

Sponsor Testimony for senate finance committee.pdf

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Position: FAV

HB 31 – RIGHT TO REPAIR WHEELCHAIRS

SPONSOR TESTIMONY: DELEGATE AARON KAUFMAN

For the Senate Finance Committee

Hello Chair Beidle, Vice Chair Hayes and esteemed colleagues. My name is Delegate Aaron Kaufman, District 18, Montgomery County. I am asking for your favorable report on HB 31/SB 382 – Right to Repair Wheelchairs. There is precedent for the bill as Delegate Kevin Hornberger has introduced legislation in the past about the “Right to Repair” tractors and farm equipment. I am submitting this testimony and cross-filing this bill with Senator Cheryl Kaga.

This issue is very personal for me. My late brother Jay was in a wheelchair his entire life due to his cerebral palsy and being a quadriplegic. When we were kids my grandmother was being honored by the Israeli Embassy in Washington, DC. My brother’s wheelchair broke the day before the ceremony and could not be repaired in time, thus he could not go to DC to attend her ceremony. The day after the ceremony, my grandmother went to Israel to attend a wedding, and while she was there, she was killed in a car accident. Therefore my brother missed his last chance to see her alive.

The “right to repair” bill is modeled after legislation based in Colorado in 2022. This bill would require a manufacturer to provide parts, embedded software, firmware or documentation to independent wheelchair repair providers and owner’s of manufactured

powered wheelchairs to allow an independent provider to conduct diagnostic, maintenance or repair services on the owner's powered wheelchair. A manufacturer's failure to comply with the requirement is a deceptive trade practice.

When a person has to rely on a powered wheelchair to get around, get to their jobs, take care of their families, buy groceries and attend to their loved ones -, any delay in repairs is a quality of life issue and a matter of life and death. Also, if a person does not have their wheelchair to get around this leads to isolation and inhibits the ability of people with mobility impairments to achieve maximum independence. This is similar that if it would take a month or more to have your car repaired, and you cannot rent another car or borrow a car from a friend, it is a detriment to you and your family. Delays in repairs and faulty service has also been connected to injuries, hospitalizations and even death. For wheelchair users in the United States, the rules and the marketplace are stacked against them, and against repair.

In a report published by the US Public Interest Research Group (PIRG), they report that there are 3 million plus wheelchair users in the United States. US PIRG conducted a survey of wheelchair users, and 62 percent of the respondents said it took four or more weeks to repair wheelchairs. 40% of respondents said it took 7 or more weeks to get their chairs repaired. In the same report, 93% of persons said that they have needed service on their chairs in the past year. This same report also states that payers have created roadblocks by adding "prior authorization" requirements for repairs, and/or requiring people

to have a doctors visit which adds days or weeks of unnecessary time before a person can have their wheelchair repaired. This puts burdens on individuals and/or their families – they have to choose to work through the insurance process and wait for a decision from the insurance company or pay for parts and labor out of their pockets, which is costly and financially cumbersome.

The Colorado “Right to Repair” bill that passed, requires manufacturers of powered wheelchairs to make parts, documentation and service tools available to wheelchair owners and independent repair technician so persons can get their wheelchairs repaired by local technicians instead of having to send their chair to the large manufacturing company. This law makes life better for wheelchair owners by making it easier to have wheelchairs serviced and repaired.

Currently, wheelchair users face long wait times for repairs that affect their mobility, their livelihood and their financial well-being. People deserve to have prompt repair, high quality service and repairs completed at affordable prices. Wheelchair users have found that the price in delay of repairs is very high – especially with persons experiencing physical injuries, impaired mobility and lost productivity. If repairs are delayed and/or done incorrectly, wheelchair users can develop pressure sores or respiratory illness that can lead to hospitalization, or worse.

Most repairs to wheelchairs do not require specialized skills or training, just a familiarity with how to repair mechanical devices – and family members or friends can do the repairs, but that does not ensure that the wheelchairs will be repaired correctly. Power wheelchair users are running up against manufacturer-imposed software locks and restrictions that give the **manufacturers** the control over who is allowed to service and configure the power wheelchairs which restricts the chair owner from creating their own settings and configuring the chair to suit their needs and comforts.

This bill is needed so people can be given the tools and resources so they can repair their own products, thus giving them more independence and decreasing the wait times for repair through a larger manufacturer. Wheelchair users also need to be liberated from a burdensome and inefficient repair and service market.

Again, I ask for your favorable report on HB 31/SB 382 – the Right to Repair Wheelchairs. I also want to make the committee aware that the fiscal note for this bill shows that this issue does not require any state dollars attached to this cause! This bill is being co-sponsored with me by Delegate Kevin Hornberger in the House thus creating bipartisan support for this bill.

Right to Repair testimony - Al Jeweler.pdf

Uploaded by: Al Jeweler

Position: FAV

Chair Beidle and Members of the Finance Committee,

My name is Jesse Alvin Jeweler, and I want to tell you what happens when my wheelchair—my lifeline—breaks.

A while back, the controller board in my scooter failed. It was frustrating, but I thought, “Okay, things break. I’ll get it fixed.” That turned out to be wishful thinking. The company that made my scooter, Drive Medical, had stopped producing it. Because of that, there were no replacement parts. Worse, because the repair information is proprietary, no independent repair shop would touch it. I was stuck. My only real option was to shell out a fortune to the manufacturer—if they were even willing to fix it at all.

As a former owner of a Radio Shack, and audio engineer for WHFS radio, I spent years troubleshooting and maintaining complex equipment—often having to repair and modify systems myself to keep the radio station running. I know firsthand that with the right tools, documentation, and parts, many repairs are completely manageable. The problem isn’t that mobility devices are too complex to fix—it’s that manufacturers deliberately withhold the necessary resources, locking out skilled professionals and knowledgeable users alike. This isn’t just an inconvenience; it’s an artificial barrier that leaves people stranded.

It’s worse with Medicare-approved wheelchairs. There are two types: one you technically “rent” from the government for five years before it becomes yours, and another that Medicare pays for upfront. If you have the rental, getting repairs is nearly impossible. Medicare won’t cover it, and in most cases, repair shops won’t help. Even if you go straight to the manufacturer, you’re looking at an 8-to-10-week wait because they only allow a handful of technicians to be trained and certified. Meanwhile, you’re stuck without your wheelchair, unable to get around, unable to live your life.

