



## **Community Resilience Initiative**

### **Module 5**

# **Accessible Vaccinations in Delaware: What CILs Need to Know**

[www.disasterstrategies.org](http://www.disasterstrategies.org)

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# Accessibility for this Presentation

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# Welcome & About Us

# Disclaimer

Material presented does not constitute legal advice and is for informational purposes only. If you are seeking legal advice, please contact a qualified attorney.



# This Presentation is an Overview

This presentation is only a summary of obligations of vaccine sites, and a few of many scenarios surrounding people with disabilities receiving vaccines.



# Ground Rules

- Maintain confidentiality
- Ask questions
- Have fun!!!



# Today's Goals

For you to have a better understanding of:

- How CILs can facilitate the vaccination process for disabled people
- Obligations of vaccine providers disabled people
- Strategies for addressing vaccine hesitancy





# Why are we talking about vaccines?

- Many people are not yet vaccinated.
- There will likely be boosters in the foreseeable future.



# Some Disability Civil Rights Laws that Apply to Vaccine Sites

The entire vaccination process must be accessible to disabled people under:

- Americans with Disabilities Act (“ADA”) 42 U.S. Code § 12102 et seq.
- Rehabilitation Act (“Rehab Act”) 29 U.S.C. § 701 et seq.



# Vaccination Process Must be Accessible to People with Disabilities

Includes:

- Making an appointment online, by phone, and in person
- Checking in for the vaccine
- Waiting in line for the vaccine
- Receiving the vaccine
- Waiting after vaccination



# CIL's Goal During the Vaccination Process

Getting vaccinations to everyone with a disability who wants one in a way that is accessible.



# What is NOT a Goal

A vaccine-seeker leaves a vaccination site because they were afraid, intimidated, confused or overwhelmed.

OR

Authorities being called unnecessarily resulting in a vaccine-seeker ending up in-jail or in an institution.



# Definition of Disability

Individuals with a physical or mental impairment that substantially limits one or more major life activities;

Individuals with a record of having such impairment;

Individuals with a record of such impairment



# Five Titles of the ADA

**Title I:** Employment

**Title II:** State and Local Government Entities

**Title III:** Places of Public Accommodation

**Title IV:** Telecommunications

**Title V:** Miscellaneous



# Who has Obligations Under the ADA?

**State, county, municipalities** have obligations under Titles I and II.

**Private providers** under have obligations Title I and III.

Today, we will be discussing obligations under Titles II and III.





# Rehabilitation Act

Any recipient or subrecipient of federal funds has obligations under the Rehab Act.

These obligations are virtually identical to obligations under Title II of the ADA.



# Government Entity Retains Obligations Under the ADA and Rehab Act

A government entity cannot “contract away” Rehab Act or ADA obligations.



# Obligations Under ADA Title II and Rehab Act

Obligations include:

- Equally effective communication
- Non-discrimination in operations
- Program and facility accessibility



# Vaccine Sites Have Obligations

During:

- Online registration
- Phone registration
- Registration at site
- Vaccination areas
- Vaccination waiting areas



# Equally Effective Communication

During the vaccination process, vaccination sites must provide equally effective communication to people with:

- Hearing disabilities
- Visual disabilities
- Speech disabilities



# Equally Effective Communication

Equally effective communication is communication that is as effective for people with communication disabilities as people without disabilities.



# Auxiliary Aids and Services (Accommodations)

Auxiliary aids and services may be required to provide equally effective communication to people with communication disabilities

- Auxiliary aids and services are referred to as “accommodations”



# Effective Communication for People with Hearing Disabilities

Auxiliary aid and services (accommodations) could include:

- Sign Language interpreter
- Tactile interpreter (for people who are Deafblind)
- Oral interpreter
- Communication Access Real-time Transcription (CART)
- Written notes (under limited circumstances)





# Effective Communication for People with Visual Disabilities

Auxiliary aid and services (accommodations) could include:

- Readers
- Large print
- Screen reader compatible electronic material
- Braille



# Effective Communication for People with Speech Disabilities

Auxiliary aid and services (accommodations) could include:

- Communication boards
- Written notes
- Paper and pen
- Allowing additional time for appointments



# Primary Consideration

Primary Consideration should be given to the specific type of auxiliary aid or service that is requested

Entity may choose accommodation other than what is requested if that auxiliary aid or service provides effective communication



# Plain Language

## Plain Language is:

“communication that can be understood by the intended audience and meets the purpose of the communicator.”

**Note:** FEMA requires usage of plain language for grant recipients.



# Non-Discrimination in General Operations: Service Animals

These obligations include:

- Adopting and complying with a policy to allow service animals in all areas members of the public are allowed



# Non-Discrimination in General Operations: Service Animals

- Service animals are dogs and miniature horses that are trained to assist a person with a disability.
- Service animals must be housebroken and under owner's control,
- Emotional support animals are not required to be admitted,



# Service Animal Examples

Who can provide an example of a situation where a service animal would be allowed at a vaccine site?

Who can give an example of a situation where an animal would not be allowed at a vaccine site?



# Non-Discrimination in General Operations Surcharges

Surcharges are prohibited.

