

Epilepsy & Driving

Epilepsy Alliance Ohio strongly advocates for following all physicians orders for your own safety and the safety of others. After a seizure your doctor may restrict your driving for several months until seizure-control returns. This is often done verbally although your doctor can, at their discretion, make your condition know to the Department of Motor Vehicles. This could necessitate years of medical updates regarding your ability to drive.

When renewing a license or applying for the first time, you will be asked direct questions about whether you have epilepsy or seizures. Failure to answer these questions truthfully can result in you being liable in the event of a motor vehicle accident. Also, certain types of commercial licensing such as a CDL, may not be available to people with a history of epilepsy.

Epilepsy & Disability Benefits

Having epilepsy does not always mean one cannot work. However, breakthrough seizures and side effects from medication used to control seizures can negatively impact a person's ability to stay gainfully employed.

The two primary federal programs which provide financial assistance are (1) the Social Security Disability Insurance (SSDI) program for people with disabilities (or their dependents or survivors) who have worked for a certain amount of time and paid Social Security taxes, and (2) the Supplemental Security Income (SSI) program for people who are found to be disabled and who meet special income requirements. People who meet disability requirements may also be eligible to get Medicare or Medicaid coverage.



OUR MISSION

Epilepsy Alliance Ohio is dedicated to supporting those impacted by epilepsy in local communities by confronting the spectrum of challenges created by seizures.

OUR LOCATIONS

Cincinnati Office
895 Central Avenue
Suite 550
Cincinnati, Ohio
45202
513-721-2905

Columbus Office
3857 N. High Street,
Suite 206
Columbus, Ohio
43214
614-725-1031



FOLLOW US!

YOUR LEGAL RIGHTS



Your Legal Rights

Unlike many other medical conditions, epilepsy remains largely unseen until a seizure takes place. This can evoke negative stereotypes, fear and discrimination. Despite great advances in diagnosing and treating epilepsy, people with epilepsy may find that they are treated differently and sometimes unfairly.

Employees may feel pressured to leave their jobs as they are deemed unfit or unsafe in their workplace; schools may refuse needed accommodations like rescue medications or extra time to complete coursework; people may be subject to arrest or injury by first responders mistaking signs of a seizure as aggression or intoxication.

When facing these issues in the workplace, schools, courts and more, you need to be well prepared to advocate for yourself and your loved ones by knowing your rights.

This pamphlet cannot contain all of the information you may need as most issues are specific to that individual, but should you find yourself in need of legal guidance, you may want to contact our office at once.



Epilepsy in the Workplace

Though the Americans with Disabilities Act (ADA) went into effect in 1990, both employers and employees are often not fully aware of the civil rights law that offers protections that “level the playing field” for persons with disabilities.

ADA Title I provisions apply to employers who have 15 or more employees and mandates that persons with disabilities, who are qualified for the job they seek, may not be discriminated against throughout the hiring process or during employment with respect to training, promotions or any other employment privilege. This act restricts employers from asking about a person's disability before an offer of employment is made and requires that reasonable accommodations be made upon request unless the employer is able to prove undue hardship.

Discriminatory practices and refusal to accommodate a disabled employee, when such accommodations would allow an otherwise qualified person to perform the essential functions of a job, can be a major issue in the workplace for persons with epilepsy. Having a seizure at work, or requesting a shift change as an accommodation, may raise concerns for the employer that places an employee's job in jeopardy. Alliance staff members are available to work with the employee and the employer to develop a mutually agreeable plan before formal action becomes necessary.

If this fails, the Alliance offers support and assistance to the employee in filing a complaint with the U.S. Equal Employment Opportunity Commission (EEOC) field office.

Epilepsy in the School

Disability discrimination is not limited to the workplace. Educational settings can also abridge the rights of children and adults with disabilities by failing to offer programs and services that identify and address these problems. Special provisions are provided for evaluation and planning for those having academic difficulty. This includes 504 and Individual Educational Plans (IEPs), as well as resources such as Offices for Students with Disabilities on college campuses.

Epilepsy Alliance Ohio offers information and material on educational protections and referral to agencies that can assist parents and individuals in resolving educational concerns. Additionally, Epilepsy Alliance Ohio may be able to attend your child's 504 or IEP meeting.

Epilepsy in the Criminal Justice System

Certain seizures, focal onset — impaired awareness (complex partial), may be mistaken for behavior such as intoxication, trespassing, assault or disorderly conduct. This may result in the very dangerous practice of placing the person in physical restraints.

While Epilepsy Alliance Ohio attempts to provide first responders with the training necessary to properly recognize and respond to a person in this situation, the signs of a seizure can be missed. The wearing of a medic-alert device may aid to prevent a potential dangerous arrest situation. Additionally, you may wish to speak to an attorney to determine if a wrongful arrest was made or if your rights were violated as a result of harm received during improper treatment by first responder personnel responding to your seizure.