This bill would change that. It would require manufacturers to provide the parts, tools, and software necessary for independent repair shops—or even the users themselves—to fix their own mobility devices. It would mean that people like me wouldn’t have to wait months or pay an arm and a leg just to keep moving.

This isn’t a hypothetical issue. It’s real, and it’s personal. I urge you to pass SB 382 and give Marylanders like me the right to repair what keeps us going.

Thank you for your time and consideration.

Jesse Alvin Jeweler
Annapolis Resident

IL Written Testimony - SB 382 - Favorable.pdf

Uploaded by: Chris Kelter

Position: FAV



SB 382: Consumer Protection - Right to Repair - Powered Wheelchairs

Testimony of the Maryland Independent Living Network

SUPPORT – Favorable

Senate Finance Committee, February 6, 2025

The Maryland Independent Living Network is a coalition of the Maryland Statewide Independent Living Council and the seven Maryland-based Centers for Independent Living (CIL). CILs are created by federal law. CILs work to enhance the civil rights and quality of services for people with disabilities. There are seven CILs located throughout Maryland, operated by and for people with disabilities. CILs provide Information and Referral, Advocacy, Peer Support, Independent Living Skills training, and Transition Services to individuals with disabilities in their communities.

The Independent Living Network submits this written testimony in **support** of SB 382.

SB 382 requires powered wheelchair manufacturers to make available certain documentation, parts, embedded software, firmware, and tools to independent repair provider or owner of a powered wheelchair. Furthermore, SB 382 provides that a violation of the Act constitutes an unfair, abusive, or deceptive trade practice and is subject to certain enforcement and penalty provisions. The bill would be applied prospectively.

It is well documented that individuals with disabilities that use powered wheelchairs experience long wait times for repairs to be completed on their powered wheelchairs. To the extent that the bill's requirements can shorten or eliminate wait times for powered wheelchair repairs, the bill would sustain the independence of individuals with disabilities that use powered wheelchairs.

The bill in its current form could be problematic if owners and users of powered wheelchairs attempt to make repairs themselves once they have acquired the documentation, parts, embedded software, firmware, and tools under the bill's provisions. To the extent that an owner and user of a powered wheelchair attempts to repair their own powered wheelchair in which the repair is not successful could exacerbate the initial problem requiring the repair and create safety issues for the user if not completed properly. Accordingly, consideration of an amendment that excludes owners and users of powered wheelchairs from obtaining documentation, parts,

embedded software, firmware, and tools may ensure that qualified persons and independent repair providers who then obtain the required documentation, parts, embedded software, firmware, and tools under the bill's provisions would complete the required repairs in a timely manner.

We appreciate the consideration of these comments.

The Maryland Independent Living Network strongly **supports** SB 382 and requests a favorable report.

Contact Information:

Chris Kelter, Executive Director
Accessible Resources for Independence
443-713-3914
ckelter@arinow.org

Danielle Bustos, MDYLF Coordinator
Independence Now
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SB382 Right to Repair Powered Wheelchairs.pdf

Uploaded by: Cody Drinkwater

Position: FAV



People on the Go of Maryland

SB382

Consumer Protection - Right to Repair - Powered Wheelchairs

Requiring, in order to make repairs to powered wheelchairs, that a certain manufacturer make available certain documentation, parts, embedded software, firmware, and tools to a certain independent repair provider or owner of a powered wheelchair, and generally relating to the repair of powered wheelchairs; providing that a violation of the Act constitutes an unfair, abusive, or deceptive trade practice subject to certain enforcement and penalty provisions.

Position: Support

February 4, 2025

Sponsored by Delegate [Aaron M. Kaufman](#)

Assigned to: Economic Matters Committee

Written by Cody Drinkwater

Policy Coordinator - People On the Go of Maryland

Honorable Chairperson, and distinguished members of the Economic Matters Committee:

People On the Go of Maryland (POG) is a statewide self-advocacy organization, run for and by those with intellectual and/or developmental disabilities (IDD), and our mission is to promote self advocacy throughout the state.

POG respectfully offers this written testimony in support of HB 31. Powered wheelchairs and similar assistive technology helps citizens who require assistive technology to live their best lives. This bill aims to improve the accessibility and affordability of repairs for powered wheelchair users, ensuring they have the right to repair their own devices without being solely dependent on the manufacturers of said devices.

It can often take several months, sometimes years, for specialized wheelchairs to be repaired. Related to this, repairs can be costly, even cost-prohibitive, leaving people with few options for access to a safe and reliable wheelchair. Much of this has to do with wheelchair manufacturers' lack of cooperation and information sharing to repair companies, as well as a lack of transparency regarding costs and alternatives for parts.

HB 31 would require anyone doing business in Maryland who sells and repairs wheelchairs to provide this repair information to consumers and repair companies, and to collaborate with them for more timely, cost-efficient repairs.

Therefore, People on the Go respectfully asks for a favorable report on HB 31. Thank you for your time and consideration.

Should you have any questions. Please contact Cody Drinkwater or Mat Rice.

Thank you,

Cody Drinkwater, Policy Coordinator

M: 443-923-9593

E: cody@pogmd.org

Mat Rice, Executive Director

M: 410-925-5706

E: mat@pogmd.org

DRM - SB 382 Right to Repair Favorable Testimony.p

Uploaded by: Daria Pugh

Position: FAV

**Finance Committee
Senate Bill 382
Consumer Protection - Right to Repair - Powered Wheelchairs
February 6, 2025
Position: Support**

Disability Rights Maryland submits this testimony in support of Senate Bill 382, Right to Repair Powered Wheelchairs. SB 382 allows powered wheelchair users and independent repair providers access to manuals, software, and parts, creating more options for Marylanders with disabilities for their wheelchair repairs. The right to repair is critical for power wheelchair users to maintain their mobility, autonomy, and access to community.

The current landscape for wheelchair repairs is ripe for delays and poor customer service.

Marylanders have little choice for wheelchair maintenance and repair providers. The powered wheelchair market is dominated by two private equity-backed companies driven to increase profits and cut spending.¹ “Mom and pop” wheelchair providers and repair shops have mostly been pushed out of the market. When an individual needs a powered wheelchair repair, they can no longer go to a shop down the road. These large companies have little incentive to provide quick, reliable repairs as the bulk of their income is generated by selling new wheelchairs. Consequently, wheelchair users suffer from repair delays and inadequate customer service.