People with disabilities cannot be charged for an auxiliary aid or service (accommodation).





# Surcharge examples

Who can provide an example of a surcharge for people with disabilities that would be prohibited at a vaccination site?

Who can give an example of a surcharge on a person with a disability that might be permitted at a vaccination site?



# Non-Discrimination in General Operations: Eligibility Criteria

Eligibility criteria cannot screen out people with disabilities.



# Examples of Eligibility Criteria that Screen Out People with Disabilities

Requiring people to have a driver's license to get the vaccine

Any other examples?



# Non-Discrimination in General Operations: Reasonable Modifications

Reasonable Modification to policies, practices, and procedures must be when it does not fundamentally alter the nature of the program.



# Examples of Reasonable Modifications

- Assisting an individual who can't write due to their disability complete a form
- Notifying an autistic person wearing noise-canceling headphones in the waiting area that it is time for them to advance in the process
- Allowing someone with a behavioral health disability or intellectual disability to have a support person with them (possibly)

Modifications are not required when they cause a fundamental alteration to the nature of the program.



# Program and Facility Accessibility

All **programs** must be accessible to and usable by people with disabilities when viewed in their entirety.

This means:

- If constructed before 1990 under ADA or 1977 under the Rehab Act, not every building or every area of every building must be accessible
- Not all vaccine sites must be physically accessible
- **BUT** there must be accessible vaccine sites within reasonable geographic proximity, open similar hours or longer, providing the same services



# Sites Must Have Accessible

- Entrances/Exits
- Registration area(s)
- Vaccination area(s)
- Waiting area(s)
- Restroom(s)



# Limitation on Obligations

- Undue Burden
- Fundamental Alteration







**Questions?**



# **CILs Can Facilitate Vaccinations**

# CILs Can Facilitate Vaccinations

CILs can support people with disabilities vaccinated by:

- Setting up accessible vaccination clinics at CILs
- Collaborating with public health providers at other vaccine sites
- Advocate that vaccine sites are accessible as required by law and that they go beyond legal requirements when necessary to ensure that disabled people get vaccinated
- Educate to address vaccine hesitancy



# CIL Engagement with Vaccination Sites

- CILs can provide a familiar disability-positive environment for vaccinations.
- Many CILs have opted to do this during the pandemic, and will likely continue if booster shots are required.



# CIL Engagement with Vaccination Sites

CILs have:

- Provided mobile vaccination sites that can bring vaccines to or near a person's home
- Coordinated vaccination programs with public health and other community-based organizations
- Hosted vaccine sites



# Good and Promising Practices

CIL created disability-inclusive vaccine sites by providing:

- Stress balls
- Fidget devices
- Chairs
- Weighted blankets
- Peer support
- Quiet, low stimulation areas
- Badges with photos on them



# Partnering with Organizations

Some CILs have found partnering with additional organizations and agencies to be a better investment of their resources.

Those organizations / agencies can include:

- Public Health Departments
- Shelters for people experiencing homelessness
- Housing groups
- Food banks
- Mutual aid groups



# Vaccine Hesitancy in the Disability Community

Reasons people with disabilities are vaccine-hesitant include:

- Lack of accessible, readable, reliable information about the vaccine and their disability
- Distrust of the medical model
- Past trauma in medical situations
- The same reasons that non-disabled people are vaccine hesitant





# Vaccine Hesitancy in the Disability Community

CILs can educate consumers to ensure they know:

- The vaccine is safe and effective
- The vaccine can have side effects, but COVID-19 is far worse than these side effects
- How to access to Delaware vaccine website



# Vaccine Hesitancy in the Disability Community

Education is the key!

Provide information including:

- accessible material that is compatible with the consumer's reading level
- accessible audible material that is compatible with tier vocabulary
- captioned and sign language interpreted videos



# CILs Role in Addressing Vaccine Hesitancy

CILs can address vaccine hesitancy in their local communities by:

- Hosting on-site vaccine clinics
- Collaborating with other vaccine sites
- Sharing information and promoting vaccine-related events via press releases and social media



# CILs Role in Addressing Vaccine Hesitancy

CILs can support individuals to mitigate trauma by supporting individuals through the process.

Some potential recommendations include:

- Knowing their rights
- Advocating on-site for their rights and needs



# CILs Role in Addressing Vaccine Hesitancy

CILs can support individuals to mitigate trauma by supporting individuals through the process.

Some potential recommendations include:

- Brining support network with vaccine seekers virtually
- Disclosing anxiety, if it feels safe to do so, to on-site staff and requesting actions to mitigate it e.g. take blood pressure or oxygen levels afterwards
- Using noise canceling headphones or earplugs
- Using weighted blankets



# Accessible Vaccine Information

The Delaware Division of Public Health created the following resource, [“COVID-19 Vaccine Information for Persons With Disabilities or Access and Functional Needs.”](#)

Contact the DPH Vaccine Call Center at **1-833-643-1715** (press option 3) or email **[vaccine@delaware.gov](mailto:vaccine@delaware.gov)** to request accommodations at a state-coordinated vaccination site.



