

Questions & Answers from *ADA Live!* Episode #67

Opioid Use Disorder and the ADA

Thank you for listening to ADA Live Episode #67 Opioid Addiction and the ADA. Several questions were presented that were unable to be answered during the broadcast. Below are the general answers to these questions. For a detailed answer, we suggest you contact either the Southeast ADA Center at 404-541-9001 or your regional ADA Center at 1-800-949-4232.

Q1. Are accommodations available to a person legally using Opiates for treating Chronic Pain?

Answer

If an individual meets the ADA definition of disability (below) and they work for a private employer with 15 or more full and/or part-time employees, they can request a reasonable accommodation that will assist them in performing the essential functions of their job.

What is the definition of disability under the ADA? It is important to remember that in the context of the ADA, "disability" is a legal term rather than a medical one. Because it has a legal definition, the ADA's definition of disability is different from how disability is defined under some other laws, such as for Social Security Disability related benefits.

The ADA defines a person with a disability as a person who has a physical or mental impairment that substantially limits one or more major life activity. This includes people who have a record of such an impairment, even if they do not currently have a disability. It also includes individuals who do not have a disability but are regarded as having a disability. The ADA also makes it unlawful to discriminate against a person based on that person's association with a person with a disability.

Source: [What is the definition of the disability under the ADA?](#)

ADA National Network

Web: adata.org/faq/what-definition-disability-under-ada

Q2. What are some examples of accommodations used by a person in this situation?

Answer

Reasonable accommodation is any modification or adjustment to a job or the work environment that will enable an applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodation also includes adjustments to assure that an individual with a disability has rights and privileges in employment equal to those of employees without disabilities.

Source: [What is "reasonable accommodation"?](#)

ADA National Network

Web: adata.org/faq/what-reasonable-accommodation

JAN's Searchable Online Accommodation Resource (SOAR) system is designed to let users explore various accommodation options for people with disabilities in work and educational settings. **These accommodation ideas are not all inclusive.** If you do not find answers to your questions, please contact JAN directly. The staff of experienced consultants is happy to discuss specific accommodation needs in a confidential manner.

JAN provides A to Z listings by disability, topic, and limitation. This information is designed to help employers and individuals determine effective accommodations and comply with Title I of the Americans with Disabilities Act (ADA). You will find ADA information, accommodation ideas, and resources for additional information.

For more information:

[Job Accommodation Network \(JAN\)](#)

Web: askjan.org

Q3. I work with individuals who are Deaf or Hard of Hearing. What, in your opinion, is the best way to educate treatment programs about their obligations under the ADA to provide effective communication?

Answer

There are numerous ways to education the public about the ADA requirements for effective communication including, but not limited to:

- Provide free training opportunities
- Have information at health/community fairs
- Reference webinars on effective communication in your social media on your websites.
- Speak at chamber events about effective communication
- Join professional organizations and volunteer to serve on any diversity/inclusion committees.

You can also contact Your Regional ADA Center. The ADA National Network consists of 10 regional ADA Centers and an ADA Knowledge Translation Center. The regional ADA Centers are distributed throughout the United States to provide local assistance and foster implementation of the ADA. The ADA National Network can also work with you to develop training targeted to a specific audience. Content and timelines can be tailored to meet your needs. No matter the subject area, we will work with you to ensure that the content is both relevant and engaging for your audience.

Source: [Online Form for ADA Training Requests](#)

ADA National Network

Web: adata.org/training-request-form

Q4. Is Substance abuse considered a disability that qualifies for SSA Disability Benefits?

Answer

Of course, all of the programs of the Social Security Administration (SSA) are available to people who have disabilities and people who do not have disabilities.

There are two main benefit programs for people with disabilities – Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI). There is also the Ticket to Work program that helps people who are getting SSI or SSDI to attempt to return to work with supports that protect benefits and gradually transition people to self-sufficiency.

Source: [Social Security and Disability: The ADA National Network Disability Law Handbook](#)
Web: adata.org/publication/disability-law-handbook#Social%20Security%20and%20Disability

You can find more information about how the SSA defines disability at the following website:

Source: [How Do We Define Disability?](#)
Social Security Administration (SSA)
Web: ssa.gov/redbook/eng/definedisability.htm

Q5. Will a person with Chronic Pain under physician directed Opioid treatment always develop an eventual tolerance where Opiates are no longer effective to treat Chronic Pain?

Answer

We are not medical professionals and cannot answer this question. You may want to contact your state medical board or local treatment facilities and pose your question to them.

Q6. What is Fellowship Hall's eligibility criteria of "Be able to take care of his/her own physical needs."

Answer

You will need to direct your question about Fellowship Hall's eligibility criteria of "Be able to take care of his/her own physical needs" to them. Their contact information is below.

Fellowship Hall Drug & Alcohol Recovery Center

5140 Dunstan Road
Greensboro, NC 27405

Main: 336-621-3381

Toll Free: 800-659-3381

Fax: 336-621-7513

Website: www.fellowshiphall.com

Q7. What facilities are covered under the ADA? And what are their responsibilities for access?

Answer

Title III covers rehabilitation facilities that privately owned. Title II covers rehabilitation facilities that are run by state or local governments. Both Title II and III entities have the responsibility for physical access to their facilities for people with disabilities and well as providing reasonable accommodations and/or reasonable modifications when necessary to enable a person with a disability to participate in their programs.

Q8. Do the requirements under the ADA apply to sober living houses?

Answer

These requirements apply to sober living houses as well as rehab facilities.

Additional Resources

For more information and continued discussion of opioid addiction and the ADA, check out [ADA Live! Episode #68 Opioid Addiction and the ADA with the Department of Justice](#) featuring [Stephanie Berger and Savannah Weston, Disability Rights Section \(DRS\) of the Civil Rights Division of the Department of Justice](#).

You can also contact either the Southeast ADA Center at 404-541-9001 or your regional ADA Center at 1-800-949-4232.