Wheelchair repair delays are not just inconvenient; they are disruptive and dangerous. Wheelchairs are customized to meet an individual’s needs. If one component, like the footrest or movement controls, malfunctions, it can put the individual at serious risk of hospitalization or long-term injury. If a person’s wheelchair is not functioning properly, their life may have to be put on hold until it is repaired. They may have to rely on friends and family to help them with activities of daily living. They may get stuck in unsafe situations. They may miss work, medical care appointments, or meetings with loved ones because they cannot safely leave their house. The right to

¹ *Equity for Whom? An Introduction to Private Equity’s impacts on the Disability Community*, Disability Rights Education & Defense Fund, (October 2024), (https://dredf.org/wp-content/uploads/2024/10/DREDF_Equity-For-Whom-Intro_October-2024.pdf), at pg. 14.

repair would open more options for people with disabilities so they can avoid this inefficient process.

Powered wheelchair repairs can be prohibitively expensive.

The right to repair would make repairs more affordable, and help people get preventative maintenance to avoid needing repairs. Depending on insurance coverage, power wheelchair repairs can be costly. Many insurance companies do not cover maintenance. We need to expand Marylander's access to wheelchair maintenance and repairs to keep our residents safe and healthy in their wheelchairs. The right to repair would help prevent large, costly wheelchair repairs. When a wheelchair user needs to make a repair, there will be more options in the competitive marketplace, or they could do the repair themselves.

Many people with disabilities who need power wheelchairs may have to get a wheelchair from outside insurance, either because their health insurance has denied their request for a powered wheelchair, or because they are uninsured. The right to repair will provide a lifeline for this group of people. It would allow a person to customize and update a secondhand wheelchair or maintain a wheelchair that they got through crowdfunding for lower cost than going through the original vendor.

People with disabilities deserve autonomy and self-determination.

The right to repair wheelchairs would change the landscape of wheelchair repairs and give the power back to Marylanders with disabilities to make decisions about their wheelchairs themselves. Several states have already made the change to empower consumers with the right to repair for a variety of consumer electronics, and Colorado and California have even included an additional right specific for powered wheelchair users.²

Maryland should also be a leader in the right to repair to empower consumers with greater access to wheelchair repairs, increase competition,

² Colo. Rev. Stat. Ann. Part 15: Consumer Right to Repair (applies to powered wheelchairs specifically, as well as other consumer products); Cal. Bus. & Prof. Code Div. 8, Chap.8.5: Consumer Wheelchair Right to Repair; Cal. Pub. Res. Code § 42488.2: right to repair act (California has a separate general consumer electronic right to repair in addition to powered wheelchairs.); Minn. Stat. Ann. § 325E.72, Digital Fair Repair Act; N.Y. Gen. Bus. Law § 399-nn; Or. Rev. Stat. Ann. § Ch. 69, § 1 Right to repair consumer electronic equipment; requirements for original equipment manufacturers.

and support local businesses. The right to repair powered wheelchairs would be life-changing for many wheelchair users, and in some cases, lifesaving.

Thank you for your consideration of this critical legislation.

For these reasons, we request a favorable report on SB 382. Please do not hesitate to contact me at DariaP@DisabilityRightsMD.org or (443) 692-2487.

Daria Pugh, Esq.
Staff Attorney
Disability Rights Maryland

iFixit SB382 MD Wheelchair Right to Repair Support

Uploaded by: Elizabeth Chamberlain

Position: FAV



3 February 2025

Dear Members of the Finance Committee,

I'm writing to express strong support for **SB0382**, the Right to Repair Powered Wheelchairs, on behalf of iFixit.

iFixit is an international, open-source, online repair manual for everything. We have over 115,000 repair guides, for everything from toasters to tractors. Our mission is to provide people with the knowledge they need to make their things work for as long as possible.

We believe that if you bought something, you own it, and you should be able to fix it—whether that's by taking it to a repair shop of your choice or fixing it yourself. Too many manufacturers are limiting people's repair options by restricting access to parts, tools, documentation, and software. When it comes to wheelchairs, those restrictions rob people of their mobility.

Wheelchair Users Need More Repair Options

Colorado and California have passed wheelchair repair reforms, but the major powered wheelchair manufacturers are refusing to provide equal access to customers outside of those states. Marylanders in powered wheelchairs deserve the same mobility that people have in other states.

PIRG surveyed wheelchair users and found:

- 93% of wheelchair users needed their chairs serviced in the previous year
- Repairs often took 7 weeks or longer
- 83% of agreed legally protected access to repair materials would “make life better for wheelchair owners.”

PIRG's storybank includes reports from folks who waited months to get a tire's inner tube replaced, whose insurance companies denied claims for button repairs, and who spent frustrating hours on the phone with their wheelchair manufacturer—usually NuMotion, which sardonic users frustrated by repair restrictions like to call “No Motion.”

Wheelchair Consumers Can't Choose Repairable

Ideally, the market would provide a choice, and powered wheelchair users could choose to buy more-repairable mobility devices. However, for many wheelchair users, reliant on the devices covered by their insurance or disability benefits, **there is no choice at all. The three major powered wheelchair companies control 60% of the \$7.3-billion market**, and their refusal to provide parts, tools, documentation, and software means that users have no choice but to accept their terms and timeline.

SB0382 will get Marylanders moving again. By supporting independent repair, it will restore competition in the wheelchair repair market and create local green jobs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth Chamberlain'.

Elizabeth Chamberlain
Director of Sustainability
iFixit

testimony2025sb382ltr.pdf

Uploaded by: Franz Schneiderman

Position: FAV



Auto Consumer Alliance
13900 Laurel Lakes Avenue, Suite 100
Laurel, MD 20707

Testimony to the Senate Finance Committee
SB 382 – Consumer Protection– Right to Repair – Powered Wheelchairs
Position: Favorable

The Honorable Pam Beidle
Senate Finance Committee
3 East, Miller Senate Building
Annapolis, MD 21401
cc: Members, Senate Finance Committee

Feb. 6, 2025

Honorable Chair Beidle and Members of the Committee:

I'm a consumer advocate and Executive Director of Consumer Auto, a nonprofit group that works to secure safety, transparency, and fair treatment for Maryland drivers and consumers.

