

## The Assistive Technology Act

Jody and her family moved to a one-story accessible townhouse to accommodate her wheelchair use due to multiple sclerosis. Because Jody would be spending most of her days at home with little support, the family wanted to install an automated home environmental system so that Jody could easily control the thermostat and other functions. Her 17-year old son, a computer whiz, helped Jody gather information about voice activated environmental controls.

They found out that Amazon Alexa can coordinate with many different household controls but needed additional equipment to use voice-control for the thermostat, lamps, television, and a camera and lock for the front door. While these devices were easy to obtain, the total cost would run about \$1000, more than they could afford to purchase right away.

Please see page 3 to learn how The Assistive Technology Act helped Jody to obtain the equipment she needed to maintain her independence and safety.

### What is the Assistive Technology Act?

The Assistive Technology Act of 2004 (AT Act) is a federal law designed to maximize the ability of people with disabilities to select, obtain, and use assistive technology. Through a system of comprehensive federal-state funded technology-related programs, those needing AT can access appropriate technology to help them do the things they want to do—such as work, play, recreate, live independently, etc. The Act builds on previous legislation that highlights the importance of AT in the lives of people with disabilities and increases access to it.

The Technology-Related Assistance for Individuals with Disabilities Act (Tech Act) of 1988 was the first legislation that recognized the important and changing role of technology in assisting people with disabilities of all ages to live, work, and thrive in the community. It authorized grants to individual states, which funded and established a national network of state programs for AT. Amendments to the Act in 1994 made these programs permanent. The Assistive Technology Act of 1998 (AT Act of 1998) further expanded access to AT.

The AT Act of 2004 is designed to work toward full integration and inclusion of people with disabilities in their communities and makes access to AT for people with disabilities a legal requirement. It requires states to provide AT products and services that are designed to meet the needs of disabled people. The law also ensures that individuals with disabilities and their advocates are included as participants in the design of AT programs and services in their communities through Advisory Councils.

## What exactly is Assistive Technology?

Assistive Technology (AT) is any item, device, or piece of equipment used to maintain or improve the independence and function of people with disabilities and seniors, in education, employment, recreation, and daily living activities.

## What Are Examples of AT?

- **High Tech:** An electronic communication system for a person who cannot speak; head trackers that allow a person with no hand movement to enter data into a computer
- **Low Tech:** A magnifying glass for a person with low vision; a communication board made of cardboard for a person who cannot speak
- **Big:** An automated van lift for a wheelchair user
- **Small:** A grip attached to a pen or fork for a person who has trouble with his fingers
- **Hardware:** A keyboard-pointing device for a person who has trouble using her hands
- **Software:** A screen reading program, such as JAWS, for a person who is blind or has other disabilities

## Why is the AT Act of 2004 important to me?

- It can help you as a person with a disability to choose, obtain, and maintain technology to help you live your fullest life in the community. It requires state programs to develop ways to assist you in affording and accessing the appropriate and necessary AT (e.g., alternative financing, loan programs, device re-use programs)
- It requires that state programs support leadership activities in the Assistive Technology field, such as public awareness campaigns, training, and technical assistance with grants, and coordinating with other entities, so that organizations cooperate to provide services that can help you
- It requires that 5% of the state program funding goes specifically for transition services that support AT for children who are moving from high school to the adult world
- It provides funding to state Protection & Advocacy Services (P&A Services) to support legal efforts regarding rights to AT

## Who Uses AT?

People of all ages need and use AT. For example:

- An infant with developmental disability may have a switch placed near her head so that every time she moves her head to the left a musical mobile hanging overhead will play and provide stimulation
- A student with autism who is overwhelmed by too much going on in the room might manipulate a soft “stress” ball to stay focused in class
- A father who is deaf might use a baby cry device with flashing lights to know when his baby is crying
- A citizen who is blind might use touch (like Braille) or audio recordings at the election polls to cast her ballot privately and independently
- A grandmother who has difficulty walking might use a walker to get to the ball field and may sit on it while watching her grandson play baseball

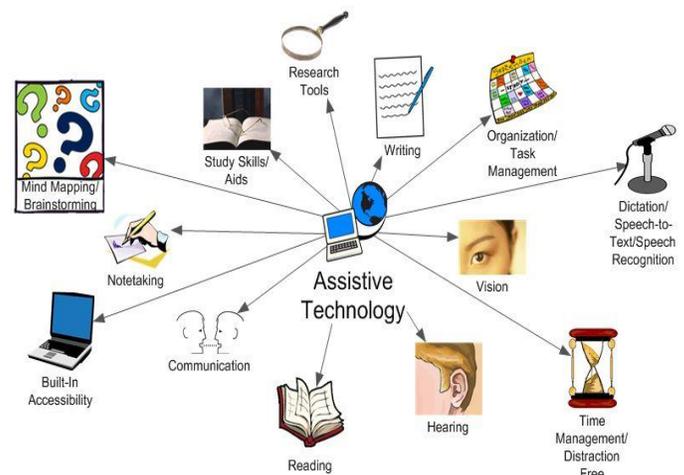


Image used with permission from the Augsburg University Center for Learning and Accessible Student Services. Created by Rachel Krusel.

