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VOR Comments on DOJ Notice of Proposed Rulemaking Requiring Medical Diagnostic Equipment under the ADA

VOR, Voice of Reason, is a national non-profit organization founded in 1983. We advocate for high quality care and human rights for all people with intellectual and developmental disabilities (I/DD). VOR primarily represents individuals with the most severe degrees of I/DD and autism, and their families and guardians. Many of these individuals' mental and physical health needs necessitate a full range of services and 24-hour-around-the-clock support.

VOR appreciates the Department of Justice releasing the Notice of Proposed Rulemaking (NPRM) and recognizing that medical care for the disability community is often limited and even denied because providers do not have the appropriate equipment or do not have staff trained in using this equipment.

Specifically, VOR supports requiring and enforcing that healthcare providers have medical device equipment (MDE) that allows for disabled patients to receive quality healthcare, ranging from the baseline care of collecting data such as the patient's weight and fully completing annual physical exams to ensuring more nuanced tests and specific physical exams are conducted without delay.

For the I/DD population, the travel to and from a physician's office is often a daunting experience. Once at the office, these individuals, many with complex medical needs, must not receive subpar clinical care. They and their caregivers cannot easily reschedule an appointment nor travel to another location simply because the equipment or trained staff are not available at the initial appointment site. Working and appropriate equipment is absolutely intertwined with meeting their healthcare needs.

While VOR recognizes the cost burden on providers, for decades these costs have been placed on the disability community via care denied, delayed or compromised. This has impacted these individuals' health outcomes, ability to work, and overall quality of life. Further, it has negatively affected the caregivers for these patients as well. As you move forward with this policy update, we urge you to finalize rules and regulations that ensure the health, safety and well-being of the disability community remains the intent and goal.

As you review comments and prepare the final rule, please do not hesitate to contact VOR with any questions you may have. VOR's Executive Director, Hugo Dwyer may be reached at hdwyer@vor.net.