHCARE SERVICES  
(State Specific)**

- 4). *Filing a grievance:* Grievances must be submitted to the Section 504 Coordinator within thirty (30) days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
  - a. A complaint must be in writing, containing the name and address of the person filing it
  - b. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought
  - c. The Section 504 Coordinator (or her/his designee) shall investigate the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint
  - d. The Section 504 Coordinator will maintain the files and records of The Company relating to such grievances
  - e. The Section 504 Coordinator will issue a written decision on the grievance no later than thirty (30) days after its filing
  - f. The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Administrator, who shall issue a written decision in response to the appeal no later than thirty (30) days after its filing
  
- 5). *Grievance Considerations:*
  - a. The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination based on disability with the U.S. Department of Health and Human Services, Office for Civil Rights
  - b. The Company will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of materials for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements

\*The Administrator of Record or designee can be reached at \_\_\_\_\_