We support **SB 382** because it should help many consumers in the disability community get greater choice and faster and less costly repairs on the wheelchairs they rely on for mobility and independence. At the same time, it will boost local repair shops and entrepreneurs by helping them get access to information they need to serve the repair needs of those customers.

Modern wheelchairs often are highly sophisticated and offer great features. But they're also rather fragile. One study cited by Harvard Health Publishing found that 64% of wheelchair users with spinal cord injuries reported needing at least one repair in the last six months.¹ And wheelchair users are often left stranded, with very limited mobility and at risk of further injury, for weeks or months as they seek repairs.

Indeed, a May 2022 study from U.S. PIRG found that “a skewed market for wheelchair repairs often results in even simple, mechanical repairs taking weeks or months to complete.” Their survey found that 62% of wheelchair users said the average repair took 4 weeks or more; 40% of respondents estimated it took 7 weeks or more.²

The reasons that these repairs often take so long can be complex, and include cumbersome reimbursement rules from Medicare and Medicaid. But one of the major reasons is that the wheelchair market is dominated by two huge suppliers that seek to control costs by limiting technicians and repair options.³ As Harvard Health puts it, “By reducing technician hours and parts inventories, restricting consumers’ access to parts and software passcodes, requiring pre-approvals from insurers for repairs, and other practices, these companies virtually ensure delayed repairs.”⁴

¹ <https://www.health.harvard.edu/blog/millions-rely-on-wheelchairs-for-mobility-but-repair-delays-are-hurting-users-202207212785>

² https://publicinterestnetwork.org/wp-content/uploads/2022/05/USPIRGEF_Stranded_June2022.pdf, p. 4.

³ https://www.usnews.com/news/health-news/articles/2022-05-31/despite-a-first-ever-right-to-repair-law-theres-no-easy-fix-for-wheelchair-users#google_vignette

⁴ <https://www.health.harvard.edu/blog/millions-rely-on-wheelchairs-for-mobility-but-repair-delays-are-hurting-users-202207212785>



Auto Consumer Alliance
13900 Laurel Lakes Avenue, Suite 100
Laurel, MD 20707

As wheelchairs have grown more technically sophisticated, those manufacturers have erected more technical barriers to customers making their own repairs. Some chairs now require a software passcode or physical key to make repairs. As the PIRG study found, “power wheelchair users are increasingly running up against manufacturer-imposed software locks and restrictions that give wheelchair manufacturers the power to determine who is allowed to service and configure power wheelchairs.”⁵

SB 382 would help break the manufacturers’ control of information and access to repairs by mandating that manufacturers make relevant repair and software information available both to wheelchair owners and independent repair shops. Section 14-5002 (A) and (B) of the bill mandate that they make available, on fair and reasonable terms, “Any documentation, parts, embedded software, firmware or tools” needed to use the equipment or open any electronic locks or security functions on the device. Failing to do so would constitute an Unfair and Deceptive Practice under Maryland Consumer Protection Act.

This “right to repair” approach will dramatically democratize information wheelchair users and independent repair shops need. It promises to greatly expand the repair options available for wheelchair users and speed up the repair of devices critical to many thousands of Marylanders.

In 2022, Colorado became the first state to pass this kind of “right to repair” law for wheelchair users. While the law is still relatively new, it has been successful enough that Colorado passed right to repair laws covering agricultural equipment in 2023 and addressing many consumer electronic devices in 2024.⁶

Five states now have right to repair rules that cover wheelchairs. It’s time for Maryland to offer the same kind of access to information to our wheelchair users and independent repair shops.

We strongly support SB 382 and ask you to give it a FAVORABLE report.

Sincerely,

Franz Schneiderman
Consumer Auto

⁵ https://publicinterestnetwork.org/wp-content/uploads/2022/05/USPIRGEF_Stranded_June2022.pdf

⁶ <https://kdvr.com/news/politics/colorado-politics-news/apple-samsung-must-let-customers-repair-their-own-phones-under-new-colorado-law/>

2025 0203 Jeni Stepanek re CK wheelchair.pdf

Uploaded by: Jeni Stepanek

Position: FAV



Mattie Stepanek Peace Foundation
402 King Farm Blvd. #125, Rockville, MD 20850
www.MattiesPeaceFoundation.org - INFO@MattiesPeaceFoundation.org
Peace. Purpose. Play.

Sen. Cheryl C. Kagan
State Senator, District 17

February 3, 2025

Dear Sen. Kagan:

This letter is my show of support for the “Right to Repair – Powered Wheelchairs (SB382) proposed bill.

After enjoying three decades of life as an athlete, I was diagnosed with a rare and progressive adult-onset neuromuscular disease in 1992 when I was turning 33 years old. Within two years, I was relying on a power wheelchair for mobility as my strength declined. Across the years, my need for more specialized and adaptive wheelchair supports increased as the condition continued to progress. Since 2007, I have also required non-invasive ventilation to support my breathing and to slow the progression of cardiac challenges. The ventilator and power sources are mounted on my wheelchair, which now has more than 10 actuators that control functions such as tilt, recline, headrest, footrest, and more – all of which are critical to preventing pressure sores and to supporting activities of daily living.

Indeed, I am quite a “complex care patient. However, I am also an active member of my community who handles a fulltime workload and also volunteers to serve others. I am able to continue my role as a senior faculty specialist at the University of Maryland and my appointment as President of the Mattie Stepanek Peace Foundation because of my highly adapted power wheelchair. That said, when there is a problem with the chair – when a part breaks, when a control malfunctions, when any of the actuators do not work as designed – I am not only unable to work, but I am also at risk of medical complications that are prevented by the support of my wheelchair.

I have been blessed to have a dedicated “wheelchair guru” who has tended to my needs in a timely and professional and compassionate way for the past 15 or so years. Before he was taking care of my chair, there were times I was quite literally bedridden without my chair, when I had to wait for replacement parts or service calls. In addition, I have occasions when I work out of the state; when I have had wheelchair challenges and malfunctions during travel, there is no organized way for me to have even easily remedied malfunctions tended to.

