



AASPIRE

# Healthcare Toolkit

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## Autism Information: Disability Rights Laws

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# Autism Information: Disability Rights Laws

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[www.aaspire.org](http://www.aaspire.org)

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## 1 What is this topic about?

There are laws in the United States that help prevent discrimination against people with disabilities. A person with a disability is discriminated against if they are treated unfairly just because they have a disability. People on the autism spectrum may be protected by these laws. This topic gives a brief summary of the major laws that protect the civil rights of people with disabilities in the U.S. For more information about these laws, please see the section "Where can I get more information about these laws?". These laws include civil rights protection in:

- Employment
- Public and private services and buildings
- Public Transportation
- Telecommunications (like telephones and pagers)
- Housing
- Air travel
- Voting
- Institutionalized settings

- Education

How these laws may apply specifically in healthcare is covered in more detail under Your Rights in Healthcare. These laws are a good start in helping to prevent discrimination. Unfortunately, in practice these laws are not always followed very well. Understanding your rights is just one part of a continuing fight for equal access to education, employment, and the community.

## **2 Are people on the autism spectrum protected by disability rights laws?**

The U.S. government uses the following definition of disability for all of the laws listed here except IDEA. The IDEA definition of disability can be found on the [IDEA web site](#). "An individual is considered to have a 'disability' if s/he

- has a physical or mental impairment that substantially limits one or more major life activities,
- has a record of such an impairment,
- or is regarded as having such an impairment.

Persons discriminated against because they have a known association or relationship with an individual with a disability also are protected." (Source: Americans with Disabilities Act [Questions and Answers](#)). This means that if

1. a person has an autism spectrum diagnosis, and
2. being on the autism spectrum makes it hard for that person to do things like hold a job, use the telephone, or have relationships with others, or
3. others consider that person to be on the autism spectrum,

then that person would likely be protected by these laws. A person does not need to call themselves "disabled" to meet this definition. The definition covers the perception by others of disability.

### 3 What laws protect the rights of people with disabilities in the U.S.?

This is a summary of the more detailed list that can be found at A Guide to Disability Rights Laws published by the U.S. Department of Justice (DOJ). The detailed list can be found at [www.ada.gov/cguide.htm](http://www.ada.gov/cguide.htm).

#### 3.1 Americans with Disabilities Act (ADA)

The ADA is a broad law that makes sure people with disabilities are not discriminated against and have equal access to

- employment,
- state and local government services, information, and buildings,
- public transportation,
- privately operated facilities that are open to the public (for example, restaurants, retail stores, hotels and movie theaters, to doctors' offices, homeless shelters, and recreation facilities),
- telephone service, including the requirement that telephone companies provide relay service.

For more detailed information, see the [Americans with Disabilities Act](#) on the DOJ site.

More information and resources can also be found on the [ADA Regulations and Technical Assistance Materials](#) page, as well as on the [ADA home page](#) [www.ada.gov](http://www.ada.gov)

### 3.2 Telecommunications Act

This law requires equipment like telephones, cell phones, and pagers to be accessible and usable by people with disabilities. The law also requires that telephone services like operator services, emergency calls, and directory assistance are accessible to and usable by persons with disabilities.

For more detailed information see the [Telecommunication Act](#) on the DOJ site.

### 3.3 Fair Housing Act

This law says people can not be discriminated against in housing based on their disability (as well as other things like race). This law covers both buying and renting homes. This law also requires that owners of housing facilities make changes to their policies to give people with disabilities equal access. For example, a landlord with a "no pets" policy may be required to let someone who has a service animal rent from them.

For more detailed information, see the [Fair Housing Act](#) on the DOJ site.

### 3.4 Air Carrier Access Act

This law says people with disabilities can not be discriminated against in air travel. It requires airlines to provide accommodations, such as early boarding, assisted boarding, or wheelchair access, to people with disabilities.

For more detailed information, see the [Air Carrier Access Act](#) on the DOJ site.

### 3.5 Voting Accessibility for the Elderly and Handicapped Act

This law requires polling places to be accessible to people with disabilities for federal elections. If it is not possible to make polling places accessible, then a

different way for people to cast their votes needs to be offered. This law also requires voter registration and information about voting to be accessible.

For more detailed information, see the [Voting Accessibility for the Elderly and Handicapped Act](#) on the DOJ site.

### **3.6 National Voter Registration Act**

This law requires that all state-funded programs that provide services to persons with disabilities give the people they serve voter registration forms. It also requires the programs to offer assistance with registering to vote.

For more detailed information, see the [National Voter Registration Act](#) on the DOJ site.

### **3.7 The Civil Rights of Institutionalized Persons Act (CRIPA)**

This law says the U.S. Attorney General can look into the conditions of institutions of confinement, such as jails, nursing homes, or institutions for people with developmental disabilities. Its purpose is to allow the Attorney General to find and correct problems that may harm the health and safety of residents.

For more detailed information, see the [CRIPA](#) section of the DOJ site.

### **3.8 Individuals with Disabilities Education Act (IDEA)**

This law requires public schools to educate individuals with disabilities through age 21. This includes providing accommodations and services that meet the individual needs of each student.

Note: Colleges are covered under the ADA.

For more detailed information, see the [IDEA](#) section of the DOJ site.

### 3.9 Rehabilitation Act

This law says people with disabilities can not be discriminated against in any program that gets money from the government. This includes state-run colleges and higher education. It also protects people with disabilities who are government employees. Some of the things in this law are also covered by the Americans with Disabilities Act. Section 508 of the Rehabilitation act requires the government to have accessible technology, including accessible web sites.

For more detailed information, see the [Rehabilitation Act](#) on the DOJ site.

### 3.10 Architectural Barriers Act

This law requires that all new or re-built government buildings are made to be accessible to people with disabilities.

For more detailed information, see the [Architectural Barriers Act](#) on the DOJ site.

This is a summary of the more detailed list that can be found at A Guide to Disability Rights Laws published by the U.S. Department of Justice (DOJ). The detailed list can be found at [www.ada.gov/cguide.htm](http://www.ada.gov/cguide.htm).

## 4 Where can I get more information about these laws?

Online:

- Department of Justice summary of laws <http://www.ada.gov/cguide.htm>
- ADA Centers <http://adata.org>

Offline request for information:

- 800 - 514 - 0301 (voice)
- 800 - 514 - 0383 (TTY)
- U.S. Department of Justice

## **Civil Rights Division**

950 Pennsylvania Avenue, N.W.

Disability Rights Section - NYAV

Washington, D.C. 20530

## **5 Links**

- <http://www.ada.gov/cguide.htm>
- [ADA Regulations and Technical Assistance Materials](#)
- [Telecommunication Act](#)
- [Fair Housing Act](#)
- [Air Carrier Access Act](#)
- [Voting Accessibility for the Elderly and Handicapped Act](#)
- [National Voter Registration Act](#)
- [CRIPA](#)
- [IDEA](#)
- [Rehabilitation Act](#)
- [Architectural Barriers Act](#)