

HHS Web Accessibility Rule: Key Requirements and Fast-Approaching Compliance Deadlines

May 14, 2026

UPDATE On May 7, 2026, just a few days before the original deadline for compliance, the US Department of Health and Human Services (HHS) Office for Civil Rights' announced a one-year extension for dates of compliance with its mobile application and web content accessibility requirements under Section 504 of the Rehabilitation Act of 1973. The updated compliance deadlines are: **May 11, 2027**, for recipients of HHS funding with 15 or more employees, and **May 10, 2028**, for recipients with fewer than 15 employees.

Nearly two years ago, the US Department of Health and Human Services (HHS) finalized [a rule](#) requiring recipients of federal funds to make their websites, mobile applications and any programs delivered through kiosks accessible to individuals with disabilities. Recipients with 15 or more employees must comply by May 11, 2026. Those with fewer than 15 employees have until May 10, 2027.

The rule aims to address common barriers that limit access to digital services, including content that cannot be used with assistive technologies and multimedia that lacks appropriate accessibility features.

Key Provisions

- **Applicability:** The rule applies broadly to all programs or activities that receive federal financial assistance from HHS, including organizations participating in programs such as Medicare, Medicaid, child welfare initiatives or clinical research supported by federal funds. Covered organizations include health care providers, health plans, social services, child welfare organizations and educational providers. The rule extends to web content, mobile apps, and kiosks that recipients provide or make available, including those delivered through third parties.
- **Technical Requirements:**
 - The rule adopts the standards from the Web Content Accessibility Guidelines (WCAG) 2.1 Level AA. In practical terms, this requires organizations to address common accessibility failures, such as documents that cannot be read by screen readers (e.g., improperly structured PDFs) or video or multimedia content lacking captions or audio descriptions.
 - The rule permits alternative methods of achieving accessibility, provided those methods offer an equal or greater level of access than WCAG 2.1 Level AA.

- **Exceptions:** The following content is exempt from WCAG 2.1 Level AA compliance:
 - Archived web content that is not updated after the compliance date
 - Certain legacy electronic documents not used for active participation in programs
 - Third-party content not controlled by the recipient
 - Individualized, password-protected documents
 - Pre-existing social media posts
- **Risks of Noncompliance:** HHS may initiate a compliance review on its own or in response to a complaint submitted to HHS by an individual. An investigation by HHS could result in fines or other penalties to the non-compliant entity. Additionally, website accessibility lawsuits by private parties or as class actions, based primarily on alleged violations of Title III of the Americans with Disabilities Act, have been on the rise in recent years.

Steps to Take

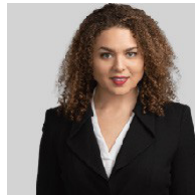
Additional details about HHS's rule are available in its [fact sheet](#). Often, your website host can help ensure your site adheres to the standards of WCAG 2.1 Level AA. But if not, or if you have other questions regarding HHS's rule and its applicability to your organization, please contact one of our Katten attorneys.

CONTACTS

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