For these reasons, it is with gratitude and enthusiasm that I support the Consumer Protections – Right to Repair – Powered Wheelchairs SB0382 proposed legislation. Such legislation would be beneficial to countless individuals – who like me – rely on adaptive equipment to work, to live, and to enjoy life.

With gratitude and peace,

Jeni Stepanek, PhD
President & Founding Chair
Mattie Stepanek Peace Foundation,
MamaPeace@MattiesPeaceFoundation.org

SB382 CPwD SUPP.pdf

Uploaded by: Leslie Frey

Position: FAV



Commission on People with Disabilities
Testimony on Right to Repair - Powered Wheelchairs” (SB382)

Tonya Gilchrist, Chair
February 6, 2025
Senate Finance Committee

On behalf of the Montgomery County Commission on People with Disabilities, I am submitting written testimony that the Commission is in full support of this needed legislation to promote the safety and protection of people who use powered wheelchairs. This bill, “Right to Repair - Powered Wheelchairs” (SB382), would ensure timely, affordable repairs and reduce the burdensome wait times often faced by Marylanders with disabilities. For instance, if a battery or anything else fails, it leaves the user stranded until that person can seek and obtain assistance and that can take hours to receive. In addition, this legislation is crucial for those unable to repair their wheelchair as one doesn’t always have access to a licensed repair technician— especially when traveling.

Senate Bill 382 would:

1. **Require manufacturers** to provide the information, parts, and tools necessary for most repairs of powered wheelchairs.
2. **Establish penalties** for manufacturers that fail to make these specific materials available.
3. **Reduce repair wait times and costs**, ensuring that wheelchair users can receive timely and high-quality service.

This bill is about choice and the ability for power wheelchair users to decide what is best for them when they are dead in the water from a failed wheelchair part. As a power scooter user myself, I have had situations occur where my scooter or power wheelchair fail while outside my home as well as in my home. A power wheelchair that works gives independence and is not confining. If it breaks, my life stops. One example is when my travel power wheelchair had a broken wheel and I couldn’t reach the manufacturer so I stopped at a skateboard shop for new bearings. Manufacturers are not always available to reach on the weekends. It’s important that power wheelchair users get their wheelchair fixed immediately because without a working wheelchair, they are unable to get to work, school, community activities or help their families. Considering additional legislation that allows choices in fixing other durable medical equipment such as hospital beds or walkers is encouraged in the future

Some power wheelchairs have specialized seating systems to help prevent pressure sores and if it fails, they may have worsening skin breakdown. So time is of the essence in fixing a power wheelchair. Manufacturers and durable medical equipment companies should be required to provide instructions and access to parts. I have known friends who waited months for their power wheelchair to be fixed. Would we accept weeks or months if it was our vehicle needing repairs? This bill will help to change the attitude to that power wheelchair users know what is best for them and must have choices

Licensed repair technicians who work for companies that repair power wheelchairs have limited hours and so may not be fixed right away leaving the person unable to use the wheelchair. Powered wheelchair users know that it can take several weeks to schedule an evaluation of the powerchair and then another several weeks to order and obtain the part. For people who can repair themselves, this bill could allow for an immediate repair to the powerchair which would be a great benefit to them. The Commission strongly supports this important bill.

2025 MOTA SB 382 Senate Side.pdf

Uploaded by: Michael Paddy

Position: FAV



Maryland Occupational Therapy Association

PO Box 36401, Towson, Maryland 21286 ♦ mota-members.com

Committee: Senate Finance Committee

Bill Number: Senate Bill 382

Title: Consumer Protection - Right to Repair - Powered Wheelchairs

Hearing Date: February 6, 2025

Position: Support

The Maryland Occupational Therapy Association (MOTA) supports *Senate Bill 382 – Consumer Protection - Right to Repair - Powered Wheelchairs*. The bill will require manufacturers to provide necessary information for repairing powered wheelchairs to independent repair providers and owners. Not providing this information is an enforceable unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act (MCPA).

It is common for owners of powered wheelchairs to take their wheelchairs to independent repair providers. This allows for greater access to repairs, faster turnaround times, and more competitive pricing. The freedom to choose where a wheelchair user gets their equipment fixed is crucial given that a wheelchair is an extension of the user, providing mobility, autonomy, and freedom. This bill will ensure that the providers have access to the necessary documentation, parts, embedded software, firmware, and tools to appropriately complete the necessary repairs. Holding manufacturers subject to the MCPA will help to guarantee that manufacturers make these items available while also protecting the manufacturers from having to divulge trade secrets.

We ask for a favorable report. If we can provide any further information, please contact Michael Paddy at mpaddy@policypartners.net.

SB382_Wheelchair Repair Rights_FAV_PIRG_NATHANPROC

Uploaded by: Nathan Proctor

Position: FAV

Maryland PIRG

SB382: Consumer Protection - Right to Repair - Powered Wheelchairs
Education, Energy, and the Environment
February 6th, 2025
FAVORABLE

Maryland PIRG is a state based, small donor funded public interest advocacy organization with grassroots members across the state. We work to find common ground around common sense solutions that will help ensure a healthier, safer, more secure future.

In 2022, lawmakers in Colorado responded to concerns from disability advocates and passed the nation's first law to ensure repair rights for wheelchairs, and we hope you will join them. CoPIRG, Maryland PIRG's sister organization, supported the Colorado effort and released a report, [Stranded](#), to take a close look at the situation facing people in wheelchairs (attached to this testimony).

We surveyed 141 wheelchair users from across the country, the information is pretty shocking:

- 93% needed their chair serviced in the last year, and 68% had to wait 4 or more weeks for repair.
- Some had to wait more than 24 weeks. This causes serious limits to mobility, ability to work, go to doctors appointments, etc.
- One respondent said that "If non-disabled people had to wait weeks or months to get their vehicles worked on, there would be protests in the street!"

One of the main reasons for this is there just aren't enough repair providers through the large national wheelchair dealerships, which have experienced a wave of consolidation over the last decade.

According to those authorized repair companies, a large majority of these repairs are minor issues -- issues that if that authorized repair company can't address in a timely manner, the chair's owner might want to get addressed by another repair expert. In our survey, 68% of respondents to our survey felt that "a friend, family member or independent repair professional with the right information, access to parts, etc." could fix many or all of the problems that caused them to make a service request.

Manufacturers might argue that allowing the wheelchair user to access repair manuals, or software tools, could result in someone accidentally damaging their own chair.

