

THE ISSUE:

US Access Board Standard for Accessible Medical Diagnostic Equipment



RECENT DEVELOPMENTS

On July 25th, 2024, the US Access Board (the federal agency providing leadership and guidance for accessible design) released its [final rule](#), entitled Standards for Accessible Medical Diagnostic Equipment, as required by Section 4203 of the Patient Protection and Affordable Care Act (ACA). These standards provide design criteria for examination and procedure chairs, weight scales and other diagnostic equipment that are accessible to people with disabilities.

The key ruling of the Access Board is that **examination and procedure chairs must have a low seat height of 17 inches**. The final rule was effective September 23rd, 2024. Of all the adjustable-height examination tables the Access Board reviewed, over 75% have a low height of 18-19 inches, and 50% of those are at 18 inches.¹ **The [Access Board](#) found the [Midmark 626 Barrier-Free® Examination Chair](#) to be the only chair on the market that complies with the new standard with a low seat height of 15 ½ inches. Now Midmark is the first and only manufacturer in the market to have both a procedure chair and examination chair that complies with the US Access Board Standard.**

Getting to Know the Standard

ACCESS BOARD REQUIREMENTS

01 Seat Height

Transfer surfaces shall be adjustable in height measured from the floor to the top of the uncompressed transfer surface and shall provide the following:

- A low transfer position at 17 inches maximum
- A high transfer position at 25 inches minimum
- At least 4 additional transfer positions located between the low and high transfer positions separated by 1 inch minimum



02 Transfer Surface

The seated transfer surface shall be:

- 21 inches wide minimum
- 17 inches deep minimum



03 Base Clearance

The width of the base permitted within this clearance shall be 26 inches wide maximum at the edge of the examination surface.



04 Transfer Supports

Transfer supports shall be/have:

- Located 1 ½ inches maximum measured horizontally from the plane defined by the nearest edge of the transfer surface
- Capable of supporting transfer on each side of the transfer surface
- 15 inches long minimum
- 6 inches to 19 inches in height (higher than the top of the associated uncompressed transfer surface) during use
- An outside diameter of 1 ¼ inches minimum and 2 inches maximum (circular cross section)
- A gripping surface continuous along their length and shall not be obstructed along their tops or sides



05 Leg Supports

- Where stirrups are provided, leg support shall also be provided.
- Leg supports shall provide a method of supporting, positioning and securing the patient's legs.



See what makes the Midmark 626 Barrier-Free® Examination Chair and the Midmark® 631 Procedure Chair compliant.

[Midmark 626 Barrier-Free Examination Chair](#)

[Midmark 631 Procedure Chair](#)

This document references MDE Standards' Specifications for Accessibility M302 and M305.

For more information, visit: <https://www.access-board.gov/mde/>

DEPARTMENT OF JUSTICE (DOJ) ENFORCEMENT

Effective **October 8th, 2024**, the Department of Justice issued a final ruling, 28 CFR Part 35, stating that the Access Board Standards for Accessible Medical Diagnostic Equipment (MDE) will be enforced within the DOJ's authority under Title II of the Americans with Disabilities Act (ADA).

ENFORCED STANDARDS

The DOJ is enforcing the Access Board Standards (MDE) that were issued on July 1st, 2017, 36 CFR part 1195 requiring Medical Diagnostic Equipment to have a **17-inch to 19-inch low transfer height range**.

The most recent 2024 US Access Board Standards (MDE), requiring a **17-inch low seat height effective September 23rd, 2024, is not enforced by the Department of Justice**.

The Department of Justice is considering issuing a supplemental rulemaking proposing to adopt the 17-inch low seat height.

SCOPING REQUIREMENTS

According to this ruling, the general scoping requirements for medical diagnostic equipment state:

- **At least 10%** of the total number of units at a facility, but no fewer than one unit, must meet the Access Board Standards (MDE).
- **At least 20%** of the total number of units at a rehabilitation facility that specializes in treating conditions that affect mobility, but no fewer than one unit, meet the Access Board Standards (MDE).

After **October 8th, 2024**, newly acquired medical diagnostic equipment must meet the Access Board Standards (MDE) that were issued on July 1st, 2017, 36 CFR part 1195 requiring Medical Diagnostic Equipment to have a **17-inch to 19-inch low transfer height** range until the DOJ's scoping requirements are met.

MINIMUM OBLIGATION

Facilities have until **August 9th, 2026**, to have at least one exam or procedure chair compliant to the DOJ's scoping requirements of the Access Board Standards (MDE) that were issued on July 1st, 2017, 36 CFR part 1195.

Otherwise, facilities can be subject to lawsuits and settlement agreements to achieve greater access, inclusion and equal opportunity for people with disabilities.

The Department of Health and Human Services has the same enforcement requirements as the DOJ.

DOJ Enforcement Fact Sheet: <https://www.ada.gov/resources/2024-08-08-mde-fact-sheet/>

THINGS TO CONSIDER

The Department of Justice is considering issuing a supplemental rulemaking proposing to adopt the 17-inch low seat height.

According to a 2022 estimate by the US Census Bureau, **over 44 million people with disabilities live outside of institutional settings in the United States**, and the **most common category of disability is mobility or ambulatory impairment**.²

"The lack of physical accessibility adversely affects quality of care, leading to delayed and incomplete care, missed diagnoses, exacerbation of the original disability, and increases in the likelihood of the development of secondary conditions."³

Sources:

1 [federalregister.gov/documents/2024/07/25/2024-16266/standards-for-accessible-medical-diagnostic-equipment](https://www.federalregister.gov/documents/2024/07/25/2024-16266/standards-for-accessible-medical-diagnostic-equipment)

2 U.S. Census Bureau, American Community Survey, Disability Characteristics,
<https://data.census.gov/cedsci/table?t=Disability&tid=ACSST1Y2019.S1810>

3 https://www.ncd.gov/assets/uploads/reports/ncd_medical_equipment_report_508.pdf