



AUGMENTATIVE COMMUNICATION DEVICES FOR NURSING FACILITY RESIDENTS

This fact sheet provides a brief overview of your right to get an augmentative communication device (speech generating device) if you are a nursing facility resident. **PLEASE NOTE: THIS INFORMATION IS NOT INTENDED TO BE LEGAL ADVICE APPLICABLE TO SPECIFIC FACTUAL SITUATIONS.**

Does the nursing facility have to provide an augmentative communication device?

Yes, if the device is medically necessary. If you are in a nursing facility that participates in Medical Assistance (Medicaid), the nursing facility must provide services and activities that will achieve your highest practicable physical, mental, and psychosocial well-being. The nursing facility must assess your communication abilities and address your communication needs in your care plan. The nursing facility must maintain or improve your ability to use speech, language, or other ways to communicate. The nursing facility must keep your ability to communicate from diminishing. Thus, the nursing facility must provide you with a speech-language assessment, speech therapy, and an augmentative communication device where medically necessary. Once these services and devices are prescribed by a doctor, they are considered to be medically necessary and must be included in your care plan. You or your representative has the right to participate in this process.

Who pays for the augmentative communication device?

If Medical Assistance (Medicaid) pays for you to stay in the nursing facility, the nursing facility must pay for the device with the money that it receives from Medical Assistance. The nursing facility can also ask the Department

of Human Services to pay for the device through the Exceptional DME program. To do so, the nursing facility must submit to the Department a doctor's written prescription and Letter of Medical Necessity. For more information on applying for Exceptional DME, including appeal rights, please review Disability Rights Pennsylvania's brochure called, "How to Get Assistive Technology in a Nursing Facility."

Can I keep the augmentative communication device if I leave the nursing facility?

Even though equipment generally belongs to the nursing facility, you can ask the Department of Human Services to allow you to keep the augmentative communication device if you go to another facility or go to live in the community.

Contact Information

If you need more information or need help, please contact the intake unit of Disability Rights Pennsylvania (DRP) at 800-692-7443 (voice) or 877-375-7139 (TDD). The email address is: intake@disabilityrightspa.org.

Please contact Disability Rights Pennsylvania at 800-692-7443 (voice) or 877-375-7139 (TTY). You can also contact an advocate who visits the nursing facility. You can also contact the Department of Health Nursing Facility Complaint Hotline at 800-254-5164 (voice).

The mission of Disability Rights Pennsylvania is to advance, protect, and advocate for the human, civil, and legal rights of Pennsylvanians with disabilities. Due to our limited resources, Disability Rights Pennsylvania cannot provide individual services to every person with advocacy and legal issues. Disability Rights Pennsylvania prioritizes cases that have the potential to result in widespread, systemic changes to benefit persons with disabilities. While we cannot provide assistance to everyone, we do seek to provide every individual with information and referral options.

IMPORTANT: This publication is for general informational purposes only. This publication is not intended, nor should be construed, to create an attorney-client relationship between Disability Rights Pennsylvania and any person. Nothing in this publication should be considered to be legal advice.

PLEASE NOTE: For information in alternative formats or a language other than English, contact Disability Rights Pennsylvania at 800-692-7443 Ext. 400, TDD: 877-375-7139, or drnpa-hbg@drnpa.org.

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