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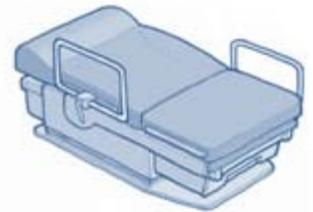
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Board Releases Proposed Standards for Medical Diagnostic Equipment

The Board has released for public comment accessibility [standards](#) for medical diagnostic equipment. Developed under the Patient Protection and Affordable Care Act, the proposed standards address access for people with disabilities to examination tables and chairs, weight scales, mammography equipment, and other equipment used for diagnostic purposes. The standards are not final and are available for public comment for 120 days.



The standards provide design criteria that will allow independent access to diagnostic equipment, including types that require transfer from wheelchairs and other mobility aids. Provisions address transfer surfaces, support rails, armrests, compatibility with lift devices, and other features to facilitate transfer. Equipment that does not require transfer from wheelchairs or that is used in a standing position is also addressed. The proposed rule includes a discussion of these requirements that highlights areas where additional information is sought. The Board seeks feedback on the substance of specific provisions, their impacts on equipment design and manufacture, and other topics.

The Board is developing these standards in consultation with other agencies, including the Food and Drug Administration (FDA) and the Department of Justice (DOJ). Although health care providers are not required to comply with the standards, DOJ or other federal agencies may adopt the standards as requirements for health care providers under the Americans with Disabilities Act or other laws. Any such action will occur separately from the Board's rulemaking.

The Board plans to organize a panel of stakeholders to develop consensus recommendations on how the standards should be finalized based on the comments received. This advisory committee will include disability groups, equipment manufacturers, health care providers, standard-setting organizations, and other interested parties. The Board will issue a notice inviting applications for committee membership at a future date.

The deadline for comments on the standards is June 8. Comments can be submitted or viewed at the [regulations.gov](http://www.regulations.gov) website. The Board will hold public hearings on the standards in Washington, D.C. on March 14 and Atlanta on May 8 that will provide additional venues for submitting comment.

For further information, visit the [MDE homepage](#) or contact Earlene Sesker at sesker@access-board.gov, (202) 272-0022 (v), or (202) 272-0091 (TTY).

Public Hearings on the MDE Standards

March 14, 9:30 - Noon

Access Board Conference Center

1331 F Street, NW, Suite 800

Washington, DC

May 8, 9:30 - Noon

Hilton Atlanta
Meeting Rooms 309-311
255 Courtland Street, NE
Atlanta, GA

Board to Hold Public Hearing on Draft ICT Rule at CSUN Conference

On March 1, the Board will hold a public hearing on a draft [update](#) of requirements for information and communication technology (ICT) in San Diego at the International Conference on Assistive Technology and Persons with Disabilities organized by California State University, Northridge (CSUN). The event will allow members of the public to comment on the released draft which updates requirements for ICT covered by Section 508 of the Rehabilitation Act and Section 255 of the Telecommunications Act. The hearing will be open to the general public, including those who are not registered to attend the conference.

The draft rule updates accessibility requirements for computer hardware and software, websites, media players, electronic documents, telephones and cell phones, PDAs and other ICT products covered by Section 508 and the Telecommunications Act. In addition to updating specific provisions, the released draft includes revisions from an earlier version that simplify the rule's structure for greater usability, improve harmonization with other guidelines and standards, and further clarify various sections, such as the relationship between performance and technical criteria.

The hearing will take place from 1:00 to 3:00 at the Manchester Grand Hyatt in San Diego. Registration is not required to attend the hearing, but those who wish to provide comments are encouraged to contact Kathy Johnson at johnson@access-board.gov, (202) 272-0041 (voice), or (202) 272-0065 (TTY). The Board held a similar [hearing](#) on the draft rule in Washington, D.C. on January 11.

Public comments on the draft rule are due March 7 and can be submitted through the [regulations.gov](#) website. The draft rule and related information are available on the Board's [website](#).

Public Hearing on the Draft Update of ICT Requirements
March 1, 1:00 - 3:00
27th Annual CSUN conference
Manchester Grand Hyatt
Ballrooms Elizabeth D & E
One Market Place
San Diego, CA

Over 600 Comments Submitted on the Board's Proposed Rights-of-Way Guidelines

The Board received over 600 comments from the public on its proposed [guidelines](#) for accessible public rights-of-way by the close of the comment period on February 2. The guidelines, which were available for comment for six months, garnered feedback from an array of stakeholders and interested parties, including transportation departments, civil engineers, government entities, disability groups, industry associations, and others. The Board also received feedback from the public at hearings held in Dallas and Washington, D.C.

