



A Partnership of The Arc & United Cerebral Palsy

**Department of Justice  
December 16, 2010 Public Hearing  
Washington, DC**

**RE: Advanced Notices of Proposed Rulemaking**

The Disability Policy Collaboration (DPC) is a public policy partnership of The Arc and United Cerebral Palsy (UCP). The Arc is a membership organization of over 700 state and local chapters made up of people with intellectual, developmental and other disabilities, their families, friends, interested citizens and professionals in the disability field. UCP is an organization that provides services and advocacy to people with disabilities through a nationwide network of nearly 100 organizations. The Arc and UCP have represented individuals with the most significant disabilities for over 60 years. Both organizations are founders and leaders of the Consortium for Citizens with Disabilities (CCD), a coalition of over 100 disability organizations.

Despite the progress our country has made in the past 20 years in making everyday life accessible to people with disabilities, there continue to be many barriers. The Department of Justice's notices of proposed rulemaking for next generation 9-1-1, movie captioning and video description, web accessibility and equipment and furniture attempt to address some of the remaining barriers. We urge DOJ to move forward with these rules. We also would like to take this opportunity to commend DOJ's recent vigorous enforcement efforts on behalf of people with disabilities.

On behalf of The Arc and UCP, I am going to comment briefly only on access to medical equipment and to the internet. We will submit more extensive comments in writing.

Medical Equipment

People with disabilities have some of the most complex healthcare needs. Yet, many people with disabilities are denied access to health care or receive inferior health care because medical equipment is not accessible. Procedures such as MRIs, ultrasounds, bone density scans, mammograms, and stress tests are not accessible and many people with disabilities have not had any of these procedures in many years.

Due to inaccessible medical equipment, people with disabilities don't have the benefit of early detection of conditions such as cancer which might be successfully treated if caught early enough. Because people are not able to access exam or treatment tables or chairs, or various types of diagnostic medical equipment, or because appropriate lift equipment and trained staff is not available, they are prohibited from getting basic medical care. People with disabilities cannot be weighed and measured because of inaccessible scales. They must accept prescriptions for medication dosages that are based on guesses rather than weight.

In addition to creating standards for accessible medical equipment, it is important to require that staff receive training in how to use accessible equipment.

Web Accessibility

Web accessibility is as important to people with disabilities as it is for anyone. It provides access to modern life. It's the gateway to government services, to on-line transactions of all sorts, to products, to education, to entertainment, to information about healthcare, current events and what's happening in the neighborhood. It gives some people who may have great difficulty leaving their home the opportunity to be employed. Web accessibility is a gateway to friendship and social connectedness for some people with disabilities. It can provide a means for sharing insights, asking questions, and learning from others about particular disabilities.

Providing accessible web sites is not a new requirement, but it certainly is not the norm and people with disabilities have been left behind. Companies receive accolades for providing access to their websites when that is what should be expected. In setting criteria and standards for web accessibility, DOJ may also consider providing technical assistance to the creators and managers of websites about the myriad resources available to them on making websites accessible.

We recommend that timing of implementation of web accessibility be six months. There is no justification for making people with disabilities wait any longer. They already must play catch up.

Respectfully submitted,  
Maureen Fitzgerald  
Director, Disability Rights