



ADA Website Accessibility Lawsuits are on the Rise

In order to avoid litigation, companies should review their websites for compliance with the Americans with Disabilities Act (“ADA”)

In addition to ensuring that their premises and equipment are accessible to persons with restricted mobility and that patients who are deaf receive appropriate accommodations to ensure that they can effectively communicate regarding their medical condition, health care practices are now confronting a new disability access issue: insuring that their websites are accessible to patients who have visual limitations.

Specifically, in the last few months, persons with visual impairments have brought class action lawsuits against a number of health care providers in the metropolitan area contending that the providers’ websites are inaccessible to persons with visual or other similar disabilities. The lawsuits seek orders compelling the providers to revamp their websites, as well as monetary damages and attorney’s fees. Garfunkel Wild is currently defending a number of health care providers in these lawsuits.

Given these lawsuits, it is vitally important for all health care providers to ensure that their websites are fully accessible to persons with visual impairments or other similar disabilities. This is particularly true where the practice uses its website as a significant tool to communicate with and deliver services to actual or prospective patients. The most frequent access issue being raised is that a provider’s website is not properly designed to accommodate screen readers, which visually impaired persons use to understand computer screen content.

The best practice for health care providers to follow is to have IT professionals conduct a comprehensive website audit, guided by counsel to preserve confidentiality. Any accessibility issue can then be corrected before a lawsuit is brought, thereby saving the provider considerable time, expense, and adverse publicity. It is also important for providers to adopt policies and procedures that address their compliance with federal and state disability laws.

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For more information on the above legislation, please contact the [Garfunkel Wild attorney](#) with whom you usually work.

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About the Firm:

Garfunkel Wild was founded over 38 years ago with a single purpose in mind – attend to the specific business and legal needs of our clients in the health care industry. With nearly 80 attorneys representing more than 60 hospitals plus health care systems and other health care facilities, organizations and practitioners, Garfunkel Wild has kept this focus. The firm has offices in New York, Connecticut, and New Jersey. For more information, visit www.garfunkelwild.com

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