



For Immediate Release

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Equal Rights Center Files Suit with Eye Care Centers of America for Discriminating Against People with Disabilities

WASHINGTON, D.C., July 1, 2010 – Yesterday, the [Equal Rights Center](#) (ERC), a national non-profit civil rights organization, filed suit against Eye Care Centers of America, Inc., alleging that all of their “Hour Eyes” stores in the Washington Metropolitan area fail to provide adequate access to people with disabilities.

“As individuals around the country are celebrating the 20th anniversary of the Americans with Disability Act, there are still cases of discrimination occurring every day,” said Kat Taylor, Disability Rights Program Coordinator for the Equal Rights Center. “Places that provide health services for individuals should be safe harbors; places where everyone feels welcome. Promoting equal access to health services is vital in ensuring people with disabilities are treated fairly.”

According to the complaint filed June 30th in U.S. District Court for the District of Columbia, Eye Care Centers of America, which owns and operates nearly 400 eye care centers throughout the United States, has more than 20 locations in the Washington Metropolitan Area that all have access barriers to the eye exam area or inaccessible eye exam equipment. These barriers are violations of the Americans with Disabilities Act (ADA), a federal law that requires places of public accommodation to be accessible to people with disabilities, and the District of Columbia Human Rights Act (DCHRA).

Mr. Aguehoude approached the ERC after he was denied services at an Hour Eyes location in the District. Due to his wheelchair, Aguehoude was unable to access the eye examination equipment, which is mounted to a chair that patients must sit in to be examined. To access the examination equipment Aguehoude would have to transfer from his wheelchair, which he is unable to do. Accessible eye examination equipment, which is wall or table mounted, is readily available throughout the country and in general use. In addition to being denied services due to inaccessible medical equipment, Aguehoude also encountered other barriers to access, including barriers at the entrance of the location.

“When making medical appointments, I have many of the same priorities as any individual; a convenient location where I can get an appointment.” said Aguehoude. “When I was unable to enter the Hour Eyes location, told I could not access their equipment, and forced to discuss my disability in public it both wasted much of my time and left me embarrassed.”

Following the complaint the ERC conducted several investigations at the location

Aguehoude visited and, in addition to the chair-mounted inaccessible examination equipment, found;

- an inaccessible ramp at the front entrance;
- service counters that are too high for customers who use wheelchairs to reach or use;
- inadequate paths of travel to access examination equipment for individuals who use wheelchairs; and
- examination rooms that have insufficient turning radii.

“The ADA celebrates its 20th anniversary this month, and despite much progress made, cases like this demonstrate how much more work needs to be done,” said Elaine Gardner, Disability Rights Project Director at the Washington Lawyers’ Committee for Civil Rights and Urban Affairs. “Accessible eye examination equipment is readily available. Eye Care Centers of America has the ability and is legally required to ensure all patients have access to this equipment.”

In an effort to ensure people with disabilities do not encounter similar forms of discrimination, the ERC began an initiative to educate people with disabilities about their rights and health care providers about their legal responsibilities. The organization recently reached an agreement concerning a health clinic run by Howard University Hospitals, in which the clinic transformed itself into a model of accessibility, removing all barriers and acquiring the necessary medical equipment to ensure accessibility.

The ERC is represented by the Washington Lawyers’ Committee for Civil Rights & Urban Affairs and the law firm Crowell & Moring, LLP.

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About the Equal Rights Center (www.equalrightscenter.org)

Originally formed in 1983, the Equal Rights Center (ERC) is a national non-profit civil rights organization based in Washington, D.C. With members located in 33 states and the District of Columbia, the ERC works nationally to promote equal opportunity in housing, employment, disability rights, immigrant rights, and access to public accommodations and government services for all protected classes under federal, state, and local laws.

About the Washington Lawyers’ Committee for Civil Rights and Urban Affairs (<http://www.washlaw.org/>)

The Washington Lawyers’ Committee for Civil Rights and Urban Affairs was established in 1968 to provide pro bono legal services to address issues of discrimination and entrenched poverty. Since its founding, the Committee has handled more than 5,000 cases on behalf of individuals and advocacy organizations in the areas of equal employment, fair housing, public accommodations, public education, asylum and refugee rights, and disability rights. For more information about the Committee, see www.washlaw.org. The Committee can be reached at 202.319.1000.

About Crowell & Moring LLP (www.crowell.com)

Crowell & Moring LLP is an international law firm with more than 500 lawyers representing clients in litigation and arbitration, regulatory, and transactional matters. The firm is internationally recognized for its representation of Fortune 500 companies in high-stakes litigation, as well as its ongoing commitment to pro bono service and diversity. The firm has offices in Washington, DC, New York, Los Angeles, San Francisco, Orange County, Anchorage, London, and Brussels.

