



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

PRINCIPLES FOR PREPAREDNESS

**A GUIDE FOR FIRST RESPONDERS, RELIEF ORGANIZATIONS AND
GOVERNMENT AGENCIES**

DECEMBER 20, 2005

PRINCIPLES FOR PREPAREDNESS CONSORTIUM FOR CITIZENS WITH DISABILITIES

December 20, 2005

Dear Reader,

While the United States has an immediate responsibility to assist hundreds of thousands of people with disabilities affected by Hurricanes Katrina, Rita and Wilma, our nation must also examine their experience, during the preparation for and response to these disasters, in order to better prepare for future catastrophic events.

Far too many people with disabilities were needlessly injured or killed, turned away from shelters, separated from family, service animals and critical assistive technology, or placed in institutional settings for prolonged periods of time.

Additionally, people with disabilities now face an arduous recovery. Predominantly poor, people with disabilities face significant obstacles to securing quality health services, housing, employment and education.

The disasters of 2005 clearly indicate that first responders, relief organizations and government agencies are essential to a robust national emergency response and recovery system. And while we recognize their shortcomings were not the result of malice; ignorance and neglect, especially in the area of civil rights, cannot be excused in times of emergency.

These Principles for Preparedness were written to assist first responders, relief organizations and government agencies assess their preparation and response to the hurricanes and plan to meet the needs of people with disabilities during future catastrophic events.

Our principles are specific and address all major areas of relief operations. And while we hope your organization will examine each individual concern, you will be well served by viewing policies and reform proposals through the common themes that appear in this document: dignity, respect and independence.

The Consortium for Citizens with Disabilities (CCD) is a coalition of 105 national disability organizations with expertise in disability policy, advocacy and service delivery. It is the hope of these CCD member organizations that our Principles for Preparedness will encourage the ongoing national dialogue on emergency planning and recovery operations to comprehensively include the needs of people with disabilities and their families.

Curt Decker
Chair
Consortium for Citizens with Disabilities

EMERGENCY PLANNING

The hurricanes of 2005, particularly Katrina, provide evidence that when the needs of people with disabilities are not carefully considered prior to a disaster, they will be largely unmet throughout the entire relief process. Specific issues for emergency planners include accessible communications, transportation and training for first responders.

- ❖ Federal, state and local authorities, including non-governmental relief organizations, must consult with and utilize the expertise of people with disabilities and their advocates. People with disabilities, including those with sensory, physical, mental, and cognitive disabilities, should be fully included throughout the policymaking and implementation processes regarding emergency preparedness at all levels.
- ❖ Provision of awareness, preparedness and emergency information must be in accessible formats, customized for specific groups of people including the deaf and people who are blind or have visual impairments. Accordingly, emergency information and descriptions of services should be disseminated using multiple communications strategies.
- ❖ Accessible modes of transportation designed to carry a wheelchair, other equipment, or support animals must be available at the time of evacuation. To maximize accessible transportation resources in a time of crisis, emergency planners must coordinate all available human service and local transportation assets.
- ❖ First responders and relief volunteers must be trained to deliver services and supports that are not only competent, but culturally sensitive. First responders must know:
 - What to do and how to interact with people with various disabilities (e.g. what do they do if the person has a mental illness or can not communicate without technology)
 - How to make shelters and relief operations accessible to people with physical or cognitive disabilities
 - How to comply with and enforce civil rights laws and ordinances, including fair housing laws
 - How to access public and private entities, including nonprofit organizations, that provide services and supports to people with disabilities

FIRST RESPONSE

For people with disabilities, the first response to disaster is critical. Many people with disabilities need continuous supports and services, including medication, assistive technology, and the care of medical professionals, without which their lives or health may be immediately endangered. Therefore, first responders must be prepared to accept and assess the needs of people with disabilities during the frenetic first hours of relief operations, which will ultimately provide the path towards recovery.

