



# ADA/MDE Scale Compliance

## Frequently Asked Questions



### THE RULES

#### What are the New MDE/ADA Compliance Requirements?



In July 2024, the U.S. Access Board published new standards for medical diagnostic equipment (MDE) to ensure accessibility for all patients. The MDE Accessibility Standards are the technical rules the Access Board issued specifically for medical equipment - exam tables, exam chairs, weight scales, imaging equipment, and other diagnostic tools used in healthcare settings. The standards include safety features such as ramp edge guards, specific platform sizes, ramp slope requirements, and toe/knee clearance.

Healthcare provider's equipment must comply with these standards within these specified timelines:



#### July 8, 2026:

Private providers receiving HHS funding (e.g., Medicare/Medicaid).



#### August 9, 2026:

State & local government entities (Title II), including public hospitals and community clinics.

#### Who Needs to Comply?



- State and local government healthcare entities, public hospitals, public health departments, public clinics, and university health systems - under ADA Title II with DOJ Enforcement:
- Any healthcare provider receiving federal financial assistance, including Medicare and Medicaid participants, FQHCs, and other federally funded providers - under Section 504 of the Rehabilitation Act with HHS Enforcement:
- Private practices not receiving federal funds fall under ADA Title III, which carries existing nondiscrimination obligations under the ADA and prior DOJ/HHS joint guidance on accessible medical care.

#### Who Wrote the MDE/ADA Compliance Requirements?



The standards were authored by the U.S. Access Board. The Access Board is an independent federal agency that advances accessibility through leadership in accessible design and the development of accessibility guidelines and standards.



<https://www.access-board.gov/>

#### Why Were The MDE/ADA Compliance Requirements Established?



The purpose of these technical requirements is to ensure any person with a disability can receive the medical treatment as conveniently, safely, and comfortably as any other patient within a healthcare setting. These standards specifically address equipment such as examination tables, dental chairs, and mammography machines to ensure they are usable by individuals with mobility issues.

#### When Did The MDE/ADA Compliance Requirements Become Law?



On January 9, 2017 the Access Board formally issued the MDE Accessibility Standards (36 CFR Part 1195). These set the technical design criteria for accessible medical equipment.

On August 9, 2024 the Department of Justice published a final rule under ADA Title II formally adopting the MDE Standards, making them enforceable for state and local government healthcare entities. **Effective date: October 8, 2024.**

#### Who Enforces the MDE/ADA Compliance Requirements?



HHS, through the Office of Civil Rights (OCR), will enforce the standards for facilities that receive federal funding, such as Medicare/Medicaid. The DOJ enforces compliance for state and local government facilities under ADA Title II as well as private medical offices under ADA Title III.



## What are the Penalties for Not Complying?

Non compliance through HHS can result in corrective action plans, suspension or termination of federal funds. Non compliance through the DOJ can include settlement agreements and federal lawsuits.

### Civil Monetary Penalties



Federal agencies have authority to impose fines for ADA and Section 504 violations. Amounts vary by agency, facility type, and whether a finding is resolved voluntarily or through formal enforcement.



### Reimbursement and Funding Risk

For facilities receiving Medicare, Medicaid, or other federal funding, Section 504 findings can affect funding eligibility. FQHCs and hospital systems are particularly attentive to this category.

### Required Corrective Action



Facilities found to have access gaps are typically required to remediate them - often meaning the equipment purchase that should have happened earlier, now on a mandated timeline under documentation requirements.



### Reputational and Operational Impact

OCR investigations are a matter of public record. Patient advocacy organizations actively monitor compliance in this area, and findings can affect community standing and patient trust.

## Are Privately Owned Practices Exempt From Having to Comply?



If a provider, regardless if they are public or private, receives any payments from Medicaid/Medicare then they are mandated by HHS (Health and Human Services) to have weight scales that meet the new MDE (medical diagnostic equipment) standards.

If they are not recipients of federal funding, the provider is still at risk with non-compliance through the Department of Justice. Should a disabled patient enter a medical facility and they cannot be weighed, this does not provide them access to equal care and can be considered discrimination under Title III of the ADA. If facilities fail to follow these new guidelines they may face lawsuits or settlement agreements for not meeting their obligations to ensure accessibility under the ADA.

## How Many Compliant Scales Does a Facility Need?

The rule does not require replacing every scale. It sets a minimum threshold – a defined percentage of each type of equipment must be accessible, with a minimum of at least one unit.



Standard Facilities



Mobility Rehab Facilities

### Examples:

A practice with 5 wheelchair scales  
→ needs 1 compliant wheelchair scale.

A practice with 12 stand-on scales  
→ needs 2 compliant stand-on scales.

**Important:** the threshold applies **separately to each equipment type.**

**Example:** A compliant exam table with a built-in scale *does not* satisfy the compliant wheelchair scale requirement.

## Are There Specific Fire Code Requirements Related to the New MDE Rules?



Fire codes may vary by state and providers should always consult with a Facilities Management team when purchasing new equipment. There are basic requirements regarding ensuring sufficient passing space in hallways.

### Example:

If a wall-mounted scale is placed in a hallway facilities must ensure there is sufficient space between the scale and the opposite wall.

## Can I Just Estimate the Weight of a Patient in a Wheelchair?



Medication dosing, anesthesia planning, and chronic disease management all depend on measured weight. When a patient cannot be weighed, clinicians substitute estimated weights and that substitution carries real clinical risk. Additionally, a patient who cannot be weighed is receiving a materially different standard of care than other patients which is an ADA violation and carries litigation risk.

