Resolution 2020-04

Regarding the Accessibility of Video and Telemedicine Platforms

WHEREAS, pursuant to Title III of the Americans with Disabilities Act (ADA), individuals with disabilities may not be denied full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations offered by a place of public accommodation; and

WHEREAS, the United States Department of Justice has consistently affirmed that Title III of the Americans with Disabilities Act applies to web pages operated by places of public accommodation; and

WHEREAS, places of public accommodation include doctor’s offices, health care providers, and health maintenance organizations; and

WHEREAS, the Coronavirus pandemic has resulted in the widespread use of virtual platforms such as Doxy.me to enable health care providers to have visits and examinations with their patients by video; and

WHEREAS, persons who are blind are entitled by Title III of the ADA to full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations offered by health care providers, including the ability to participate in medical visits through accessible video technology; and

WHEREAS, the use of a telephone as an alternative to an accessible video visit does not give a patient who is blind a full and equal opportunity to be examined by a health care provider, potentially leading to medical complications or even life-threatening consequences:

Now, therefore, BE IT RESOLVED by the National Federation of the Blind of New Mexico assembled in virtual convention this 29th day of August, 2020, that the National Federation of the Blind of New Mexico calls upon Doxy.me and other manufacturers of telemedicine platforms to immediately make their video platforms fully accessible to persons who are blind; calls upon all health care providers operating in New Mexico to ensure the accessibility of their telemedicine platforms to persons who are blind; and calls upon the New Mexico Attorney General to take whatever action may be in its authority to address and rectify the situation of inaccessible telemedicine platforms.