I think it ought to be your choice what you do with the chair you own. It's your life, and waiting months to fix minor issues because the system is broken. Right to Repair provides options for people to make their own choices about what is best for them -- choices that are already being employed by wheelchair users in Colorado to improve their quality of life.

We thank Senator Kagan for bringing this legislation and we urge a favorable report.

SB382.DD Council.Support.pdf

Uploaded by: Rachel London

Position: FAV



Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

Senate Finance Committee

February 6, 2025

SB 382: Consumer Protection – Right to Repair – Powered Wheelchairs

Position: Support

The Maryland Developmental Disabilities Council (Council) creates change to make it possible for people with developmental disabilities to live the lives they want with the support they need. The Council is led by people with disabilities and their families, and it is from that perspective, that we support SB 382.

Wheelchairs, especially powered ones, are more than just devices. They are extensions of the user. They provide mobility, independence, and freedom. If a person's wheelchair malfunctions (or is not working), it hinders the person's daily life, limits their ability to move around, and do the things we all want and need to do on a daily basis. SB 382, like other "right to repair" laws empowers people with disabilities to be able fix powered wheelchairs without enduring long waits or facing limitations imposed by big corporations. **Most importantly, it ensures people have uninterrupted access to their primary means of mobility.**

WHAT does this legislation do?

- Requires powered wheelchair manufacturers to provide the things needed (e.g., documentation, parts, embedded software, firmware, and/or tools) to repair a powered wheelchair to the owner or an independent repair provider on fair and reasonable terms and costs.
- Adds a provision for powered wheelchair repairs to Maryland's Commercial Law on unfair trade practices.

WHY is this legislation important?

- **It ensures people have uninterrupted access to their primary means of mobility.** Powered wheelchair users often face difficult requirements imposed by manufacturers and long waits when something goes wrong with their wheelchair. Requiring manufacturers to provide the resources need – from documentation to parts and software – to owners and independent repair shops, increase independence by decreasing long wait times and difficult requirements.
- **It supports economic fairness and growth.** By giving owners *and* independent repair shops access to the things they needs to repair powered wheelchairs, this bill supports small business.
- **Brings Maryland in line with other states that prioritize the rights of wheelchair users.** The right to repair has passed in 6 other states – California, Colorado, Massachusetts, Maine, Minnesota, and New York.

SB 382 is another step toward greater independence and autonomy for people with disabilities who use powered wheelchair. For these reasons, the Council supports SB 382.

Contact: Rachel London, Executive Director, RLondon@md-council.org

MWE SB 382 FAV.pdf

Uploaded by: Rev. Ray Raysor

Position: FAV



**Metropolitan
Washington Ear**

Committee: Senate Finance Committee

Bill Number: Senate Bill 382 – Consumer Protection – Right to Repair – Powered Wheelchairs

Hearing Date: February 6, 2025

Position: Support

Metropolitan Washington Ear, Inc. (MWE) located in Silver Spring, Maryland, is a nonprofit, 501(c)(3) organization incorporated under the laws of the State of Maryland. MWE provides reading and information services, and independent living skills training for blind, visually impaired, and physically disabled people who cannot effectively read print, see plays, watch television programs and films, or view museum exhibits. Established in 1974, we've been providing quality services throughout Maryland, Virginia, and the District of Columbia for more than 50 years. As an organization that serves the disabled community and fights for the rights of our community, we **SUPPORT** SB 382.

SB 382 requires a manufacturer to make available (on fair and reasonable terms and costs, as specified) any documentation, parts, embedded software, firmware, or tools that are intended for use with a powered wheelchair (or any part), inclusive of any updates, to an independent repair provider or owner. The bill only applies prospectively and may not be applied or interpreted to have any effect on (or application to) any contract that is executed between an authorized repair provider and a manufacturer before the bill's effective date. Violation of the bill is an unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act (MCPA), subject to MCPA's civil and criminal penalty provisions.

In 2022, Colorado made headlines by recognizing the importance of 'Right to Repair' for powered wheelchairs by passing *HB22-1031 Consumer Right To Repair Powered Wheelchairs Act*. This legislation required manufacturers to provide necessary resources – from parts to embedded software and essential documentation – to both wheelchair owners and independent repair providers. The law safeguards consumers by preventing manufacturers from engaging in deceptive trade practices, while also ensuring manufacturers aren't liable for faulty repairs not conducted by them.

Wheelchairs, particularly powered ones, are more than just devices. They are an extension of the user, providing mobility, autonomy, and freedom. When a wheelchair malfunctions, it can severely hinder the user's day-to-day life. By ensuring that users and independent repair providers have access to necessary repair resources, Maryland can significantly reduce the downtime and costs associated with manufacturer-based repair services.

For these reasons, MWE **supports SB 382** and **asks the committee for a favorable report**.

If we can provide any additional information, please contact Jocelyn I. Collins at jcollins@policypartners.net.

Testimony - Right to Repair.pdf

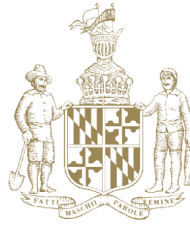
Uploaded by: Sen. Cheryl Kagan

Position: FAV

CHERYL C. KAGAN
Legislative District 17
Montgomery County

Vice Chair
Education, Energy, and
the Environment Committee

Joint Audit and Evaluation Committee
Joint Committee on Federal Relations



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

SB382: Wheelchair “Right to Repair”

Senate Finance Committee
Thursday, February 6, 2025 1:00 PM

Too often, manufacturers prevent customers from repairing their own products. Consumers are forced to ship their devices or take them to an authorized service shop-- if they happen to live near one. The monopolization in the repair market means that users often wait *months*-- even for simple fixes.

For users of powered wheelchairs, any delay in repairs is “not only a quality-of-life issue, but a matter of life and death,” according to a [2022 U.S. Public Interest Research Group \(PIRG\) report](#). There are more than 3 million wheelchair users in the United States; of those who responded to the U.S. PIRG survey, 40% said that it took more than seven weeks to get repairs. Some waited more than 24 weeks! U.S. PIRG also reported that 93% of users needed service on their chairs in the past year.

