

**New York State Department of Health  
Bureau of Emergency Medical Services**

To: All Certified Instructors and Course Sponsors  
From: Karen Meggenhofen, Associate Director of Education  
Date: August 1, 2000  
Subject: Americans with Disabilities Act - Reminder

The Americans with Disabilities Act makes it possible for students with certain types of disabilities to request an accommodation for the New York State CFR, EMT or AEMT Written Certification examination with proper documentation of their disability. An accommodation means changing the manner in which the examination is conducted for the student. *There will be no accommodations made for the New York State Practical Skills Examination.* This memorandum applies to the certification process only and does not address the education/training of the student.

There are several things, which must be done in order to preserve the rights of all of your students and to ensure that those students with learning disabilities have sufficient time to request an accommodation.

As the Instructor or Course Sponsor:

1. You cannot discuss or screen for disabilities, or consider addressing of any potential disabilities prior to a student's admission to a training/education program. You cannot make any inquiry of a prospective student about any disability. Aptitude or diagnostic testing may only be required prior to admission if it is required of all students.
2. All students are to be provided a copy of the functional job descriptions for the various certification levels at the beginning of their training program. Please ask your students to review these descriptions to ensure they are able to perform these functions.
3. By the second session of the course advise all students that if any student wishes to request a disability accommodation (for the New York State Certification Examination) they are to contact the NYS EMS Bureau Central Office at 518-402-0996. They must make this contact **no later than six (6) weeks prior to the scheduled State Certification Examination for their course. It is the responsibility of the student to make this request** not the instructor or course sponsor. The Bureau will only accept an accommodation request from the student. The student should speak privately with the CIC or the course sponsor about their accommodation request.

By the second session of the course the following should be accomplished:

- A. Student should privately advise the CIC about any known disability, which may affect their ability to participate in the EMS course.
- B. Student should be advised as to the procedures for requesting an accommodation from the course sponsor for the education/training portion of the course.
- C. Student is advised of the procedures for requesting an accommodation for the NYS Written Certification Examination.

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4. Any accommodation made for a student during the classroom portion of an EMS certification course by the Course Sponsor must be defensible by the Course Sponsor and meet the Sponsor's published Policies and Procedures as provided to all students. The decision of the Course Sponsor to grant an accommodation in the classroom will not affect the student's need to contact the EMS Bureau or the review process, which the Bureau will undertake. The accommodation provided by the Course Sponsor will not necessarily be recognized by the Bureau of EMS for the New York State Written Certification Examination. The Department considers the educational process to be separate from the certification process.

5. Attached are two **sample** student signature statements, which must be incorporated into your course Policies and Procedures that you distribute to all your students. These statements may be included as part of any signature page which you already use to verify that the student has read and understood the course policies. By having your students read and sign these statements it will help reinforce the information regarding requesting accommodations. The EMS Bureau does not need you to submit these signed verifications to the department. The forms should be kept as part of the student's file. The student will still need to contact the Department with their request and provide specific information.

6. For the New York State Final Practical Skills Examination, the Department is not permitting testing accommodations, but will consider the use of certain aids by candidates. Candidates with an identified disability may be permitted to use certain aids, which they would be responsible to provide and reasonably be able to bring to the patient's side in actual practice. The only types of aids which are permitted are those which do not alter the essential functions of a Certified First Responder, Emergency Medical Technician or Advanced Emergency Medical Technician. For example the use of prescription or reading glasses, hearing aids, and personal stethoscopes have been permitted since they serve as an aid to a provider. In contrast, a Braille sphygmometer would not be permitted since sight is considered an essential function of the certified EMS provider.

If you have any questions or need further assistance with ADA issues, please contact the NYS EMS Bureau Central Office at 518-402-0996.