

Making Quality A Habit

Putting Person Centered
Practices to Work

Resource Notes

2020
April

All articles in this edition are excerpts from
the **TASH** newsletter.



THE PARTNERSHIP
FOR INCLUSIVE DISASTER STRATEGIES

Disability and Disaster Hotline during COVID-19

In light of limitations of response capabilities during the COVID-19 pandemic, the Hotline will provide remote technical assistance and attempt to engage local solutions through our vast relationships.

The [Partnership for Inclusive Disaster Strategies](#) (The Partnership) is the nation's only disability-led organization with a mission of equal access to emergency and disaster programs before, during and after disasters for people with disabilities. We are the nation's experts on disability rights, accessibility and inclusion throughout all phases of disaster and emergency operations.

The Partnership's Disaster Hotline provides information, referrals, guidance, technical assistance and resources to people with disabilities, their families, allies, organizations assisting disaster impacted individuals with disabilities and others seeking assistance with immediate and urgent disaster-related needs.

The Disaster Hotline is always available for intake calls, 24 hours a day, 7 days a week, 365 days a year at (800) 626-4959 and info@disasterstrategies.org.



HHS OCR Issues Guidance Confirming that Federal Law Prohibits Disability Discrimination in

Rationing Scarce Medical Treatment

On Saturday, March 28, the Office for Civil Rights (OCR) at the U.S. Department of Health and Human Services (HHS) [issued a bulletin confirming that federal civil rights laws prohibit disability discrimination](#) in the allocation of scarce medical resources during an emergency.

In addition, between March 23 and March 27, the [Bazelon Center](#) and its partners filed a series of complaints with the US Department of Health and Human Services, Office of Civil Rights challenging four states' protocols for rationing scarce medical treatment in ways that discriminate against people with disabilities in violation of federal law. These complaints received [significant attention](#). All four complaints asked HHS to take immediate action to address this discrimination and assist local jurisdictions and providers to develop non-discriminatory approaches before there are lethal consequences to application of these illegal policies.

Below are the filed complaints:

- [Washington State Complaint to HHS OCR re COVID-19 Disability Discrimination](#)
- [Alabama Complaint to HHS OCR re COVID-19 Disability Discrimination](#)
- [Kansas Complaint to HHS OCR re COVID-19 Disability Discrimination](#)
- [Tennessee Complaint to HHS OCR re COVID-19 Disability Discrimination](#)

Excerpt from the TASH Newsletter

How the COVID-19 Stimulus Package Impacts People with Disabilities

The COVID-3 legislation has a number of important components for people with disabilities:

- SSI and SSDI recipients will receive cash rebates if they receive an annual SSA-1099 or filed taxes. If they do not have either of these forms, they will need to complete a 2019 tax filing or look for a special form from the IRS to complete.
- Money Follows the Person funding and the Spousal Impoverishment protections were extended until 11/30/20.
- The ability to waive provisions of the Individuals with Disabilities Education Act were removed from the draft law.
- \$30 billion was allocated to the Elementary and Secondary Schools Emergency Relief Fund, which can be used for IDEA, 504, and other disability instruction and services. It will be critical for state and local advocates to immediately interact with their state Departments of Education and local school districts about how those funds will be used to support students with disabilities.
- \$150 billion was allocated to state and local governments. As with the school funds, stakeholders will need to advocate for the use of these funds to provide blind, deaf, developmental disability, vocational rehabilitation, and other disability services.
- Availability of Small Business Administration (SBA) loans for non-profit agencies. The SBA guide describing how to access the SBA loans is available [here](#).
- \$85 million additional funds for Centers for Independent Living and \$50 million for Aging and Disability Resource Centers to address the COVID crisis.

The COVID-3 package also is missing a number of important items:

- Lack of dedicated Medicaid funding for HCBS
- Lack of funding to support direct service professionals and direct service agencies
- Lack of funding to ensure personal protective equipment for home care providers and family care providers
- Lack of funds to support family care providers, family leave, and sick leave to support people with disabilities
- Lack of directives to ensure information about the public health emergency is described in accessible formats