

**OFFERED BY COUNCILORS EDWARD M. FLYNN, LIZ BREADON, CULPEPPER,
DURKAN, FITZGERALD, LOUIJEUNE, MEJIA, MURPHY, WEBER, AND WORRELL**



CITY OF BOSTON

IN THE YEAR TWO THOUSAND TWENTY SIX

RESOLUTION IN SUPPORT OF H. 4358 AND S. 2662 ON CONSUMER PROTECTIONS FOR WHEELCHAIR USERS

- WHEREAS,** Persons with disabilities who depend on wheelchairs can be left without any mobility for weeks or months when repairs are delayed. In response, the Massachusetts legislature has two bills under review, H. 4358 and S. 2662, that would establish clear timelines for wheelchair dealers, improve parts availability, and reduce insurance barriers for consumers; *and*
- WHEREAS,** In January 2025, Representative James O'Day filed H. 1278 An Act relative to wheelchair repair requirements and consumer protection. After committee review, H. 1278 was written in a new draft and reintroduced as H. 4358. The bill would require authorized wheelchair dealers to complete repairs as soon as possible, but no later than 10 business days after the consumer requests the repair. Additionally, the bill would require in-home repairs for complex wheelchairs, require dealers to maintain an email address and phone line for repair requests and respond to inquiries within one business day. The bill would also prohibit MassHealth and other private health insurers from requiring prior authorization for repairs to complex rehabilitation technology wheelchairs unless the original prescription is more than five years old; *and*
- WHEREAS,** Currently, H. 4358 has been reported favorably by the Joint Committee on Consumer Protection and Professional Licensure and referred to the House Committee on Ways and Means for further consideration; *and*
- WHEREAS,** Similarly, in November 2025, S. 2662 An Act expanding wheelchair warranty protections for consumers with disabilities was reported by the Joint Committee on Consumer Protection and Professional Licensure. The bill has similar provisions to H. 4358, while also expanding current warranty protections. The original sponsor of the Senate legislation was Senator John J. Cronin, who filed the original Senate petition (S. 210) in the beginning of the 2025-2026 session; *and*
- WHEREAS,** Under the Massachusetts Wheelchair Lemon Law, the Customized Wheelchair Arbitration Program provides dispute resolution between wheelchair manufacturers and consumers without going to court. The program is for consumers with a purchased or leased new custom wheelchair who paid for all or partial cost out of pocket. If the consumer qualifies, an independent arbitrator can replace the wheelchair or offer refunds. S. 2662 would expand these protections by extending warranty coverage from one year to two years, applying those protections to all wheelchair users rather than only those who paid fully or partially out of pocket, and requiring dealers to provide a loaner wheelchair when repairs are expected to exceed, or do exceed, 10 business days; *and*

WHEREAS, On July 14, 2026, the Boston Center for Independent Living and The Disability Policy Consortium hosted the Rally for Repairs, advocating for bills H. 4358 and S. 2662. Attendees expressed feeling that their independence has been lost, overall health has suffered, and quality of life has deteriorated due to unnecessarily long waits for wheelchair repairs; *and*

WHEREAS, Bills H. 4358 and S. 2662 take the necessary steps to protect wheelchair users and prevent immobility for weeks or even months. This is a civil rights and public safety issue. Disability rights are civil rights; ***NOW, THEREFORE BE IT***

RESOLVED: That the Boston City Council supports H. 4358 and S. 2662 on consumer protections for wheelchair users.

Filed on: July 22, 2026