The powered wheelchair market has experienced significant consolidation over the last decade. It is now largely dominated by two private, equity-backed companies. Using a powered wheelchair is not a choice for many due to the rising cost to own and fix them. According to the Maryland Independent Living Network, “this bill would sustain the independence of individuals who use powered wheelchairs.”

According to U.S. Census data, Maryland has 30,000-40,000 residents with mobility impairments. The bipartisan [SB382](#) will allow manufacturers to protect trade secrets, as long as doing so does not compromise a consumer's ability to obtain basic repairs. Information, parts, and tools must be made available.

Various iterations of “Right to Repair” legislation have been introduced in 30 states and passed in seven ([California](#), [Colorado](#), [Massachusetts](#), [Maine](#), [Minnesota](#), [New York](#), and [Oregon](#)). Wheelchair-specific legislation has been enacted in both Colorado (2022) and California (2024).

As Del. Aaron Kaufman testified in the House, “if repairs are delayed and/or done incorrectly, wheelchair users can develop pressure sores or respiratory illness that can lead to hospitalization, or worse.”

As U.S. PIRG states, “by fixing our laws, we can make it easier to fix our stuff.”

I urge a favorable report on SB382.

SB 382 - Right to Repair Powered Wheelchairs - CPD

Uploaded by: Steven M. Sakamoto-Wengel

Position: FAV



CAROLYN A. QUATTROCKI
Chief Deputy Attorney General

LEONARD J. HOWIE III
Deputy Attorney General

CARRIE J. WILLIAMS
Deputy Attorney General

ZENITA WICKHAM HURLEY
Chief, Equity, Policy, and Engagement

**STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
CONSUMER PROTECTION DIVISION**

ANTHONY G. BROWN
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CHRISTIAN E. BARRERA
Chief Operating Officer

STEVEN M. SAKAMOTO-WENGEL
*Consumer Protection Counsel for
Regulation, Legislation and Policy*

February 6, 2025

TO: The Honorable Pamela Beidle, Chair
Senate Finance Committee

FROM: Steven M. Sakamoto-Wengel
Consumer Protection Counsel for Regulation, Legislation and Policy

RE: Senate Bill 382 – Consumer Protection – Right to Repair – Powered
Wheelchairs - SUPPORT

The Consumer Protection Division of the Office of the Attorney General supports Senate Bill 382, sponsored by Senators Kagan, Gile, Hester, King, Sydnor, Washington and West, which would require manufacturers of powered wheelchairs to make the tools and instructions necessary to repair the wheelchairs available to independent repair facilities.

Senate Bill 382 is based on a Colorado law and is intended to make it easier, faster and less expensive for users of powered wheelchairs to repair their wheelchairs when they're broken. Powered wheelchairs are essential for many to be able to mobilize and function, but many users have reported having to wait months, or even years, to have their wheelchairs repaired by manufacturer-authorized repair facilities. Senate Bill 382 would provide more options to wheelchair users by requiring manufacturers to make available to independent repair facilities and the owners of wheelchairs, upon fair and reasonable terms and costs, documentation, parts, embedded software, firmware, or tools necessary to repair the wheelchair. The bill would not require manufacturers to divulge trade secrets, except to the extent that the trade secrets are integral to the repair, and provides that the manufacturers are not liable for faulty repairs performed by an independent repair facility.

The Consumer Protection Division has been a long-time supporter of right-to-repair laws that make it easier and less expensive for consumers to fix their broken devices. Senate Bill 382 would help to ensure that powered wheelchair users are not deprived of their mobility due to the inability to get prompt repairs. Accordingly, the Division requests that the Senate Finance Committee give HB 382 a favorable report.

SB 382 Consumer Protection Right to Repair Powered Wh

Uploaded by: Tammy Bresnahan

Position: FAV



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SB 382 Consumer Protection – Right to Repair – Powered Wheelchairs
Senate Finance Committee
February 6th, 2025
FAVORABLE

Good afternoon, Chair Beidle and Members of the Senate Finance Committee. My name is Tammy Bresnahan, and I serve as the Senior Director of Advocacy for AARP Maryland. On behalf of AARP Maryland and our more than 850,000 members across the state—especially Maryland’s growing population of aging residents—I am pleased to submit this testimony in strong support of Senate Bill 382: *Consumer Protection – Right to Repair – Powered Wheelchairs*. We also extend our gratitude to Senator Kagan for sponsoring this critical legislation.

Senate Bill 382: Consumer Protection – Right to Repair – Powered Wheelchairs

This bill aims to ensure that manufacturers provide access—on fair and reasonable terms—to essential documentation, parts, embedded software, firmware, tools, and any applicable updates related to powered wheelchairs and their components. This access would be extended to both independent repair providers and wheelchair owners. The bill’s provisions apply prospectively and do not impact any contracts between manufacturers and authorized repair providers that were executed before its effective date.

A violation of the bill would constitute an unfair, abusive, or deceptive trade practice under the Maryland Consumer Protection Act (MCPA), making violators subject to the civil and criminal penalties outlined in the MCPA.

We respectfully urge the committee to issue a favorable report on SB 382 and prioritize the independence, mobility, and quality of life for aging Marylanders who rely on powered wheelchairs.

For follow up or questions, please feel free to contact me at tbresnahan@aarp.org or by calling for 410-302-8451.



Testimony in Support of SB0381_ Mayor Adams.pdf

Uploaded by: Timothy Adams

Position: FAV

Testimony in Support of [SB0382](#)

Wheelchair “Right to Repair”

Thursday, February 6, 2025

Chairperson and Members of the Committee,

My name is Mayor Timothy J. Adams, and I strongly support SB0382, a critical bill that ensures powered wheelchair users have the right to repair their essential mobility devices. This legislation mandates that manufacturers provide independent repair providers and wheelchair owners with access to necessary documentation, parts, embedded software, firmware, and tools for repairs.

As a wheelchair user, I have personally experienced the significant challenges that come with repairing mobility devices. Currently, many wheelchair users are forced to rely solely on manufacturers or authorized service providers, leading to excessive delays, inflated costs, and extended periods without their essential equipment. This not only threatens their independence but also affects their quality of life, employment, and overall well-being.

SB0382 is a necessary step toward ensuring that wheelchair users can access timely and affordable repairs. By granting them the right to repair, this bill upholds principles of fairness, consumer rights, and accessibility. Moreover, it prevents manufacturers from engaging in restrictive and monopolistic practices that unfairly burden individuals with disabilities.

