

New Patient Accessibility Requirements that Apply to CHC Grantees From the 2024 Update to the Disability Rights Regulation

October 2024

In May 2024, HHS [updated the regulation implementing the 1973 Rehabilitation Act](#), the primary federal law that protects the rights of people with disabilities, making the first revisions to the regulation since 1977. The new rule contains many provisions that are unlikely to impact a CHC directly, such as a prohibition on basing medical treatment decisions on negative stereotypes about individuals with disabilities. However, the new rule includes three requirements that apply to all CHCs grantees (but not Look-Alikes¹):

Accessibility of Kiosks: CHCs who ask patients to use self-service “kiosks” must either:

- Ensure their kiosks are accessible to persons with disabilities (including those with visual or motor disabilities), or
- Enable people with disabilities who cannot use kiosks to access their programs without using a kiosk – such as by allowing them to work directly with CHC staff to complete the task.
- The effective date for this provision is unclear. (Colleen thinks it was July 2024 but is not certain.)

Accessibility of Web Content and Mobile Apps:

- CHCs must ensure that their web content and mobile apps comply with the specific technical standards of the Web Content Accessibility Guidelines 2.1 levels A and AA (WCAG 2.1 AA).
- HHS will allow for five specific exceptions from compliance with the technical standards: archived web content, preexisting conventional electronic documents, content posted by a third party, conventional electronic documents, and preexisting social media posts. (See § 84.85(a)-(e) for details.)
- The effective date for this policy is May 11, 2026 for CHCs with 15 or more employees and May 10, 2027 for CHCs with fewer than 15 employees.

Accessibility of exam tables, dental chairs, X-ray machines, mammography machines, etc.

- **Target/ Goal:**
 - For various types of “Medical Diagnostic Equipment” (MDE - see definition below), CHCs are expected to progress towards the goal of having at least 10% of its total units (but no fewer than one unit) currently in use meet the [Standards for Accessible Medical Diagnostic Equipment](#).
- **Types of equipment:**

¹ These provisions apply to healthcare providers that receive “federal financial assistance”, including grants and cooperative agreements. The definition does not include providers who simply receive reimbursement under Federal programs such as Medicare and Medicaid. See 84.10.

- The term “Medical Diagnostic Equipment” (MDE) includes “examination tables, examination chairs (including chairs for both dental and eye services), weight scales, mammography equipment, x-ray machines, and other radiological equipment commonly used for diagnostic purposes.”
- The 10% target (and the rules below) apply separately to each category of MDE (e.g., exam tables.)
- **Rules for CHCs that have not yet met this target**
 - The next time that the CHC purchases, leases, or otherwise acquires new MDE, it must get units that meet the accessibility requirements, until it has met the target for that type of MDE.
 - Deadline to meet the target:
 - For exam tables and weight scales: CHCs have until July 8, 2026, to have at least 10 percent of their tables and weight scales - but no less than 1 of each – meeting the accessibility standards.
 - For other types of MDE: There is no deadline to meet the target – provided that any new MDE that the CHC obtains meets the accessibility standards.
- **Distribution of accessible equipment:**
 - A multi-site CHC must disperse the MDE among its sites in a roughly proportionate manner.
 - If a patient with a disability seeks an appointment at a CHC site that does not have MDE that meets their accessibility needs, the CHC site must provide them with another route to receive the services associated with this equipment, such as:
 - assisting the patient to access care at another of CHC’s sites where an accessible table (and scale) are available, or
 - providing a home visit.