

§ 84.52 Health, welfare, and other social services.

(a) *General.* In providing health, welfare, or other social services or benefits, a recipient may not, on the basis of handicap:

- (1) Deny a qualified person with a disability these benefits or services;
  - (2) Afford a qualified person with a disability an opportunity to receive benefits or services that is not equal to that offered persons without disabilities;
  - (3) Provide a qualified person with a disability with benefits or services that are not as effective (as defined in § 84.4(b)) as the benefits or services provided to others;
  - (4) Provide benefits or services in a manner that limits or has the effect of limiting the participation of qualified persons with disabilities; or
  - (5) Provide different or separate benefits or services to persons with disabilities except where necessary to provide qualified persons with disabilities with benefits and services that are as effective as those provided to others.
- (b) *Notice.* A recipient that provides notice concerning benefits or services or written material concerning waivers of rights or consent to treatment shall take such steps as are necessary to ensure that qualified persons with disabilities, including those with impaired sensory or speaking skills, are not denied effective notice because of their disability.

[42 FR 22677, May 4, 1977, as amended at 89 FR 40187, May 9, 2024]