

Travelers with epilepsy may have special concerns about traveling by air. Generally, a person with epilepsy does not pose any greater safety risk on a plane than a passenger without epilepsy.<sup>1</sup> There is also no medical evidence that air travel increases the risk of seizures or adversely affects people with epilepsy. On occasion, however, airline and airport personnel may try to prevent an individual with epilepsy from traveling. Federal laws grant travelers with disabilities legal rights to prevent this from happening unless there is a legitimate safety risk.

### **Your Legal Rights**

The Americans with Disabilities Act (ADA) requires that airports and related facilities, such as parking lots and restaurants be accessible to people with disabilities (see our factsheet on the ADA and Public Accommodations). Airlines are not, however, required to comply with the ADA. Instead, a federal law known as the Air Carrier Access Act (ACAA) applies.

The ACAA specifically prohibits an airline from refusing to allow someone to board because of his or her disability, or even asking whether an individual has a disability. Under the ACAA, a person is disabled if he or she has a physical or mental impairment that permanently or temporarily substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. Under the law, the only time an airline can refuse to provide transportation is if the pilot reasonably believes, based on all the information known at the time, that the person's seizure disorder or other disability poses a real safety risk to himself or the other passengers and this risk cannot be eliminated by providing a reasonable accommodation. Nor can a pilot require the passenger to present a medical

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<sup>1</sup> However, if you have specific concerns about your medical condition, you should consult with your doctor before traveling.

certificate from his physician certifying that it is medically safe for the individual to travel merely because of the individual's disability. Such a certificate can be required only if the passenger:

- is on a stretcher or in an incubator (where such service is offered);
- needs medical oxygen during flight (where such service is offered);
- has a medical condition which causes the carrier to have reasonable doubt that the individual can complete the flight safely, without requiring extraordinary medical assistance during the flight; or
- has a communicable disease or infection that has been determined by federal public health authorities to be generally transmittable during flight.

Notably, all commercial airlines that fly planes with more than 19 passengers to or from a destination within United States or its territories must comply with the ACAA.

### **Travel Tips**

The ACAA also requires airlines to train their personnel how to appropriately treat people with disabilities and how to handle any kinds of emergencies that may arise, such as a seizure. There may, however, be times when airline personnel are unable to provide proper assistance either because they do not recognize that an individual is having a seizure or have not been properly trained in how to respond to a seizure. For this reason, it is helpful to wear a medical identification bracelet that indicates you have epilepsy. If you are traveling with a companion, you should be sure he can recognize a seizure and administer proper first aid if the need arises. A companion can also explain your situation to the flight crew, which could prevent the pilot from landing the plane, as is the usual procedure in medical emergencies if there is no medical doctor on board that can certify that the flight can continue. You may also wish to carry your medication with you in its original container, rather than packing it, as well as a snack so that you can access it easily in case there is a long flight delay or your luggage is lost.

Some people with epilepsy have suggested that they find it helpful to sit in an aisle or a bulkhead seat since these seats have more space to move around in the event one has a seizure while on the plane. There is no medical evidence that a bulkhead or aisle seat is necessary just because one has seizures, and you would need to show a specific need for this type of seating based on your medical situation. Bulkhead seats would, however, be more convenient if you are traveling with a service animal.

If you think you need to request special seating (or another type of accommodation) because of your epilepsy or another medical condition, it is recommended that you notify the airline at the time of reservation. Some airlines may require up to 48 hours advance notice regarding the need for certain accommodations. The ACAA requires that airlines grant these requests unless the person cannot comply with the FAA requirements for sitting in the exit row (that is, you must be physically and mentally able to open the door and get through the exit on your own) or the seat has already been assigned to another individual requiring special seating. If you give less than 48 hours notice, an airline may only be required to comply with the request if it reasonably possible to do so.

People whose seizures typically include behaviors such as walking, grabbing, or running while consciousness is impaired, and whose seizures are not well-controlled, may wish to travel with a companion who could speak for them during a seizure to reassure others in the event of a seizure on the plane. Some people with epilepsy choose to describe their seizures in advance to airline personnel to prevent misunderstanding of possible behavior, although experience has also shown that sometimes airline personnel may refuse to allow the traveler on the plane. The increase in airport security and airline security, including the presence of air marshals on planes, may create a need for a companion or an advance explanation to airline personnel for these individuals.

## **Filing A Complaint**

For more information about your rights as an air traveler with a disability, or to file a complaint regarding a violation of the Air Carrier Access Act, you can visit the U.S. Department of Transportation's Aviation Consumer Protection Division website: <http://www.dot.gov/airconsumer> or call 202-366-2220. For a question or complaints related to the airport security screening process, you may call the Transportation Security Administration's (TSA) Consumer Response Center at 1-866-289-9673 or email TSA from the following website <https://www.tsa.gov/contact/customer-service>. Additionally, for specific information about planning for vacation or holiday excursions that include air travel, visit the Epilepsy Foundation's website: [www.epilepsy.com](http://www.epilepsy.com).

## **International Travel**

The Air Carrier Access Act only governs air carriers in the United States. If you are planning to travel internationally, it is recommended that you review the "Traveller's Handbook" prepared by the International Bureau of Epilepsy (IBE) at <https://www.ibe-epilepsy.org/publications/ibe-travellers-handbook/>. This booklet provides helpful advice for travelers with epilepsy, including information about first aid, accommodations, insurance and getting around while traveling internationally. Prior to traveling to a specific country, you may wish to contact the country's regional IBE chapter for specific information related to your travel. Contact information for IBE chapters can be found in the Traveller's Handbook or on the IBE website: [www.ibe-epilepsy.org](http://www.ibe-epilepsy.org).

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## *Air Travel and Epilepsy*

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