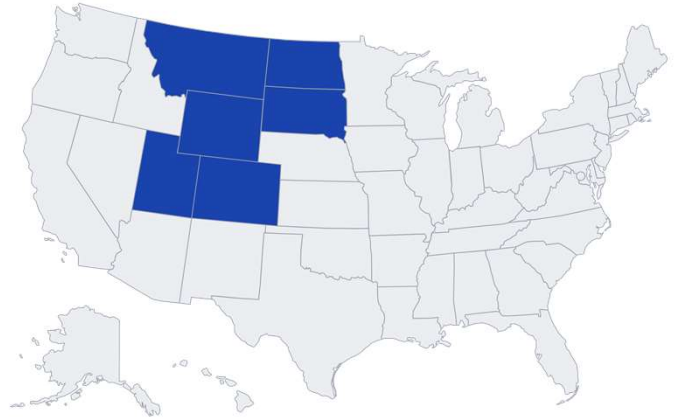




Disability, Health Care & Implicit Bias



1

Technical Assistance	Refer & Network	Conduct Research
Provide Training	Publish & Share Materials	Social Media

Contact Information

Regional ADA Centers
1-800-949-4232
www.adata.org



2

Purpose of the ADA

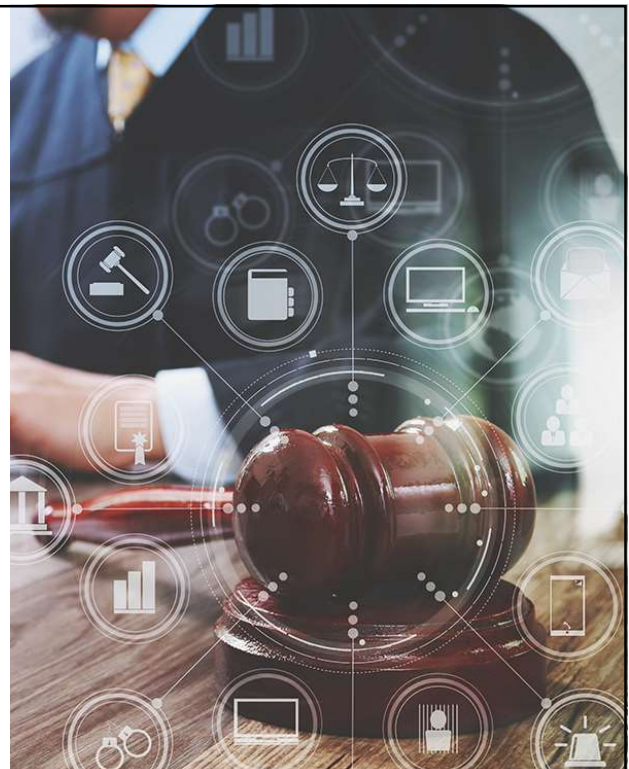
Civil Rights Law = legal guarantee for all citizens, regardless of **identity and/or circumstances**

- Signed into law on June 26, 1990, by George H.W. Bush
- Promises equal treatment
- Prohibits discrimination
- Descriptive, not prescriptive
- “It depends”
- Attitudes as a barrier



Non-Discrimination Requirements

- **Integration**
 - To the maximum extent appropriate
- **Reasonable Modifications**
 - Practices, policies, and procedures
 - Undue burden
 - Fundamental alteration
 - Direct Threat
- **Effective Communication**
 - Auxiliary aids and services
- **Minimum Standard**



Disability Definition

- Has a **physical or mental impairment** that **substantially limits** one or more **major life activities**
- Has a **record** of such an impairment
- Is **regarded** as having such an impairment



Impairment

Physical • Intellectual/Cognitive • Psychiatric
 • Sensory • Other

Does not include:

- simple physical characteristics
- normal deviations in height, weight or strength
- common personality traits
- environmental, cultural, or economic disadvantages
- certain sexual/behavioral disorders



