



Community Resilience Initiative - Emergency Management During Pandemic

COVID-19 & Emergency Declarations:

1. **Public Health Emergency Declaration** by the Secretary of Health and Human Services (HHS) on Jan 31 that was retroactive to January 27, 2020.
2. **Public Health Emergency declaration** was renewed by the U.S. Department of Health and Human Services (HHS) Secretary Becerra on April 21, 2021 through July 20 (90 days).
3. **Major Disaster Declaration** by the President upon request by state, territory and tribal government each.

FEMA Assistance During COVID-19:

- Public Assistance: infrastructure assistance that state requested
- Individual Assistance: only crisis counseling and funeral assistance
 - For more info about Delaware's COVID-19 Response:
<https://coronavirus.delaware.gov/>

Civil rights are never suspended, including during COVID-19 and other disasters. ADA, Olmstead decision, Rehab Act, and other disability rights laws always apply!

Examples of discrimination and advocacy topics during COVID-19 Pandemic:

- Institutionalization
- Access to equally effective communications and notifications
- Vaccination and Testing accessibility / accommodations
- Ongoing provision of Personal Protective Equipment (PPE)
- Visitation policies in hospitals¹ and congregate facilities
- Healthcare rationing², denial of treatment and non-consensual medical experimentation
- Reopening discrimination
- Health maintenance and workplace accommodations

A **concurrent disaster** is a disaster that happens at the same time as another disaster.

¹ <https://www.hhs.gov/about/news/2020/06/09/ocr-resolves-complaints-after-state-connecticut-private-hospital-safeguard-rights-persons.html>

² <https://www.centerforpublicrep.org/news/resolution-of-federal-complaint-filed-by-cpr-and-partners-sets-national-precedent-for-policies-regarding-the-rationing-of-medical-care-during-the-covid-19-pandemic/>



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Use of Masks:

- **The Deaf and Hard of Hearing and Deafblind Communities**
 - An option to explore: Anti-fog transparent mask for health care providers and Deaf and Hard of Hearing people
- **Alternatives when masks are required and pose an access issue**
 - These can be considered a reasonable modification to policies and practices:
“Scarves or bandanas; curbside services; allowing an individual to wait in a vehicle for an appointment and enter the building when called or texted; and appointments by telephone or video calls.”³

Civil rights violations can occur due to lack of inclusive continuity of operations planning.

- Individual plans are important but can only go so far. Systems around people with disabilities need to be functional and have inclusive continuity of operations.

What can CILs do now?

Advocate for equal access by being involved in planning for:

- PPE
- Alternatives to mass care shelter
- Accessible transportation while social distancing
- Diverting from institutionalization
- Inclusive reopening policies
- Systems and individual advocacy
- Vaccination and testing access and accommodations

Be aware of discrimination during reopening!

³ <https://www.adasoutheast.org/ada/publications/legal/ada-and-face-mask-policies.php>