Accessibility
With Rene Meier, Prof. Dr. Christian Johner

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Transcript

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but also the services offered.

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So whenever a contract is concluded, this law applies.

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Medical Device Insights, a podcast by the Johner Institute for medical device manufacturers, authorities and notified bodies.

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We have often talked about the myriad of regulatory requirements for medical devices and Iverde here and that can perhaps be divided into 2 large buckets,

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namely, the regulatory requirements that apply specifically to medical devices or I.V.D.

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and those that are more likely to be cross-domain.

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Yes, an example of this would be the A.I.

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Act.

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Today I would like to talk about one of these overarching requirements, namely the requirements relating to accessibility.

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We have already reported in the journal and in a specialist article, but I thought it was time to take someone on board who would actually implement it

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and today I brought in Rene Meyer from the company Moguru, who also help us here at the institute again and again with software development.

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And yes, René, how did you actually come to this topic of accessibility?

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Yes, hi, first of all, thank you very much for the invitation, Christian.

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I'm very happy to be part of it.

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I've been with Moguru for about 5 years and we're responsible there, I'm responsible for the delivery and consulting of project management.

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And very strong in the e-health sector, of course, that's how we got to know each other, but also in the financial sector.

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And that is also the way in which we came into contact with this law.

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About a year and a half ago, we had an assignment from one of our developers in a large German bank and he was deployed there as an expert for this Accessibility Strengthening Act.

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and drove the requirements analysis there in a fairly small team, which of course grew bit by bit when

they realized that they had a huge mountain of tasks ahead of them to implement the whole thing.

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So, you have practical experience, you can say.

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Now, perhaps, once again, since such a step is to be taken a step back for a short time, one must comply with the law or perhaps ask another, who does the law affect at all?

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Exactly, that's where it gets interesting.

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And that is, one must first ask oneself, what is the purpose of this law?

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It's an E.U.

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law and you can summarize it in one sentence: All vital areas should be available to all citizens and from this you can now conclude who the law affects.

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First and foremost, of course, are the banks.

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I just mentioned it, passenger transport, but also online shops.

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And if you take the whole thing further, then it's not just online shops where you can

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hardware items, but also services offered.

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So whenever a contract is concluded, this law takes effect and it can't just be the pure software, so of course these are the websites, these are the apps, but this also applies to the ATMs, the ticket machines,

sometimes even contact forms and that's where it gets tricky, just like cookie notifications.

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Yes, so you can see that the whole thing is very, very far-reaching.

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In the case of medical devices or I.V.D.

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Manufacturer it would be of course

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That was probably the case when they were used directly by patients themselves.

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Then we would also have apps with us.

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As a rule, we also have a contract between the provider and the patient.

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This means that as soon as things go in this direction, it affects the respective manufacturer that he builds the products, so that people who are visually impaired, for example, still have the opportunity to use these offers.

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Because, as you just said, no one should be excluded, you can.

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what is in the law in a few sentences, lines, what are such big, important requirements?

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That's exactly what you can do in any case.

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Perhaps it is also very important to mention that there are of course exceptions for companies that are not affected by this law and that is the small business regulation, but not the German one, but according

to EU law.

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Can you summarize if you have less than 10 employees and less than 2000000 annual turnover, up to

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this law does not affect you and you can even apply for special exceptions if you can prove that the effort and, above all, the financial effort is disproportionate.

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It's questionable how easy it is to get away with it.

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I haven't heard of anyone who has done that.

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Mhm, now you asked, what does the law require, which is of course very versatile, in the end you can also summarize it in 4 points, that's once, we need a read-aloud function in the software

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or the software must be built in such a way that you can use it with a read-aloud function and use it, so that blind people can also use the websites and apps.

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Then, of course, there are the, I'll say colorblind, which starts very simply with a red-green weakness, but there are a lot of different gradations.

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That means the contrasts and colors just have to be like that.

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So gray in gray font is just very, very difficult for some people to recognize.

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There are guidelines, we can go into them again in a moment.

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and rules on how to implement the whole thing so that every person can read what is written there.

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Mhm, and then that's usually the very elaborate and expensive part, everything has to be operable with the keyboard.

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This means that the software must be built in such a way that you can easily navigate through the software with tabs and enter or page down with the usual controls and operate it.

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Mhm, I think that would be quite good for me too.

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So it annoys me when I always have to use the mouse.

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But the law was certainly not written because of me, but, as you said, for the people with these restrictions.

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Now you have already mentioned that there are certain exceptions, company size, I guess, except for the start-ups, especially there are few medical devices and I.V.D.

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Manufacturers among them and even the start-ups will not be start-ups forever, but hopefully soon have over 10 people and 2000000 sales.

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That is,

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Then they fall under it.

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Yes, apart from this exception.

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Yes, for some people there may still be the impulse not to stick to it.

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What do you think of that?

