

# Chapter 14

## Website Accessibility for the Blind:

### A Study of E-Health Providers Under the Lens of Corporate Social Responsibility

**Jonathan Frank**  
Suffolk University, USA

#### ABSTRACT

*On September 5, 2006, a legal precedent was set for web accessibility in the U.S. Federal judge Marilyn Patel sustained discrimination claims by the National Federation for the Blind against Target Corporation, one of America's largest retailers. She established that websites must be fully accessible to the blind under the Americans with Disabilities Act. Past research has indicated that organizations doing business on the Web have largely ignored W3C guidelines for making their sites accessible. This study examines web accessibility of e-health providers under the lens of Corporate Social Responsibility. A model is developed linking accessibility behavior to a provider's propensity to engage in CSR activities, the types of medical services offered, complexity of visual web content, and perceived threat of litigation resulting from an inaccessible site. Fifteen websites of eHealth providers were analyzed using IBM's aDesigner accessibility tool for the six years before and two years since the commencement of the Target litigation. Results suggest that accessibility of sites has showed significant improvement since the Target case began. A comparison with a benchmark group of companies with a reputation for corporate social responsibility revealed marked differences between the eHealth providers and the top CSR companies.*

#### INTRODUCTION

On September 10, 2006 Federal judge Marilyn Patel (RIAA vs. Napster) ruled that a class action lawsuit brought by the National Federation of the Blind (NFB) against Target, for failing to make

their website at Target.com accessible to the blind, can move forward. This case is important for all e-health providers because for the first time it opens the possibility of class action litigation for websites that are inaccessible to users suffering from a wide range of disabilities. A lawyer with Disability Rights Advocates out of Berkeley, who are co-plaintiffs in the case opined, "This is groundbreaking. No court

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has yet ruled directly that the ADA applies to Web sites, which [this judge] has clearly done in this opinion” (Mitchell, 2006). The ongoing lawsuit presents e-health providers with an interesting dilemma: should they be proactive and make their extensive websites compliant with Federal guidelines, or should they risk the adverse publicity from a potentially expensive class action lawsuit led by the NFB, or similar bodies representing other disability groups?

In this paper, it is argued that an e-health provider’s measurable commitment to web accessibility is indicative of its posture towards Corporate Social Responsibility (CSR). Just as an accessible web site can demonstrate CSR, an inaccessible web site can weaken the other CSR efforts of an organization. A model is proposed for understanding an e-health provider’s past accessibility performance in terms of a CSR posture, which is reactive, defensive, accommodative, or proactive. Motivating factors include a propensity to engage in CSR activities by “doing the right thing”, or avoiding the painful consequences of a prolonged litigation battle with organizations representing disability groups. Based on the model several hypotheses are suggested for future research studies.

## **BACKGROUND**

Fourteen years ago, there were 8.1 million Americans with visual impairments, 1.3 million of whom were blind (Census Bureau, 1995). A 2002 study estimated that among noninstitutionalized US adults 18 years and older, the estimated prevalence for visual impairment was 9.3% (19.1 million Americans), including 0.3% (0.7 million) with blindness (Ryskulova, 2002).

The U.S. Congress amended the Rehabilitation Act in 1998 requiring Federal agencies to make their electronic and information technology accessible to people with disabilities. Inaccessible technology interferes with an individual’s ability

to find and use information quickly and easily. Section 508 (Appendix 1) was enacted to eliminate barriers in information technology, to make available new opportunities for people with disabilities, and to encourage development of technologies that will help achieve these goals.

Blind computer users will typically use a screen reader such as JAWS from Freedom Scientific or Home Page Reader from IBM, to read a web site’s contents aloud. However, a screen reader can only read text; images or animations remain inaccessible unless they have text descriptions associated with them. The screen reader reads text in a linear fashion. This works well on web content, but creates other issues when the user tries to navigate within the company’s website. Sighted users can see a link on a page within an instant. Blind users may have to wait up to two minutes for a screen reader to access all the menu links before they reach their required link. Notwithstanding the importance of web accessibility, most sites remain partly or very inaccessible (Sullivan and Matson, 2000).

## **PAST RESEARCH**

The purpose of this section is to outline related work in two fields: accessibility for the blind, and Corporate Social Responsibility.

There have been several studies on the experiences of blind users with web accessibility. Blind users often become frustrated and annoyed while using the web (Lazar et al, 2004). Problem areas range from poorly named links, important text displayed only in a graphic, form fields with incorrect or missing labels and names, and popup windows (Mankoff et al, 2005). In addition, blind users navigate pages by using jump keys built into voice browsers. They then create a mental model of a page, and try to navigate logically to find their target information. Current checkers ignore this “time-oriented aspect” of accessibility (Takagi et al, 2004).

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