



**JANUARY 9, 2009**

**Be careful of  
reading health  
books, you may  
die of a misprint!**

**Mark Twain**

**With the New Year come new changes to the ADA and Rehabilitation Act. Though the definition of a disability has not changed, the definitions of major life activities and the impact of episodic conditions have. Here is an overview of the original law and how it has evolved.**

**The original Americans with Disabilities Act defines an individual as disabled if they meet at least one of the following guidelines:**

- 1. A physical or mental impairment that substantially limits one or more of his/her major life activities. (Walking, Hearing, Breathing, Working, Seeing, Speaking, Learning, Caring for oneself, Performing manual tasks)**
- 2. He or she has a record of having such impairment. (Any form of documentation of a past or current disability)**
- 3. He or she is regarded as having such an impairment. (For example, a person with mild or well-controlled epilepsy is barred from participating in sports at school, despite being able to safely participate)**

**The changes to legislation now include bodily functions as a major life activity. This includes, but is not limited to functions of the immune system, respiratory, circulatory, endocrine and reproductive functions. For example, someone with cancer is now clearly covered by the ADA. And, in the past a person whose condition was in remission might not have been covered, but now "an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active."**

**This law also clarifies when individuals are entitled to Reasonable Accommodations. Only individuals who fit the first two criteria are entitled to accommodations in the workplace.**