



## Digital Accessibility Guide

### Section 504 of the Rehabilitation Act of 1973

**This guide is for informational purposes and does not constitute legal advice. If you have any questions about the regulations or about your particular situation with respect to them you should consult a qualified attorney.**

## What is Section 504?

Section 504 of the [Rehabilitation Act of 1973](#) prohibits discrimination on the basis of disability in programs and activities that receive Federal Financial Assistance and it provides protections for people with disabilities in federally funded health and human services programs.

## What has changed related to Section 504?

On May 9, 2024, the Department of Health and Human Services ([HHS](#)) Office for Civil Rights (OCR) published a final rule, Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance. The rule updates, clarifies, and strengthens regulation for Section 504, including a covered entity's obligations relating to digital accessibility. The rule clarifies that websites, mobile apps and digital tools must [provide accessible web content, mobile apps, and kiosks](#) to people with disabilities and meet defined technical standards. The Final rule went into effect July 8, 2024.

For more additional information on the requirements of Section 504 see OCR Section [web page](#) and the [accessibility of medical diagnostic equipment](#).

## Who is a 'covered entity'?

Any entity that receives federal financial assistance from HHS, whether directly or indirectly, is considered a covered entity. This includes dental practices and dental clinics affiliated with hospitals or health systems; dental schools and academic dental programs; Medicaid and Children's Health Insurance Program (CHIP) dental providers; community health centers with dental services; dental specialists; and dental researchers or companies receiving federal research funding. The threshold for coverage is a single Medicare or Medicaid payment, including limited benefits or indirect payments.

## Who is not affected?

Any entities that do not receive any HHS funding.

## When is the deadline for compliance?

On May 7, 2026, HHS announced a new [Interim Final Rule](#) extending the original deadlines for compliance. Organizations with 15 or more employees must comply by **May 11, 2027**, while those with fewer than 15 employees have until **May 10, 2028**. Employee count affects only the compliance deadline, not whether the rule applies.

## What must covered entities do to comply with new digital accessibility requirements?

Dental practices must make sure that their websites and digital tools are accessible to all patients, including those with disabilities such as vision, hearing, or mobility impairments. This means adopting or following [Web Content Accessibility Guidelines \(WCAG\) 2.1 \(Levels A and AA\)](#).



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This requirement applies to all patient-facing digital tools, including:

- Practice websites and mobile apps
- Patient portals
- Online intake, consent, and medical history forms
- Online payment and billing systems

Covered entities remain fully responsible for third-party accessibility.

## What does accessible mean?

Accessible means that digital content is designed so that everyone, including people with disabilities, can perceive, understand, navigate, and interact with it. Accessibility ensures content works with assistive technologies and does not rely on a single sense or ability to be usable.

In practice, accessible digital content:

- Can be seen or heard by all users, such as through captions for videos and text alternatives for images.
- Can be used without a mouse, allowing full functionality through keyboard navigation.
- Is easy to understand, with clear labels, instructions, and helpful error messages.
- Is compatible with assistive technologies, such as screen readers.

In dentistry, this means:

- Educational videos include accurate captions.
- Dental images and diagrams provide meaningful alternative text.
- Forms can be read and navigated using assistive technology.
- Required fields and errors are not identified by color alone.
- Text contrast meets minimum accessibility standards.

## Kiosk Accessibility

- Kiosks must offer equal access, privacy and independence.
- Software interfaces should meet WCAG 2.1 A/AA.
- If kiosks are not accessible, equivalent assistance must be provided.

## What is no longer acceptable concerning patient access?

The following practices are no longer acceptable when it comes to accessibility and patient access:

- Relying on phone calls or staff assistance as a substitute for providing accessible digital tools.
- Using websites, scheduling systems, payment platforms, or patient portals that are not accessible.
- Failing to assess or hold third-party vendors accountable for accessibility compliance.
- Treating accessibility as optional, temporary, or only required upon request.

These practices do not meet current accessibility expectations and can create barriers for patients with disabilities and may result in investigation by HHS Office for Civil Rights.



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## Are there any exceptions to digital accessibility requirements?

Section 504 includes a few narrow exceptions that apply only in specific situations. Even when an exception applies, content may still need to be made accessible if someone specifically requests it.

- **Archived Web Content**  
Old content kept only for reference or recordkeeping, clearly marked as *archived* and not updated. If it is reused or updated, it must meet accessibility requirements.
- **Pre-Existing Electronic Documents**  
Old Word document or files, slides, PDFs or spreadsheets posted before the compliance deadline and not currently used for programs or services.
- **Third-Party Content**  
Content created by the public or other third parties (such as forum posts or user user-generated content) when there is no contract or control by the entity.
- **Individualized, Password-Protected Documents**  
Secure, one-to-one documents such as billing statements, lab results, or personal account records.
- **Pre-Existing Social Media Posts**  
Social media content posted before the compliance date.

## What should dental practice/covered entities do?

1. Inventory all digital patient-facing tools.
2. Perform WCAG 2.1 A/AA accessibility audits:
  - Do videos have captions?
  - Do images and diagrams have alternative text?
  - Is it navigable via keyboard commands?
  - Are forms explicitly labeled?
  - Where information is conveyed solely by color, is another means of conveying information provided, such as text or pattern?
  - Do error messages clearly identify the error and suggest the correction?
  - Is there sufficient contrast on text and images?
3. Remediate accessibility barriers, prioritizing by risk and impact.
4. Require vendor compliance (portals, scheduling, billing). Review existing contracts for accessibility compliance and require compliance with WCAG 2.1 AA as a term of new contracts. Ask vendors to provide reporting on their compliance (either a Voluntary Product Accessibility Template or an Accessibility Conformance Report).
5. Train staff and document policies.
6. Monitor accessibility on an ongoing basis.
7. Consider discussing this issue with your website developer 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.

### Additional Resources:

- The Web Accessibility Initiative offers helpful resources, including [How to Meet WCAG 2.0](#)
- [Fact Sheet](#): New Rule on the Accessibility of Web Content



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#### Example Accessibility Statement

**(Name of Site)** is committed to providing patients, including persons with disabilities, with access to its website(s) and web-based information and services.

In development of the website, the office has endeavored to make every reasonable effort to comply with the web accessibility standards and guidelines established by the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA. We welcome comments and suggestions to improve the accessibility of this website.

This website has been designed to reach the broadest audience possible. However, if you have difficulty viewing this website, accessing any information presented on this website, or using any of the features of the website, please contact our office using the Contact page.

(Contact Page should include Phone number, Address, Office Hours, and Message Mechanism)