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Yes, that's a courageous decision.

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I don't recommend it.

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Of course, there will be sanctions and from when.

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So in the end, the law has already been passed and passed and we are in the transition phase and already in the middle of it or shortly before the end, from June 25 at the end of June.

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this must be implemented and the penalties are steep.

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It starts at 10000€ per violation and goes up to 100000€ and now one or the other company could perhaps consider, well, we accept the penalty, it can be cheaper than implementing it and of course they have taken precautions.

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Yes, the authorities can stop the service if there is no will to implement this law and that is of course an immense financial loss.

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Hm, yes,

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So in, if you add up all the fines that the E.

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since in the whole relations, I think then you will soon be at over 100% turnover.

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But anyway, I mean, there are also risks, not only risks, but there are also opportunities, the ones we have with the implementation.

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So, what would you see as the biggest opportunities for companies?

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Exactly, so in the end you can say that a new standard will be created, because most companies, as we have already discussed, are affected by it.

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And there are simply many customers left out.

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This means that if you implement this law and even if you are not affected, you can open up a new customer base.

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And exactly, ultimately in the next few years, when more and more people have established this standard, then it is even the opposite effect.

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Then you stand out negatively if you haven't done that.

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Yes, that is also the intention of the E.U., that it will simply be completely implemented in the market sooner or later.

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Yes, that's an ethical thing.

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So, you want to be able to look in the mirror and not always think, I've excluded the whole group.

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You have just talked about the topic of implementation.

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Yes, reading such a law is one thing, is to understand, is another, but then really knowing concretely what you have to do is then on the third.

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Do you have any tips, flow charts, rules, checklists, guidelines that could be used to put this into practice, to really make it manageable.

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Yes, absolutely.

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So you can roughly say that there is the Web Content Accessibility Guideline W.

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G., which in principle contains all the rules that have to be implemented.

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There are different degrees of complexity and we need the double A for fulfilling the law.

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Gradation.

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That means exactly, so that's a huge abundance of

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Specifications, where each color, each contrast is defined individually.

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Well, if you look at the whole thing, there are von von W.

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3 the whole thing as a quick reference, very nicely summarized for a first good overview.

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It's overwhelming.

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So, there are an enormous number of guidelines.

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Everything is defined and there is not always just one way.

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This means that there are often different options and you really have to deal intensively with what you implement when and how, so that really the last one is taken along.

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and yes, then you can ask yourself, did I implement it with a clear conscience.

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Of course, there are possibilities to test this with real people with disabilities.

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For example, there are also clubs that offer this or, of course, you can also ask around in your circle of acquaintances.

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Or you can come to the John Institute, which is supposedly doing a usability study.

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Exactly, of course that is also possible.

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One thing should not be forgotten, we always talk about people with disabilities.

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Of course, that doesn't have to be the case, which you may be limited by an accident or from the beginning, from birth, I'll say.

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This can happen to anyone, yes, that you break an arm, maybe have to take medication due to an illness that clouds your consciousness and you are temporarily restricted.

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and then back to opening up this new customer base, you would also lose such customers, the other way around, if you are temporarily restricted and can no longer use the software, i.e. the application.

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Yes, especially with medical devices, they are almost by definition aimed at people who may not be quite up to par with health, so it might make a lot of sense there.

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So you not only know all these guidelines and guidelines, but you also implement them,

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can you somehow describe it very briefly, how you go about it, how you help your customers with the implementation in the end.

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It's also about software development, to put it in concrete terms.

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Absolutely.

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First, of course, you have to start with an inventory.

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So where does the software currently stand in terms of usability?

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Man, we need a cost estimate.

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It is also necessary to consider how profitable the whole thing is.

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Unfortunately, we have also had an example in the past where it was said that the costs exceeded the benefits many times over and the software was discontinued.

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But that's also something you have to check.

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So, we don't just want to blindly go into development without the financial feasibility being simplified, i.e. that it is regulated.

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And exactly after an inventory and the appropriate advice, we can of course also help with the imple-mentation.

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That means either we help with the requirements gathering or, what we also like to do, that we are directly involved in the implementation itself, as in my example at the beginning of the large German banks where we are currently supporting, or you can also tell us that we have helped with many of our digital products and that was of course also important to us.

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Yes, Rene, I think we have a good first overview of the whole topic of accessibility, knowledge that you also support in this.

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I would love your

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Link contact details.

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We also have the websites you just mentioned, then we have all that together again, as well as the technical article that we have already published on the subject, which of course now has a special focus on medical devices and E.V.D.

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and I would say that all the prerequisites are in place there to tackle this issue professionally.

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So, all the information is available and all the people and organizations that can actually help with the implementation are also listed.

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In that sense, Rene, that was yours concisely, compactly and to the point.

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Thank you very much.

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Thank you very much, Christian.

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It was a pleasure to be there.