This issue is not merely one of convenience—it is about equity and dignity. For wheelchair users, mobility devices are not optional; they are lifelines. Any delay in repairs can have serious consequences for their health, independence, and daily lives. Additionally, by classifying violations of this act as unfair, abusive, or deceptive trade practices, this bill establishes meaningful accountability for manufacturers.

For these reasons, I strongly urge this committee to support and pass SB0382.

Thank you for your time and consideration.

Sincerely,

Mayor Timothy J. Adams
President & CEO, SA-TECH, Inc.
1101 Mercantile Lane, Suite 200
Largo, MD 20772
(301) 322-8880

SB382 - Wheelchair right to repair FAV 2025.docx.p

Uploaded by: Zoe Gallagher

Position: FAV



Testimony to the Senate Finance Committee
SB382 Consumer Protection – Right to Repair – Powered Wheelchairs
Position: Favorable

2/6/2025

The Honorable Pam Beidle, Chair
Senate Finance Committee
3 East, Miller Senate Office Building
Annapolis, MD 21401
cc: Members, Senate Finance

Chair Beidle and Members of the Committee:

I am writing today on behalf of Economic Action to urge your favorable report on SB382, which would require manufacturers of electronic wheelchairs to provide independent repair providers and wheelchair owners with access to necessary documentation, parts, embedded software, firmware, and tools for repairs, under fair and reasonable terms and costs.

Economic Action, formerly the Maryland Consumer Rights Coalition) is a statewide coalition of individuals and organizations that advances economic rights and equity for Maryland families through research, education, direct service, and advocacy. Our 12,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

Economic Action supports this bill because it ensures that individuals who rely on powered wheelchairs have the ability to access necessary repair resources without being forced to go through costly and limited manufacturer-authorized channels. A powered wheelchair can cost as much as \$50,000, and due to the limited suppliers of parts, repairs are often too expensive to be fully covered by insurance¹. By allowing independent repair providers and owners to perform repairs, the bill promotes greater choice, affordability, and convenience, while helping to prevent monopolistic practices that could drive up costs of repair.

Using a powered wheelchair is not a choice for many facing disabilities. It is crucial that, as a governing body, Maryland takes whatever steps possible to ensure that the use and maintenance of such wheelchairs is affordable for all.

For these reasons, we urge a favorable report on SB382.

Thank you for your time,

Zoe Gallagher, Policy Associate

¹<https://nonprofitquarterly.org/why-do-wheelchair-repairs-take-so-long/#:~:text=Some%20of%20the%20parts%2C%20especially,insurance%20is%20willing%20to%20pay.>

2209 Maryland Ave · Baltimore, MD · 21218 · 410-220-0494

info@econaction.org · www.econaction.org

Tax ID 52-2266235

Economic Action Maryland Fund is a 501(c)(3) nonprofit organization and your contributions are tax deductible to the extent allowed by law.

iNRRTS letter for MD SB 382.pdf

Uploaded by: Wayne Grau

Position: UNF



Date: February 4, 2025

To: Chairwoman Beidle- Senate Finance Committee

RE: Opposed as written- SB 382- Right to Repair Wheelchairs

Dear Chairwoman, Beidle

On behalf of the International Registry of Rehabilitation Technology Suppliers (iNRRTS), we respectfully write in opposition as written of SB 382— Right to Repair Wheelchairs. We oppose the bill as written, as it may unintentionally harm complex rehab patients.

iNRRTS is an international not-for-profit organization dedicated to the support, advancement, and education of professional Suppliers of CRT, which includes medically necessary customized manual and power wheelchairs, seating and positioning systems, and other adaptive equipment critical to a small and fragile population of children and adults with severe physical disabilities such as spinal cord injury, traumatic brain injury, cerebral palsy, ALS, multiple sclerosis, and spina bifida. This small subset of products is subject to strict prior authorization. It is individually configured by a team of physicians, clinicians, and appropriately credentialed Suppliers to fit the unique needs of one specific individual. The CRT evaluation, provision, and ongoing support processes are labor intensive, requiring credentialed staff and focused operational infrastructures.

Access to wheelchair repairs is critical to maintaining the health, safety, and independence of individuals with disabilities. In recent years, consumers have experienced delayed access and fewer provider options when equipment service or repair is needed. As drafted, SB 382 will not address the current challenges in providing repairs while simultaneously exposing CRT patients to serious health risks due to improper repairs or clinical parts being purchased without the proper joint evaluation by a CRT Supplier and a clinician. To this end, we would like to provide the following information for your consideration:

Unintended patient risk under HB SB 382—As currently written, this legislation would create additional risks for people with disabilities who rely on CRT power wheelchairs.

CRT power wheelchairs are prescribed by physicians and individually configured under clinical guidance from medical professionals (physical and occupational therapists) and an iNRRTS-Certified Complex Rehab Technology Supplier (CRTS®) employed by the provider. Adjustments or repairs to such equipment can significantly impact the wheelchair user's positioning and safety. Even small maladjustments can affect the person's respiratory function, digestive function, circulatory function, functional postural support and necessary skin pressure relief.



We believe in the importance of consumer choice and respect that some individuals wish to repair their wheelchairs independently of their wheelchair provider. These repairs can be dangerous if performed by someone without proper training; however, those who wish to seek services outside of the manufacturer's dealer network can carry out some basic adjustments and repairs safely. Therefore, ***language is needed to ensure self-repair only applies to non-clinical, non-positioning and non-programmable items. iNRRTS has partnered with various industry stakeholders and consumer groups to pass this language in Tennessee, and we are working in other states to introduce this legislation utilizing this agreed-upon language.***

iNRRTS and our members remain committed to collaborating on policy improvements that all stakeholders can support and that will help patients with safe, quicker service and repairs. Our suggestion would strike the appropriate balance between allowing self-repair and improving access for sensitive clinical repairs while maintaining patient safety. We strongly urge further discussion to reach an agreement among all parties and welcome the opportunity to discuss our concerns and recommendations further.

Thank you for your attention to this matter; if you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads 'Amadsen, ATP'. The signature is written in a cursive, flowing style.

Andrea Madsen, ATP
Executive Director
International Registry of Rehabilitation Technology Suppliers (iNRRTS)
amadsen@nrrts.org