The AT Act of 2004 set minimum amounts for annual federal State Assistive Technology Projects (\$410,000) with at least 90% of those funds going directly to services for people with disabilities. Additionally, state projects must maintain ongoing reporting of services provided and collect data that show their accountability and the importance of assistive technology to those with disabilities who use the program.



## How can the Assistive Technology Act make my life better?

- **Educate** – Find out who is the lead agency for your state’s Assistive Technology Project. Keep informed of what is going on in your state and in your community by asking to be on their mailing list or listserve (e-mail list). Find providers of AT services and devices that are approved by licensing and/or your insurance, or sources for AT if you are uninsured. Know who to contact for assistance to pay for AT
- **Access** – Look for AT demonstrations or any device loaning or borrowing try-out program that may help you or your family members who have a disability. Find out who provides AT Services in your area if you are interested in using assistive technology. Get information about assistance for purchasing, leasing, or borrowing any AT device that is appropriate for you. Participate in any of the loan or device re-use programs if you have assistive technology to donate for another person
- **Advocate** – Know your rights to access AT devices and services. If you have difficulty getting, using, or keeping an assistive technology device, your state Protection & Advocacy program may provide legal assistance

### Resolution to Jody's Story

Jody spoke with an advocate at the CIL who referred her to her state’s Assistive Technology Program, which provided a short-term low interest loan so that her family could purchase the technology needed to make Jody’s home more accessible and safer for her. Jody and her family bought the equipment and, thanks to her son, got it installed and working within a few weeks. Jody was so impressed with her new technology that she joined an assistive technology users’ group at the CIL to learn about other technology that might help her. She also provided testimony for the Assistive Technology Program about how the loan program had helped her to be safer and more independent in her home.

## Resources to learn more about the AT Act of 2004 and how to use it:

### **National Assistive Technology Act Technical Assistance and Training (AT3) Center:**

Website that has free information about all kinds of AT programs and services, but primarily is the place where you can *find your state's Assistive Technology Project agency*.

<https://www.at3center.net/stateprogram>

### **Center for Assistive Technology Act Data Assistance:**

Website that maintains state-by-state assistive technology program statistics, resources, and reports.

<http://www.catada.info/>

### **Assistive Technology at Administration for Community Living:**

Website maintained by the Administration for Community Living (ACL) about the history of Assistive Technology legislation. ACL is the federal agency responsible for this program.

<https://acl.gov/programs/assistive-technology/assistive-technology>

**NOTE:** While the Assistive Technology Act applies to people with all types of disabilities, the RTC/PICL focuses mainly on the community participation and barriers of people who have mobility-related disabilities.

This fact sheet offers general information, not legal advice. The application of the law to individual circumstances can vary. For legal advice, you should consult an attorney.

The RTC/PICL is a partnership of the University of Kansas Research and Training Center on Independent Living and The University of Montana Research and Training Center on Disability in Rural Communities.



Research and Training Center  
on Independent Living



### **ILRU Directory of Centers for Independent Living and Associations – 2017 (Vol. 39):**

Provides a national directory of Centers for Independent Living in the United States and its territories.

<https://www.ilru.org/projects/cil-net/cil-center-and-association-directory>

### **National Rehabilitation Information Center:**

Provides a series of information guides on assistive technology, organized by type of technology.

<https://www.naric.com/?q=en/FAQ/where-can-i-find-guides-assistive-technology>

### **Center on Technology and Disability:**

Website funded by the U.S. Department of Education's Office of Special Education Programs (OSEP) which provides free information about AT for children of all ages to families and professionals. <https://www.ctdinstitute.org/>

### **State Protection and Advocacy Systems:**

Protection and Advocacy Systems (P&As) work at the state level to protect individuals with disabilities by empowering them and advocating on their behalf. There are 57 P&As in the United States and its territories.

<https://acl.gov/programs/aging-and-disability-networks/state-protection-advocacy-systems>

The contents of this publication were developed under a grant from the National Institute on Disability, Independent Living, and Rehabilitation Research (NIDILRR grant number 90RT5043). NIDILRR is a Center within the Administration for Community Living (ACL), Department of Health and Human Services (HHS). These contents do not necessarily represent the policy of NIDILRR, ACL, HHS, and you should not assume endorsement by the Federal Government.

#### **For more information**

Research and Training Center on Independent Living  
The University of Kansas  
1000 Sunnyside Ave.  
Lawrence, KS 66045-7561  
Ph 785-864-4095  
TTY 785-864-0706  
rtcil@ku.edu  
www rtcil.org/picl

© 2021