The guidelines provide design criteria for public streets and sidewalks, including pedestrian access routes, street crossings, curb ramps and blended transitions, on-street parking, street furniture, and other elements. The specifications comprehensively address access that accommodates all types of disabilities, including mobility and vision impairments, while taking into account conditions and constraints that may impact compliance, such as space limitations and terrain. The Board will revise the guidelines based on its review of the comments and publish them in final form. The final guidelines, once implemented as standards, will apply to newly constructed or altered portions of public rights-of-way covered by the Americans with Disabilities Act (ADA).

They will also apply to public rights-of-way built or altered with funding from the Federal government under the Architectural Barriers Act (ABA) and the Rehabilitation Act.

Comments on the proposed guidelines, as well as hearing transcripts, can be viewed at www.regulations.gov. Additional information on the rulemaking is posted on the Board's [website](#).

Upcoming Webinar on the ADA Standards to Address Common Questions

The next scheduled webinar in the Board's free monthly series will be held March 1 from 2:30 - 4:00 (ET) and review new provisions in the 2010 ADA Standards with a focus on areas where guidance or clarification is often requested. Board accessibility specialists will address frequently asked questions about the standards which become mandatory March 15 under Department of Justice regulations. The webinar series is made available in cooperation with the national network of ADA Centers. For more information, including registration instructions, visit www.accessibilityonline.org. Questions for the webinar can be submitted in advance through this website. Archived copies of previous Board webinars are also available on the site.

DOJ's 2010 ADA Standards Become Mandatory March 15

On March 15, the Department of Justice's updated ADA Standards (2010) will become mandatory for new construction and alterations covered by the ADA. On the date, optional use of the original 1991 ADA standards will no longer be allowed. DOJ adopted the updated standards in September 2010, but permitted continued use of the 1991 standards for 18 months to allow time for transitioning to the 2010 edition.



Under DOJ's ADA regulations, the March 15 effective date applies to the date of the permit application or, where no permit is required, to the physical start of construction or alteration. For public accommodations and commercial facilities covered by title III of the ADA, compliance with the 2010 standards is required where:

- the date the last application for a building permit or permit extension is certified to be complete by a State, county, or local government is on or after March 15, 2012;
- the date the last application for a building permit or permit extension is received by a State, county, or local government (where the government does not certify the completion of applications) is on or after March 15, 2012; or
- the start of physical construction or alteration (if no permit is required) is on or after March 15, 2012.

For state and local government facilities covered by title II, compliance with the 2010 standards is required where the physical start of construction or alteration occurs on or after March 15, 2012. However, public transportation facilities, including bus stops and rail stations, are subject to ADA standards issued by the Department of Transportation (DOT), not DOJ. DOT's updated ADA standards (2006), which are very similar to DOJ's 2010 edition, are already mandatory for public transportation facilities.

Copies of the 2010 standards and related information are available on DOJ's website at www.ada.gov.

Barrier Removal Checklist Available from New England ADA Center

The ADA requires that barriers to accessibility be removed in existing places of public accommodation where it is "readily achievable" to do so. The New England ADA Center, which is part of the federally supported National Network of ADA Centers, has issued an updated version of its ADA Checklist for Readily Achievable Barrier Removal based on the 2010 ADA



standards. The Center's previous checklist was based on the original 1991 standards. The new checklist also provides sections on various types of recreation facilities newly covered in the 2010 standards, including play areas, swimming pools, sports facilities, fishing piers, boating facilities, golf courses, and amusement rides.

Under the ADA regulations issued by the Department of Justice (DOJ), elements in existing facilities that have been retrofitted for access according to the 1991 standards do not have to be further modified to meet the 2010 standards. However, this safe harbor does not extend to certain spaces and elements not addressed in 1991 standards, notably provisions for recreation facilities and housing. DOJ's ADA regulations note the specific provisions in the 2010 standards that may require further barrier removal. Beginning on March 15, any retrofits undertaken for barrier removal must conform to the 2010 standards, as optional use of the 1991 standards for this purpose will no longer be allowed by that date. The updated checklist provides a helpful survey tool in addressing access barriers according to the 2010 standards.

The new checklist is available from the New England ADA Center at www.adachecklist.org. For further information, contact the Center at (617) 695-0085 (voice or TTY) or ADAinfo@NewEnglandADA.org.

Access Currents is a free newsletter issued by the Access Board every other month by mail and e-mail. Send questions or comments to news@access-board.gov or call (800) 872-2253 ext. 0026 (voice) or (800) 993-2822 (TTY). Mailing address: 1331 F Street, N.W., Suite 1000; Washington, D.C. 20004-1111.
