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 2024 ACB Legislative Imperatives

The American Council of the Blind is the nation’s leading member-driven organization for individuals who are blind and experiencing vision loss. With over 65 state and special-interest affiliates across the country, ACB is committed to increasing the security, independence, quality of life, and economic opportunity for people who are blind and low vision in the United States, and ACB stands committed to advocacy that lifts up our values.

The following legislative imperatives represent several key issues that were pieces of legislation in the 117th Congress that ACB seeks to have reintroduced and passed in the 118th Congress. These bills will help ACB members in furthering independence and bettering quality of life.

The Medicare and Medicaid Dental, Vision, and Hearing Benefits Act

Due to a rule promulgated by the Centers for Medicare and Medicaid (CMS), known as the Eye Glass Exclusion, Medicare is prohibited from providing coverage for devices that assist individuals with low vision. Devices such as handheld magnifiers, video magnifiers, and other devices that enhance color contrast or lighting conditions remain out of reach for Medicare beneficiaries who need them to mitigate their disability and keep them in their communities and out of nursing homes and institutions. Access to low vision devices is thus crucial to maintain one’s physical and mental health.

ACB urges Congress to support and pass the Medicare and Medicaid Dental, Vision, and Hearing Benefits Act (S. 842) in the Senate, and support and pass the Medicare Dental, Vision, and Hearing Benefits Act (H.R. 33) in the House. This bill, introduced by Sen. Bob Casey, enables CMS, under the Medicare program, to cover routine vision care, including low-vision devices prescribed by a doctor and which would permit a state to cover these devices under its Medicaid program. Rep. Lloyd Doggett (D-TX) introduced a similar bill that does not include Medicaid coverage for low vision devices. Offices interested in sponsoring the Medicare and Medicaid Dental, Vision, and Hearing Benefits Act in the Senate should contact Derek Miller in Senator Casey’s office. Interested House offices should contact Meghan Hunt in Rep. Doggett’s office.

The Medical Device Nonvisual Accessibility Act

The majority of home use medical devices and outpatient equipment utilizes digital display interfaces that are inaccessible to blind, low vision, and DeafBlind users. Class 2 and Class 3 medical devices such as glucose monitors, blood pressure readers, and at-home chemotherapy treatments do not have any non-visual accessibility features like text to speech output, tactile markings, or audible tones built in. As a result, people who are blind, low vision, and DeafBlind cannot independently manage their health from the privacy of their own homes in the same ways as people who are not disabled.

ACB calls on Congress to support and pass the Medical Device Nonvisual Accessibility Act. This bipartisan piece of legislation was introduced in both the House and Senate by Rep. Jan Schakowsky (D-IL) and Senators Mike Braun (R-IN) and Maggie Hassan (D-NH), to ensure that medical equipment with a digital display is accessible and that people with disabilities can take back control of their health. This legislation would require the Food and Drug Administration to consider non-visual accessibility when approving Class 2 and Class 3 medical equipment and devices with a digital display to ensure access for patients with disabilities. Offices in the House of Representatives interested in supporting the bipartisan Medical Device Nonvisual Accessibility Act (H.R.1328) should contact Michelle Paucar in the office of Rep. Schakowsky (D-IL). Offices in the Senate that are interested in co-sponsoring S. 3621 should contact Emily Kane in Sen. Hassan’s office.

The Websites and Software Applications Accessibility Act

Access to websites, applications and online services impacts most aspects of everyday life, and the COVID-19 pandemic has made digital inclusion more important than ever. There is a need for enforcement standards that clearly state websites, applications, and online services must be accessible to people with disabilities. People who are blind, low vision, and DeafBlind face countless barriers when accessing workplace portals, educational platforms, healthcare and public health information, transportation services, shopping, and entertainment over the Internet.

ACB calls on Congress to support and pass the Websites and Software Applications Accessibility Act. Sen. Tammy Duckworth (D-IL) introduced this legislation (S. 2984), and Rep. John Sarbanes (D-MD) along with Rep. Pete Sessions (R-TX) introduced a version of the bill in the House of Representatives (H.R. 5813). This bill would establish clear and enforceable accessibility standards for websites and software applications. The Websites and Software Applications Accessibility Act would set clear, enforceable accessibility standards, and establish a technical assistance center and advisory committee to provide advice and guidance on accessible websites and applications. It would also authorize a study on addressing emerging technologies. Senate offices wishing to support this bill should contact Stephanie Deluca in Sen. Duckworth’s office; House offices should contact Katie Teleky in Rep. Sarbanes’ office.

The Communications, Video, and Technology Accessibility Act

The 21st Century Communications and Video Accessibility Act (CVAA) guaranteed access for people with disabilities to advanced communications services, telecommunications hardware and software, accessible video displays and user interfaces and digital apparatuses, and required the delivery of audio-described content. For more than ten years, ACB and its members have worked to implement and enforce the CVAA, and in several key aspects, we have reached the limits of what the CVAA is able to enforce.

It is time for Congress to update the accessible video and communications requirements of the CVAA. Sen. Edward J. Markey (D-MA) and Rep. Anna G. Eshoo (D-CA) introduced the Communications, Video, and Technology Accessibility (CVTA) Act (H.R. 4858 and S. 2494). The CVTA reaffirms our nation’s commitment to accessible communications and video technologies for people who are blind, low vision, and Deafblind. Once passed, this legislation will update existing requirements for accessible media, video user interfaces, and video conferencing services. ACB urges Congress to support and pass the CVTA in the 118th Congress. Offices interested in supporting the CVTA should contact Ireland Lesley in Sen. Markey’s office and Stuart Styron in Rep. Eshoo’s office.

Reauthorization of the Federal Aviation Administration

In early February, the FAA reauthorization package passed out of the Senate Commerce Committee. Both the House and Senate packages contain key provisions that would make air travel easier for people with disabilities. Sen. Duckworth (D-IL) included provisions that would make the service animal attestation process simpler with a TSA Pre-check like system with documented known service animal users (Section 738), would set accessibility standards for airline websites and mobile applications (Section 739), and improve the physical accessibility of airports (Section 610). Another key provision is Section 736, which requires the Department of Transportation to publish regular reports on complaints filed by disabled travelers against airlines. ACB urges the final reauthorization package to keep these and other disability-related provisions.

For questions or further information on the 2024 ACB Legislative Imperatives, please contact Claire Stanley, ACB’s Director of Advocacy and Governmental Affairs, cstanley@acb.org, or by calling (202) 467-5081.

The American Council of the Blind greatly appreciates your support on these critical issues for 2024, and we look forward to working with you during the remainder of the 118th Congress.