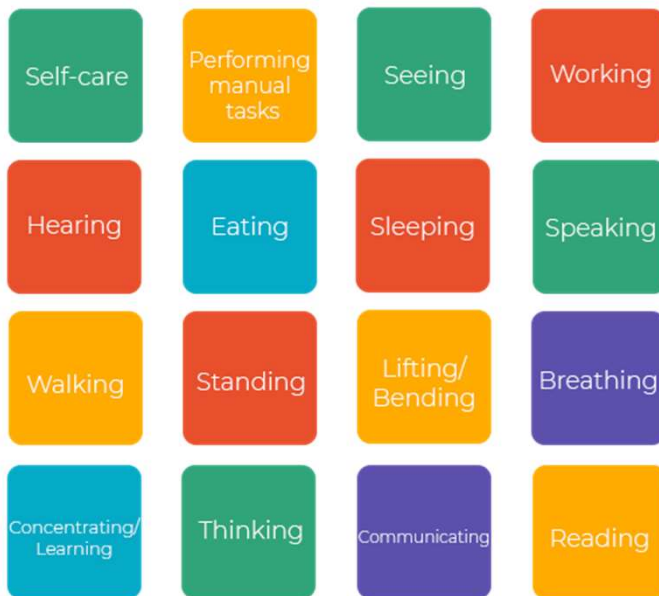
Substantially Limits




 ROCKY MOUNTAIN
 ADA CENTER
CO • MT • ND • SD • UT • WY

- As compared to most people in the general population
 - Need not completely prevent, or significantly or severely restrict
 - Determined “using a common-sense analysis without scientific or medical evidence”
- Determination made without regard to the beneficial effects of mitigating measures
 - Medication, prosthetics, mobility devices, hearing aids and cochlear implants
 - Glasses do not count

7




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Major Life Activity

- Something that most people in the general population can perform with little or no difficulty
- Assessment based on impact of the condition on an individual’s life
- Can limit only one activity
- Assessment made “using a common-sense analysis without scientific or medical evidence”

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Record of Impairment



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A history of impairment

- Whether or not the individual is **currently** substantially limited in a major life activity
- Diseases which are **cured, controlled, or in remission**
- History of mental illness or **misclassified or misdiagnosed** as having a physical or mental disability

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Regarded as having such an Impairment

- Impairment that is **not** substantially limiting, but is ***perceived*** as constituting a substantially limiting impairment
- Only substantially limiting because of the **attitudes of others**
- Does not have any impairment, but is **treated as such**

Association: protection from discrimination, coercion or retaliation for exercising your rights under the ADA

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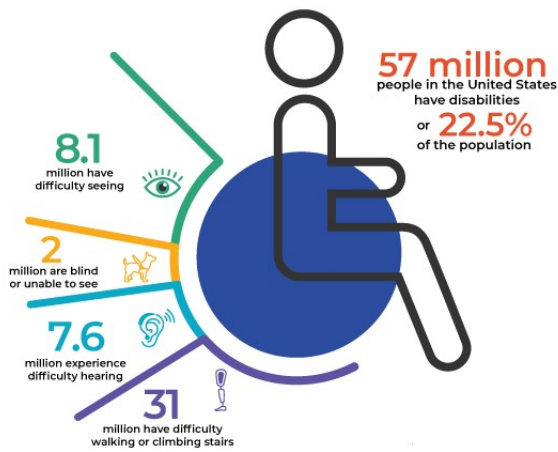
Disability, Health, and Health Care Disparities Healthy People 2020

People with disabilities are more likely to:

