

TECH ACT: TECHNOLOGY RELATED ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES ACT

The Assistive Technology Act of 2004, Public Law 108-364 was signed into law October 25, 2004. The first Assistive Technology law passed by Congress was called the Technology Related Assistance for Individuals with Disabilities Act of 1988 and was referred to as the "Tech Act". The "Tech Act" provided the first "official" or legislated definition of AT devices and services. Since the passage of P.L. 100-407 in 1988, these definitions have been used in all subsequent laws passed that included the provision of assistive technology such as the Americans with Disabilities Act (ADA), P.L. 99-457 (Early Intervention Act), and IDEA (Amendments to P.L. 94-142, Special Education Act). The definitions included in the "Tech Act" are as follows:

ASSISTIVE TECHNOLOGY DEVICE

"...any item, piece of equipment or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities."

ASSISTIVE TECHNOLOGY SERVICE

"...any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device." These services include:

- Evaluation of the technology needs of the individual, including a functional evaluation in the individual's customary environment,
- Purchasing, leasing or otherwise providing for the acquisition of assistive technology devices for individuals with disabilities,
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices,
- Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs,
- Assistive technology training and technical assistance with assistive technology for an individual with a disability, or where appropriate, the family of an individual with disabilities, and
- Training or technical assistance for professionals, employers, or other individuals who provide services to employ, or otherwise are substantially involved in the major life functions of individuals with disabilities.
- Expanding the availability of access to technology, including electronic and information technology to individuals with disabilities.

WHAT IS THE PURPOSE OF THE "TECH ACT"?

The purpose of the Assistive Technology Act (P.L. 108-364) is to provide funds to states such as Oklahoma to:

- Increase the access to and acquisition of AT devices and services.
- Increase the ability of individuals with disabilities of all ages to secure and maintain possession of assistive technology devices as such individuals make the transition between services offered by educational or human service agencies or between settings of daily living.
- Increase the capacity of public agencies and private entities to provide and pay for assistive technology devices and services on a statewide basis for individuals with disabilities of all ages.
- Increase the involvement of individuals with disabilities and, if appropriate, their family members, guardians, advocates, or authorized representatives, in decisions related to the provision of assistive technology devices and services.
- Increase and promote coordination among State and local agencies, between State agencies, that are involved in carrying out activities under this Act.
- Increase the awareness and facilitate the change of laws, regulations, policies, practices, procedures, and organizational structures, that facilitate the availability or provision of assistive technology devices and services.
- Increase awareness and knowledge of the benefits of assistive technology devices and services among targeted individuals and entities and the general population.

The required activities of the State are:

- State Level Activities
 - State Financing Activities
 - Device Reutilization
 - Device Loan Programs
 - Device Demonstration
- State Leadership Activities
 - Training & Technical Assistance
 - Public Awareness
 - Collaboration
 - Information & Referral
 - Coordination & Collaboration