



New Mexico Commission for Deaf & Hard of Hearing

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Americans with Disabilities Act (ADA) Overview

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505.383.6530 Voice/TTY

505.435.9319 Videophone for Sign Language Users

The Americans with Disabilities Act:

- Is a Federal Civil Rights Law enacted on July 26, 1990.
- Prohibits discrimination based on an individual's disability.
- Ensures equal opportunity for individuals with disabilities in employment, state and local government programs, public accommodations, commercial facilities, transportation, and telecommunication.
- Is designed to change discriminatory attitudes that exclude, isolate, or segregate individuals with disabilities.

ADA's Definition of a Disability

The term "disability" has many different definitions in legal and medical settings. The ADA utilizes the legal term and has defined disability as follows:

- An individual has a physical or mental impairment that substantially limits one or more major life activities. It includes walking, bending, hearing, seeing, and now includes major bodily functions and communicating.
- An individual has a record of such impairment. This includes individuals who have a history of a mental or physical impairment even if they do not currently have the impairment. Example: A person who has had cancer receives treatment and is cancer free. Based on the person's cancer history, they are not allowed to attend a parks and recreation program.
- An individual is regarded as having such impairment, even if he/she does not in fact have such impairment. This includes individuals whose major life activities are only limited by the perception of others, or the person may have an impairment that does not limit a major life activity, such as facial scarring. The term "regarded" is designed to protect those with or without impairment from the perceived disability and myths that surround such disability.
- The ADA also protects individuals who associate with a person who has a disability. Example: If an individual does not have a disability, but works with individuals who are HIV positive, a state agency cannot deny the person access to their services or programs. This includes spouses and family members of a person with a disability.

More information can be found on the ADA's official website: www.ada.gov.

If you or your organization are interested in learning more, our Community Education Specialist offers several presentations regarding the ADA. More information can be found at:

www.cdhh.nm.gov/advocacy/community-education/. To request a presentation, please email Roger Robb at Roger.Robb@cdhh.nm.gov.