



September 25, 2024

Dear ACL grantees,

In May, 2024, the U.S. Department of Health and Human Services' Office for Civil Rights (OCR) made disability rights history with the [release of a long-awaited final rule implementing Section 504](#) of the Rehabilitation Act of 1973. This comprehensive update — the first since the initial regulation was put into place more than 50 years ago — is a powerful tool to combat discrimination based on disability in health care and human services. The direct result of decades of advocacy by people with disabilities, the new Section 504 rule represents a giant step forward in the disability civil rights movement. It covers all programs and activities funded by HHS and protects people with all types of disabilities and disabled people of all ages. ACL was proud to work with OCR on these important regulations.

The new Section 504 rule strengthens and modernizes nondiscrimination protections in key areas, including web content, mobile apps, medical diagnostic equipment, and child welfare. The rule also codifies U.S. Supreme Court and other significant court decisions that require the provision of community-based services to people with disabilities. Specifically, the rule reflects the principles established in the Supreme Court's decision in *L.C. v. Olmstead* by clarifying that services must be provided in the most integrated setting appropriate to meet the needs of individuals with disabilities. These updates, which ensure consistency with current law and address modern forms of disability related discrimination, will promote more equitable health outcomes for people with disabilities.

For ACL's networks and entities receiving ACL funding, this rule has special significance. It advances our mission to expand community living for disabled people including the nearly 50 percent of older adults who have disabilities. It also creates new compliance requirements for you, as recipients of federal funding from HHS, or "federal financial assistance" as it is referred to in the rule.

To help regulated entities and community members understand the new final rule, OCR, as the agency charged with implementing and enforcing Section 504, has published a fact sheet providing a summary overview of the rule's provisions. The [Section 504 of the Rehabilitation Act of 1973 Final Rule: Section by Section Fact Sheet for Recipients of Financial Assistance from HHS](#) can be found on the Office for Civil Rights' website along with other related information on [disability rights](#) and Section 504 of the [Rehabilitation Act](#).

Notably for those entities receiving ACL funding, the fact sheet addresses important obligations, including the following that may be most relevant to your work:

- **Web, mobile, and kiosk accessibility:** Web content and mobile apps must comply with the specific technical standards of the Web Content Accessibility Guidelines 2.1 levels A and AA (WCAG 2.1 AA), the internationally recognized private standard that the rule adopts.

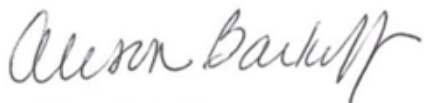
- **Reasonable Modifications and Effective Communication Requirements:** Section 504 now includes regulatory provisions that mirror long-standing requirements under the ADA for public and private health care and social service providers. Recipients that are covered by both Section 504 and the ADA will now have many of the same disability nondiscrimination obligations under both laws. For example, recipients must take appropriate steps to ensure that communications with individuals with speech, hearing, and vision disabilities are as effective as communications with others. They must also make reasonable modifications to policies and procedures to accommodate people with disabilities unless they can demonstrate a modification would fundamentally alter the nature of the program or activity.
- **Requirements for Implementing the New Rule:** Recipients with 15 or more employees must designate an individual to coordinate efforts to comply with the rule and must adopt grievance procedures that provide for a prompt and equitable resolution of complaints. They must also provide accessible information to employees, applicants, and participants on the rule's protections against discrimination.

The fact sheet also includes summaries of the rule's provisions on disability discrimination in medical care; accessibility requirements for medical equipment; prohibitions against the use of value assessment tools in health and social services that devalue the lives of people with disabilities; clarified community integration requirements; and prohibitions against discrimination against parents, children and caregivers in the child welfare system.

For additional information please see ACL's [dedicated 504 rule website](#), which includes an [Overview Webinar](#) of the rule, or visit [OCR's Section 504 site](#) for information on how to request technical assistance and [file a complaint](#).

We appreciate your partnership in ensuring that these important new regulations are implemented and that people with disabilities of all ages are able to have equal access to the benefits of ACL-funded programs. **If you have any questions about this letter or how the new regulations apply to your organization, please contact your Project Officer and send a copy of your message to 504@acl.hhs.gov.**

Sincerely,



Alison Barkoff

Performing the duties of the ACL Administrator and Assistant Secretary for Aging



Melanie Fontes Rainer

Director, Office for Civil Rights