

All About Diabetes

Nutrition

Fitness

Lifestyle &amp; Prevention

Diabetes Research

Government Affairs  
& AdvocacyAdvocacy  
Action Center

► Discrimination

School

Employment

Private Drivers'  
LicensesPublic  
AccommodationCorrectional  
Institutions

Attorney Materials

Federal  
Government  
AdvocacyHealth  
Insurance  
optionsState  
LegislationCommunity Programs  
& Local EventsDiabetes in the  
Workplace

For Parents &amp; Kids

For Health Professionals  
& Scientists

Support the Cause

Shop for Books &amp; Gifts

# Americans with Disabilities Act Amendments Act and Diabetes

- [What is the Americans with Disabilities Act Amendments Act?](#)
- [Why was a new law needed?](#)
- [Why is it important to be covered by the Americans with Disabilities Act?](#)
- [How does the ADAAA affect people with diabetes?](#)
- [Does the ADAAA change anything other than who is covered by the law?](#)
- [Does ADAAA affect the rights of people with diabetes outside of the workplace?](#)
- [When does the new law go into effect?](#)
- [What role did the American Diabetes Association play in enacting the new law?](#)
- [How can I get help for discrimination?](#)

Related Links:

[Americans with Disabilities Act Amendments Act](#)
[Recent ADAAA press release](#)
[Text of new law \(PDF\)](#)

What is the Americans with Disabilities Act Amendments Act?

The Americans with Disabilities Act Amendments Act (ADAAA, previously known as the Americans with Disabilities Act Restoration Act) is a new law that was signed by President Bush on September 25, 2008. It amends the Americans with Disabilities Act (ADA) and restores the original intent of Congress when it drafted the law in 1990 with regard to who is protected from discrimination on the basis of disability. The law also amends the Rehabilitation Act of 1973 in the same manner. [top](#)

Why was a new law needed?

When the ADA was enacted it promised to be a vital means of protecting the interests of people who are treated unfairly because of their diabetes. But a series of Supreme Court decisions severely narrowed who was covered by the law and many individuals with diabetes and other chronic illnesses found themselves no longer protected by the law. Thus, while some people with diabetes were able to prove that their diabetes was a disability under the original ADA, but many others – especially workers – had trouble proving to courts that their diabetes met the courts' narrow definition of "disability", usually because they were doing such a good job of managing their disease. [top](#)

Why is it important to be covered by the Americans with Disabilities Act?



Advocacy  
Action  
Center



Diabetes  
Forecast -  
FREE  
ISSUE!



School  
Walk for  
Diabetes



Commercial  
Drivers with  
diabetes



Meet Chris  
Stokes -  
National  
Youth  
Advocate



Get  
involved in  
your local  
community.

Revised Salt River Project,  
No. 06-16527 archived on February 17, 2009

If an individual with diabetes is unable to show that he or she has a disability, is regarded as having a disability, or has a record of a disability, then nothing in federal law protects that person from discrimination. Thus, without the law's protection, an employer could explicitly refuse to hire a person simply because that person has diabetes. [top](#)

How does the ADAAA affect people with diabetes?

The ADAAA now makes it clear that Congress intends for people with conditions such as diabetes to be covered by the law and protected from discrimination on the basis of their diabetes. [top](#)

Does the ADAAA change anything other than who is covered by the law?

No. All other provisions of the ADA – including the requirement for an employee to prove that the discrimination was because of diabetes and the employer's obligation to provide reasonable accommodations – remain the same. [top](#)

Does ADAAA affect the rights of people with diabetes outside of the workplace?

Yes. While most of the problems with coverage occurred in the workplace, the revised definition of disability applies everywhere that federal disability laws apply including day care centers, schools, hotels, restaurants, concert venues, correctional institutions, and public transportation. [top](#)

When does the new law go into effect?

The new law is effective on January 1, 2009. It will apply to acts of discrimination occurring on or after January 1, 2009. [top](#)

What role did the American Diabetes Association play in enacting the new law?

The American Diabetes Association took a lead role in advocating for ADAAA. Association staff and volunteers led efforts to draft the new legislation and to lobby Congress for its passage. Thousands of diabetes advocates helped convince Congress that this was important legislation by calling, writing, and visiting their Senators and Representatives. Advocate Stephen Orr testified twice before Congress to talk about how he was fired for taking a lunch break to eat and manage his diabetes. Stephen's case was thrown out of court when his employer successfully argued that because he did so well managing his disease with insulin and diet he did not have a disability. His employer's refusal to allow Stephen to take a lunch break was never questioned. Stephen's story was repeated many times by Members of Congress as a key example of why the law needed to be changed. [top](#)

How can I get help for discrimination?

If you are being discriminated against because of diabetes at work, at school, by the police or in correctional institutions, or in public places, you can request assistance from the American Diabetes Association by calling

Rohr v. Salt River Project,  
No. 05-16527 archived on February 17, 2009

1-800-DIABETES. A representative will send you helpful information and will send you a form to request help from one the Association's Legal Advocates. [top](#)

[Contact Us](#)

[Careers at ADA](#)

[For Media](#)

[Diabetes Dictionary](#)

[Memorial Donation](#)

[Privacy](#)

[Terms of Use](#)

[Site Map](#)

Rohr v. Salt River Project,  
No. 06-16527 archived on February 17, 2009