

# Managing Professional Risks

## ADA Guidelines for Practice Success™ (GPS™)

### ADA Tip Sheet on the Americans with Disabilities Act (AwDA)

- Dental practices are required to give reasonable accommodations to people with disabilities and must make a reasonable attempt to respond to the request.
  - ✓ This requirement applies to both current and prospective patients as well as to current and prospective staff.
- Always recognize a request for an accommodation.
  - ✓ You may request documentation of a disability but may not request medical information.
  - ✓ The process is triggered when an employee says they need accommodation.
- Be mindful that all disabilities apply under the Act.
- Your employee policy manual should include definitions and policy statements regarding accommodations.
- Accessibility to the practice's website can also be a matter of AwDA compliance if the dental practice is covered by the U.S. Department of Health and Human Services' (HHS) final rule under Section 1557 of the Affordable Care Act.
  - ✓ The U.S. Department of Justice's (DOJ) Civil Rights Division enforces the AwDA and has interpreted Title III of the Act to require businesses to make their websites accessible to individuals with disabilities.
    - At the time this information was developed, the DOJ had not yet issued a final rule on standards for website accessibility under Title III of the AwDA.
    - The DOJ [Website Accessibility Under Title II of the Americans with Disabilities Act](#)
    - Consider discussing this issue with your website developer and consider requiring that person or company to ensure that your practice's website meets existing standards, such as the Title II standards and/or the Web Accessibility initiative (W3C) Web Content Accessibility (WCAG) 2.0 requirements Level AA.
    - The Web Accessibility Initiative offers helpful resources, including [How to Meet WCAG 2.0](#).
- Consult these resources from the American Dental Association (ADA) for more information:
  - ✓ [Special Considerations](#) article from the ADA Guidelines for Practice Success™ (GPS™) module on [Managing Patients](#)
  - ✓ [Recruiting: The Interview Process](#) and [Terminations](#) from the ADA Guidelines for Practice Success™ (GPS™) module on [Managing the Dental Team](#)
  - ✓ [Safeguarding Patient Information, Website Security and Accessibility](#) from the ADA Guidelines for Practice Success™ (GPS™) module on [Managing Marketing](#)
  - ✓ [Section 1557 Auxiliary Aids and Services FAQ](#), Individuals with Disabilities: Auxiliary Aids and Services for Effective Communication
  - ✓ [ADA Q&A: Service Animals](#) (webinar)

#### Resources:

- The U.S. Department of Justice (DOJ) [Website Accessibility Under Title II of the Americans with Disabilities Act](#)
- The Web Accessibility Initiative offers helpful resources, including [How to Meet WCAG 2.0](#).
- From the ADA Guidelines for Practice Success™ (GPS™):
  - [Special Considerations](#) article from the [Managing Patients](#) module

- [Recruiting: The Interview Process](#) and [Terminations](#) articles from the [Managing the Dental Team](#) module
- [Safeguarding Patient Information, Website Security and Accessibility](#) article from the [Managing Marketing](#) module
- Other ADA resources:
  - [Section 1557 Auxiliary Aids and Services FAQ](#), Individuals with Disabilities: Auxiliary Aids and Services for Effective Communication
  - [ADA Q&A: Service Animals](#) (webinar)

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