# In-Home Vaccination Pilot

DHSS piloted a vaccination program through its Division of Developmental Disabilities Services, and DART Paratransit in Sussex County to assess the feasibility of having nurses vaccinate individuals who are unable to leave their homes by using Paratransit customer roster as the starting point. The pilot primarily vaccinated individuals 65 and older with physical disabilities and their caregivers.

Source: <https://coronavirus.delaware.gov/vaccine/covid-19-vaccine-information-for-persons-with-disabilities-or-access-and-functional-needs/>



# In-Home Vaccinations

- Do you know anyone who has received an in-home vaccination?
- How was the process for them?





# Requesting Accommodations

To request accommodations, or if you have questions about accommodations at a vaccination site, contact the DPH Vaccine Call Center at 1-833-643-1715 (press option 3) or email [vaccine@delaware.gov](mailto:vaccine@delaware.gov).



# Requesting Accommodations

Anyone who is deaf, hard of hearing, Deaf-Blind or speech disabled can contact DPH by dialing 711 first using specialized devices (i.e. TTY, TeleBraille, voice devices).

The 711 service is free and to learn more about how it works, please visit [delawarerelay.com](https://delawarerelay.com).



# Accommodations at DPH Vaccination Events

*The below listed accommodations are not all-inclusive. If you require an accommodation not listed here, contact the Vaccine Call Center at 1-833-643-1715 (press option 3) or email [vaccine@delaware.gov](mailto:vaccine@delaware.gov) for more information.*

- Accommodations for persons with visual impairment include large print materials, and magnifiers.
- Accommodations for persons who are deaf or hard of hearing include on-site access to a free FEMA website that provides Video Remote Interpretation for American Sign Language, a portable voice/sound amplifier, a device to augment hearing aids in large rooms, a dry erase white board, clear face masks, and Picture Exchange Communications (PEC) symbols and board and other picture communication tools.



# Accommodations at DPH Vaccination Events

- Accommodations for persons with communications challenges (including older residents who may have speech processing issues and those with cognitive impairments) include clear face masks, PEC symbols and boards, and other picture communication tools.
- Accommodations for persons with mobility impairments include wheelchairs. Additionally, restroom facilities are wheelchair accessible.
- Accommodations in general include asking someone to help you in whatever way you need (reading something, guiding them, pushing a wheelchair).



# Accommodations at Curative Vaccination Sites

## **Primarily Delaware Technical Community College sites**

You can contact the Curative Customer Support Line at [888-702-9042](tel:888-702-9042), or email them at [support@curative.com](mailto:support@curative.com).

*\*Pharmacies, medical providers, and community-based organizations are responsible for providing accommodations at their sites or events. If you are seeking vaccination at these locations, you should contact them directly regarding accommodations.*



# Accommodations at Curative Vaccination Sites

## **Direct Connections with Clients:**

- The Division for the Visually Impaired (DVI) is calling its consumers and connecting them with vaccination opportunities.
- The Division of Services for Aging and Adults with Physical Disabilities (DSAAPD) staff have been contacting Division participants to determine interest in receiving the vaccine and identifying barriers to access. DSAAPD community nurses have also been providing home-based vaccinations for agency participants who are unable to leave their homes.



# MCO's Role in Vaccination

The Division of Medicaid and Medical Assistance (DMMA) is partnering with Managed Care Organizations (MCOs) to

- communicate eligibility criteria
- vaccination opportunities
- talk with clients to identify barriers to vaccination
- assist those 16+ with registering for the state's waitlist
- work with MCOs to facilitate appointments for those who are eligible through their primary care providers or a hospital system
- ensure Diamond State Health Plan Plus enrollees are aware they have access to transportation via Medicare.





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# Scenario:

A Deaf person who uses ASL calls your CIL. The closest venue for them to get a vaccine is at a pharmacy. They were told by that pharmacy that the only vaccination site that has obligations to provide sign language interpreters are sites operated by the Department of Health.

What do you tell them?





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# Scenario:

A services dog user calls your CIL and reports that they were turned away from a vaccination site.

What do you tell them?



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# Scenario:

A person calls your CIL and says that they would like to get a vaccination. They have a history of institutionalization and are afraid if they show signs of their mental health condition at the vaccination site they will end up being institutionalized.

What do you tell them?



**Questions?**

# Delaware Resources

- [Delaware Large Print Vaccine Information documents](#)
- [DHSS COVID Vaccine Checklist for Deaf and Hard of Hearing](#)

If you are unable to print this card at home, you may fill it out on your phone at the vaccination site

- [Social Story – Getting a COVID Vaccine](#)
- [COVID-19 Plain language resources](#)
- [CDC COVID-19 ASL videos](#)



# Additional Resources:

**CDC:** [Prevaccination Checklist for COVID-19 Vaccines](#)

**IAC:** [Screening Checklist for Contraindications to Vaccines for Adults](#)

## Plain Language examples/resources:

**SARTAC:** [COVID-19 Vaccine Information in Plain Language](#)

**ASAN:** [COVID-19 Vaccine Fact Sheet in Plain Language](#)





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# Thank you!

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