## How Does the Exemption for Facilities with Less than 15 Employees Play Into the Minimum Requirements for Small Offices?



The exemption for facilities purchasing equipment is to accommodate their own employees, there is no exception for accommodating patients. A facility with fewer than 15 employees is still required under Title II, Section 504, or Title III (*depending on how it is funded and organized*) to provide accessible equipment for patients.

## Are There Tax Breaks or Funding to Buy New Equipment?

ADA compliant equipment should qualify for either of these tax credits, however facilities should work with their organization's legal and Accounting teams for confirmation.

### Section 179 Tax Credit



Section 179 of the IRS tax code allows businesses, including healthcare facilities, to deduct the full purchase price of qualifying equipment and software acquired or financed during the tax year.

### ADA Tax Credit (Section 44)



Small businesses (*fewer than 30 employees or less than a million in revenue*) may also be eligible for a 50% tax credit (*up to \$5,000 annually*) on expenses for accessibility improvements.



<https://www.eeoc.gov/laws/guidance/fact-sheet-disability-related-tax-provisions>

### Grants & Funding



Grants may be available by region or financial need through the Health Resources & Services Administration (HRSA), Small Rural Hospital Improvement Program (SHIP) and Capital Assistance for Disaster Response and Recovery Efforts (CADRE).

## Is there a Separate Pediatric ADA Scale Category for MDE Accessibility requirements?



There is not a separate category for pediatric scales as part of the MDE requirements. Pediatric providers do need to have ADA compliant wheelchair and stand-on scales within their facility.

## Where Can I Find Direct Resources From the Government About These New Rules?

The requirements can be found on the U.S. Access Board's website:



<https://www.access-board.gov/mde/chapter-m3/>



## THE EQUIPMENT

### How Do I Know If a Scale Is Compliant With the Standards?



Below are the standards and features required for a scale to be considered ADA compliant.

#### Wheelchair Scale Requirements



##### Platform Width: 36"

EXCEPTION: platforms lower than 4" tall can be 32" wide

##### Platform Depth:

- Pass Through (Dual Ramp Scale): 40"
- Front or Rear Entry (Single Ramp Scale): 48"
- Side Entry (Single Ramp Scale): 60"

##### Safety Feature Requirements:

- 2" edge protection on platform
- 2" edge protection on ramps
- 1:8 ramp running slope

#### Stand-On Scale Requirements



- Slip resistant platform
- Handrail supports on both sides of platform
- 34" – 38" max. handrail height from platform

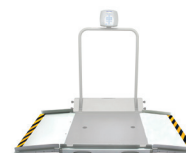
**Note:** On pass-through wheelchair scales, the length of the horizontal standing support must be at least equal to the length of the platform.

## Is There a Minimum Weight Capacity Requirement?



There is not a minimum weight capacity defined in the requirements. However, a minimum 800lb capacity is recommended to support the weight of a patient and the weight of the wheelchair. For example, the weight of some bariatric power wheelchairs may exceed 300lb.

## Can a Facility Retrofit Existing Equipment To Make It Compliant?



This is allowed if a manufacturer offers a kit specifically for existing equipment that modifies the scale to include the required MDE features and meets applicable ADA Standards when installed, maintained, and operated correctly.

## What If My Facility Already has a Wheelchair Scale?



If the existing scale does not meet the new MDE standards then a new compliant scale will need to be purchased, until the **10% threshold** (or *minimum 1 unit*) requirement is met.

## Does an ADA Compliant Exam Table With a Built-In Scale Satisfy the Wheelchair Scale Requirement?



No – by design

- The MDE Standards require equipment that can be used by patients without alternative workflows – such as transfers or weight estimation.
- Because an exam table requires a transfer to weigh a wheelchair user, it does not satisfy the wheelchair scale provisions.
- Facilities are required to have a method to weigh patients seated in their wheelchair, *i.e. a wheelchair scale*.
- The Access Board (the author of the standards) has stated - an integrated table/scale system does not satisfy the wheelchair scale provisions

## Are There Rules About Where and How to Place ADA Compliant Scales Within A Facility?



The space outside of the equipment is not explicitly defined in the MDE Standards. HHS does require that accessible MDE is placed in its facility so that it can be readily used by patients with disabilities.



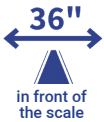
The Access Board does recommend at least 60" of clearance depth for approaching and exiting the scale.



At a bare minimum, it should be 48" (length of a clear floor space).



If providing less than 48", it's likely that a person in a mobility device wouldn't be able to turn 90 degrees to approach the ramp in a forward direction and would be considered *"not readily accessible to or usable by persons with disabilities"*.



All MDE needs to be connected to an accessible route (36" wide min). It is recommended that a 36" min. path is in front of the scale.

## Does HHS or Access Board Give Specific ADA Compliant Approval on Products?



The Access Board or HHS does not provide any type of approval or certification for products or equipment. There are third party entities that will review products for compliance and provide certification that the product meets the standards. One such entity is Corada, which offers ADA product certification



<https://www.corada.com/ada-product-certification>

## Does A Wheelchair Scale Have To Have A Handrail?



Wheelchair scales are not required to have a handrail if they are specifically designed to accommodate a wheelchair.

## Do You Still Have Questions About ADA Scale Compliance?



Scan the QR code to schedule your ADA Scale Consultation  
Or visit [www.homscales.com/ada-mde](http://www.homscales.com/ada-mde)

Expert guidance supported by a complete line of Certified ADA Compliant scales

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