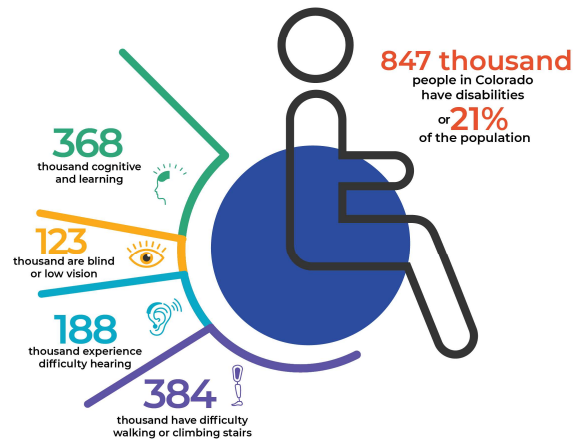
- experience difficulties or delays in getting the health care they need
- not have had an annual dental visit
- not have had a mammogram in the past 2 years
- not have had a Pap test within the past 3 years
- not engage in fitness activities
- have high blood pressure

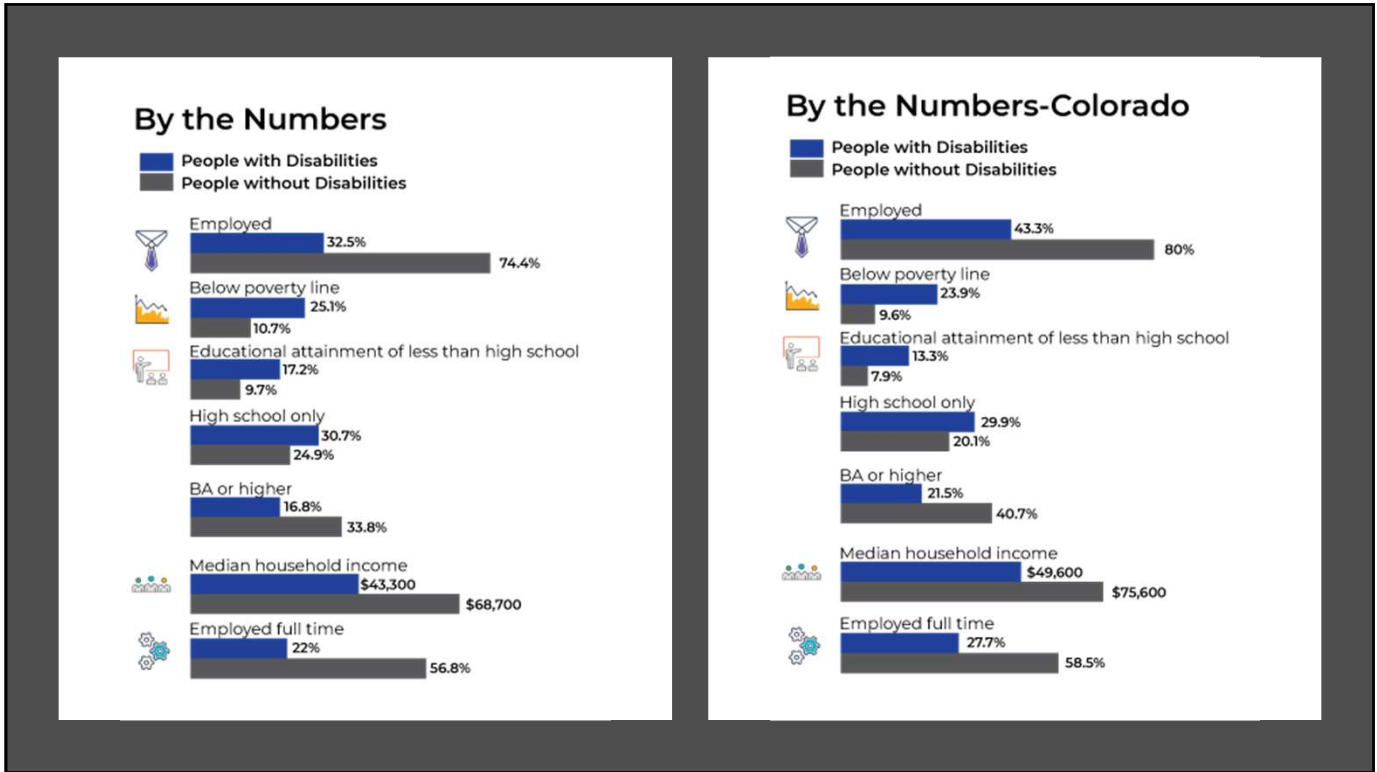


American Disabilities

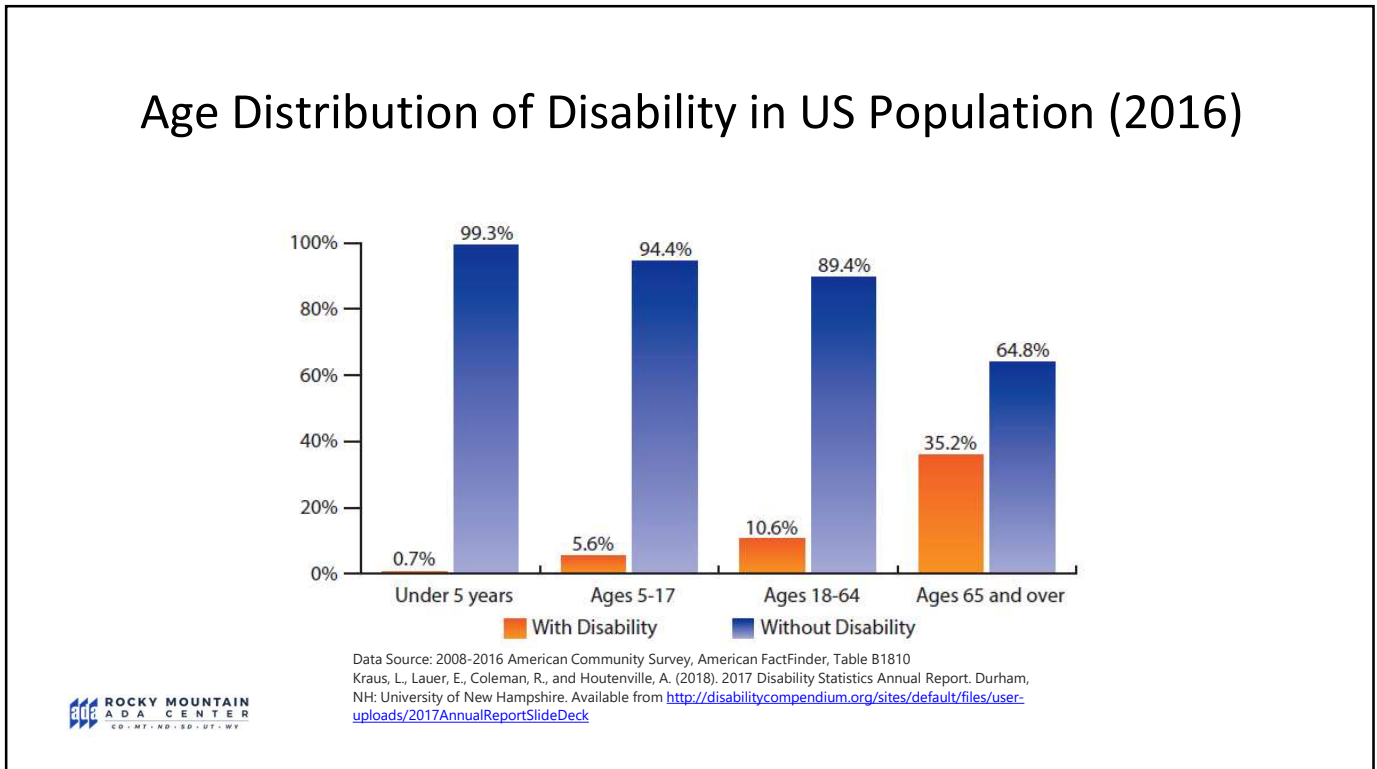


Disabilities in Colorado





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Poverty Percentage Gap People with/without Disabilities (2009-2016)



