



EEOC accuses Yale hospital of violating ADEA and ADA by blanket medical testing physicians over 70

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The U.S. Equal Employment Opportunity Commission (EEOC) has sued Yale New Haven Hospital based on the implementation of its "Late Career Practitioner Policy." On February 11, 2020, the EEOC filed a complaint in federal court against the hospital under the Age Discrimination in Employment Act (ADEA) and the Americans with Disabilities Act (ADA). The EEOC said in its [press release](#) that while the policy may be well-intentioned, it violates federal anti-discrimination laws.

The policy requires hospital medical providers over the age of 70 to pass neuropsychological and eye medical examinations to renew their staff privileges. The hospital says the policy, based on models in other industries, includes safeguards to ensure employees are treated fairly.

According to the complaint, the hospital has required 145 individuals to take the tests without any particular concern about these individuals' mental ability or eyesight, which the EEOC argues violates the ADEA. The EEOC also claims that subjecting providers to the tests violates the ADA's prohibition against requiring employee medical examinations that are not job-related and consistent with business necessity. The EEOC seeks compensatory and punitive damages and injunctive relief, including back pay, reinstatement, elimination of the policy and other remedies.

The complaint against the hospital illustrates the legal issues that can arise when an employer uses blanket policies that either target or disparately impact a protected class like age, even if the policy is designed to advance some kind of business necessity.

The EEOC press release warns that it will remain vigilant in monitoring policies based on discriminatory age-based assumptions.

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