Data Source: 2008-2016 American Community Survey, American FactFinder, Table B1810
Kraus, L., Lauer, E., Coleman, R., and Houtenville, A. (2018). 2017 Disability Statistics Annual Report. Durham, NH: University of New Hampshire. Available from <http://disabilitycompendium.org/sites/default/files/user-uploads/2017AnnualReportSlideDeck>

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Disability Demographics in the Future

- Growing in numbers as the population ages and with technological advances in care
- 88.5 million or 20% of the total population will be people 65 and older by 2050
- 25.4 percent of people age 65 - 74 report disability (2015)
- 49.8 percent of people over age 75 report disability (2015)



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Types of Disability




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Visible vs. Invisible

A person with a disability has a physical or mental impairment that substantially limits a major life activity.

Visible disabilities are generally obvious.

- Uses an assistive device
- Cerebral Palsy
- Paralysis or Amputation

Invisible disabilities are not always obvious.

- Anxiety
- Depression
- Chronic Illness (Diabetes, Asthma)

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Social Identity

- Multifaceted lens
- Acceptance & preference within our culture
- Positive and negative stereotypes
- Belonging & associating with groups
 - Categorize & make comparisons
 - Prefer our own
 - Individuality vs. Conformity
- Gained, lost, & changed frequently
- Navigate complex situations & improve society


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Equal Treatment & Non-discrimination

Fairness

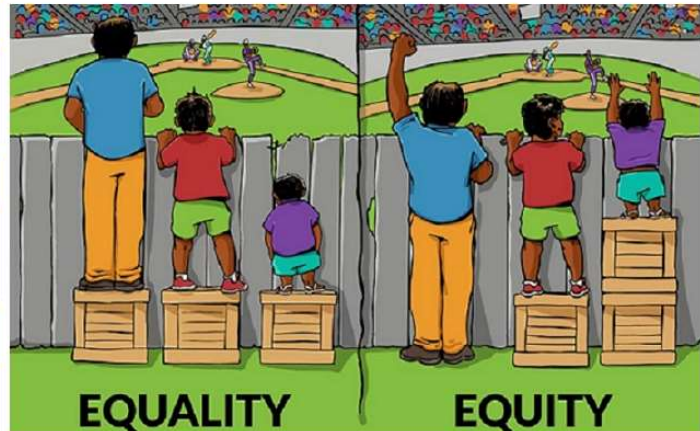
Impartial and just treatment without favoritism or discrimination

Equality

Identical treatment

Equity

Fairness and equal opportunity regardless of identity or circumstances



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Cultural Identity

- Values. Beliefs. Attitudes. Behaviors.
- Cultural environment includes:
 - Media image. Conversations.
 - Education. History. Myths. Food.
 - Music. Art. Customs. Language.
- Taught conclusions
- Experiences lead to associations & associations lead to bias

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Implicit Bias



Natural & Pervasive – Baby Bias



Hamlin, J., Mahajan, N., Liberman, Z., & Wynn, K. (2013). Not Like Me = Bad: Infants Prefer Those Who Harm Dissimilar Others. *Psychological Science*, 24(4), 589–594.

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Implicit Bias

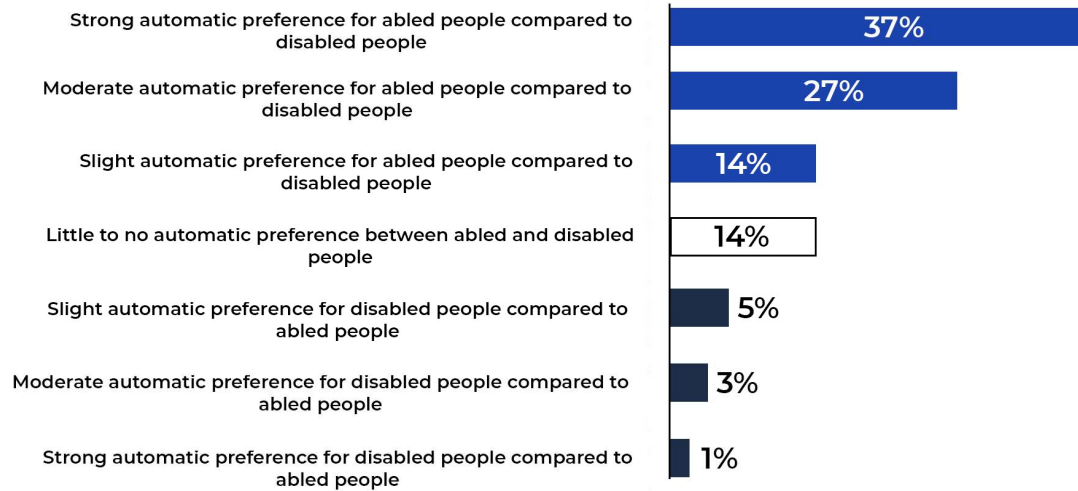
- Natural & pervasive
 - Required for survival
- Lizard brain vs prefrontal cortex
- Malleable & Controllable
 - Can be unlearned & mitigated



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Project Implicit – Implicit Association Test

Percent of web respondents with each score



This distribution summarizes 305,739 IAT scores for the Disability task completed between April 2004 and December 2015

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Stereotype

- Widely held – fixed – oversimplified
- Efficient mental shortcuts - cognitive path of least resistance
- Neuropathways make time saving jump to conclusions
- Reflect judgements unaligned with our declared beliefs



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Confirmation Bias

- Only trust, notice, and remember information that confirms our perceptions
- Seek out, interpret, favor, and recall information that confirms preexisting beliefs
- Ignore, dismiss, or set higher standard of evidence for contrary information



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Counter Confirmation Bias

- Have a “beginner’s mind”
- Constantly curious
- Question everything
- Make an informed guess, experiment and evaluate and adjust based on findings
- Embrace surprises



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Expediency Bias

- Prefer quick decisions
- Create processes which allow for consideration of all info – break into chunks or steps
- Reward people for finding errors
- Remove distractions



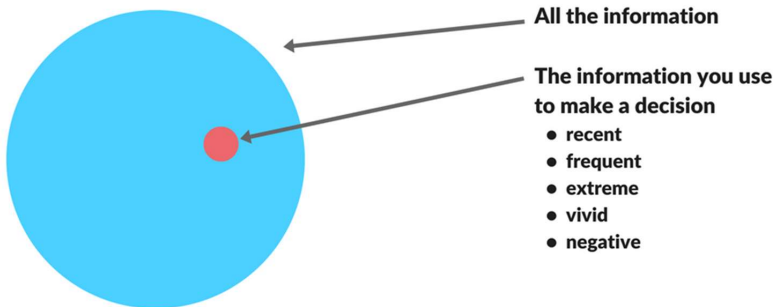
Stroop Effect

Look at the chart and say the COLOR not the word

Yellow **Blue** **Orange** **Red**
Black **Red** **Green** **Orange**
Purple **Yellow** **Red** **Green**
Orange **Green** **Black** **Purple**
Blue **Red** **Purple** **Blue**
Green **Blue** **Orange** **Black**

The Availability Heuristic

Heuristic = any approach to problem solving using a practical method of reaching an immediate conclusion, not guaranteed to be perfect, logical, rational, or optimal. Such as: educated guess, guesstimate, common sense, approximation. Not algorithmic.



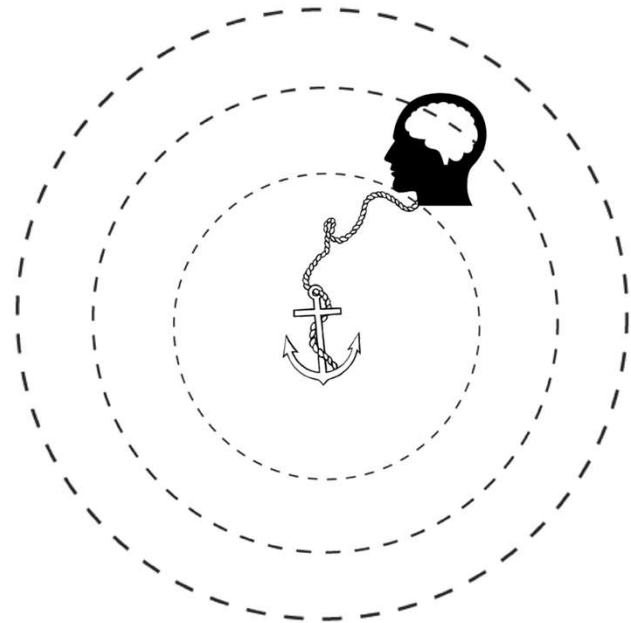
Each year, do more people in the United States die from cause (a) or cause (b)?

1. (a) murder (b) diabetes
2. (a) murder (b) suicide
3. (a) car accidents (b) abdominal cancer

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Anchoring Bias

- Choice influenced by first reference point – rely too heavily on initial information to make subsequent judgements
- Decisions aren't made in a vacuum
- Social Security numbers experiment
- Salary



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B.E. FOR DOGS:

HALO EFFECT

Duke CENTER FOR ADVANCED HINDSIGHT

HE HAS SUCH LUXURIOUS FUR!

STUNNING PERFECT

WOW

I BET HE IS A REALLY REALLY GOOD BOY!

BUT IN TRUTH...

BERMAN, FOEHL, TROWER 2018

Halo Effect
Beauty Bias

Reverse Halo Effect
Horns Effect

Schick, A., & Steckel, R. (2015). Height, Human Capital, and Earnings: The Contributions of Cognitive and Noncognitive Ability. *Journal of Human Capital*, 9(1), 94-115.

Ysseldyke, J. E., & Algozzine, B. (1979). Perspectives on Assessment of Learning Disabled Students. *Learning Disability Quarterly*, 2(4), 3-13.

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Social Desirability & Conformity Bias

- Take cues for proper behavior from the actions of others rather than exercise our own independent judgment
- Groupthink – add diversity in experience, identities, and expertise
 - 10th man principal



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Solutions - Personal

- ✓ Suppression, Education, Contact
- ✓ Make friendships and associations across social groups
 - Leave your comfort zone
- ✓ Priming: use of positive images of stereotyped groups
 - Review your media diet
- ✓ Awareness & Mindfulness: uncover your own biases & address impact
- ✓ Action plan: if/then



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Solutions - Institutional

Clarify and operationalize your values

- Discuss what inclusion & vulnerability will look and feel like
- Make bias mitigation an essential job function performed regularly by everyone
- Begin with the end in mind: measure & evaluate
- Collaboration & honest feedback – reward vulnerability and BRAVING
- Commit to professional & personal development
- Identify & address when cultural stereotypes are coming into play & reward recognition



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Solutions – Policies & Procedures

- ✓ Make collective decisions & monitor each other for bias
- ✓ Diverse leadership – not tokenism
- ✓ Make criterion for success objective and measurable & justify reasons for decisions
- ✓ Opportunities to collaborate and seek ideas across social groups and industries
- ✓ Slow down decision making



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Solutions – Culture of Trust

Boundaries: set your own & respect those of others

Reliability: do what you say you'll do

Accountability: own up to your mistakes and fix them

Vault: don't share confidential information

Integrity: do the right thing – actions over words

Non-judgement: ask for and give help

Generosity: extend the benefit of the doubt to people's intentions, words, and behaviors

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Modification in Policies, Practices, and Procedures

- Development of a modification process
 - How does someone ask for and receive a modification
- Development of staff training
 - Disability awareness
 - Customer service
 - Effective communication (esp. front desk staff)
 - Modification request process



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**We're here to help.
Stay in touch.**

- ✓ 3630 Sinton Road, Suite 103
Colorado Springs, CO 80907
- ✉ sgarcia@RockyMountainADA.org
- 📞 1-800-949-4232
- 🕒 9:00 – 19:00 M-F



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