- ❖ People with disabilities must be assessed at the very earliest time possible by experts with the skills to recognize various disabilities and ensure proper assessment of their needs.
- ❖ People with disabilities must remain with other family members, friends, or caregivers in shelters, temporary living arrangements, and/or more permanent living arrangements. If separated from family, friends, or caregivers, people with disabilities, particularly those with cognitive and/or communication disabilities, must be reunited with their families or caregivers on a priority basis. Appropriate steps must be taken in the interim to ensure that their needs are met.
- ❖ People with disabilities, as well as older people who may be extremely reluctant to leave familiar surroundings, must be made to feel safe and secure, even when the evacuation assistance comes from a stranger. Also, people who have cognitive, intellectual or psychiatric disabilities, or who experience dementia, must be provided intensive supports, as needed, to help them understand the emergency and how best to react.
- ❖ First responders must allow people with disabilities who use wheelchairs and other assistive technologies to bring these very necessary supports with them in any evacuation. When separated from their assistive technologies or durable medical equipment, people should be assessed and provided with appropriate interim devices immediately.
- ❖ People with disabilities must be allowed to evacuate with their service animals, which not only provide companionship but critical assistance in daily living. Those who are separated from their service animals should be assessed and provided with appropriate interim assistance immediately.

LONG - TERM RELIEF

From families, employers, local government, to nonprofit service providers, a complex web of community-based systems provides critical support to people with disabilities and their families. A disaster deteriorates or destroys these community-based structures, immediately affecting the health, productivity and independence of people with disabilities. Therefore, long-term relief efforts must focus not just on rebuilding infrastructure but restoring communities, including health services, housing, employment, and education. In doing so, relief providers must also protect the civil rights of people with disabilities and their families.

Financial Assistance to Families

State and local agencies responsible for Temporary Assistance for Needy Families (TANF) can play a significant role in ensuring that there is a rapid response to families displaced by a disaster or an emergency. One of the greatest benefits of using TANF agencies as an initial point of assistance is that they comprise an already existing cash and service delivery system with a point

of contact in every locality.

- ❖ State and local TANF agencies must expedite and streamline cash assistance benefits and supportive services for displaced families with children. Emergency assistance and benefits must be provided to families without requiring them to become part of the TANF caseload. Benefit levels must be assessed and adjusted to reflect families' needs.
- ❖ TANF requirements must be relaxed while rapid cash assistance and supportive services are provided, giving families time to adjust to their new communities and attend to pressing family needs before meeting TANF requirements, such as participating in work activities.
- ❖ Families that are displaced by a disaster or emergency must be provided benefits even if those families have exceeded the state or federal time limits.

Health Care and Long-Term Supports

Government and relief agencies must work hand-in-hand with community-based organizations, both public and private, to restore quality health services.

- ❖ Health care services and supports, including mental health services, must be provided with continuity and quality throughout the relief process.
- ❖ People with disabilities displaced by an emergency must have access to the quality long-term supports and services they need to ensure their right to live in the community. To that end, providers from any state whose license to provide Medicaid services has been revoked or removed must be barred from providing services to evacuees with disabilities.
- ❖ People in host states who are receiving Home and Community Based Care (HCBC) waiver services or on waiting lists for HCBC waiver services must not be “bumped” in order to serve evacuees.
- ❖ Every effort must be made to obtain, or to reconstruct with reliable information, the relevant medical histories of people with disabilities and health care needs and/or others who present the need for health supports.

Housing

Affordable accessible housing is an urgent need immediately following any emergency that requires evacuation. By law, government agencies and relief organizations must ensure temporary and permanent public housing solutions are accessible to people with physical disabilities.

- ❖ People with disabilities must not end up facing homelessness or institutionalization due to the lack of available affordable accessible housing. The use of institutions, if at all, must be

minimal and for the least amount of time necessary to locate community-based services.

- ❖ Manufactured housing that is purchased for temporary use must be accessible. In addition, universal design and full accessibility should be required in all new construction in regions affected by a disaster.
- ❖ Permanent rental assistance, specifically Section 8 Housing Choice vouchers, must be made available to eligible people with disabilities for the long term, not just on a temporary basis.
- ❖ Adequate relocation funds must be provided, and housing that meets the needs of those who require accessible housing made available.

Employment

For workers with disabilities and also for those in training programs, employment is a key ingredient to financial independence and personal productivity.

- ❖ Employment programs that assist individuals either to return home or to find employment within a host state must be aware that they are subject to federal employment and disability discrimination statutes.
- ❖ Companies and other organizations employing or training persons with disabilities must identify the needs of individuals ahead of time so that they can return to work as expeditiously as employees or trainees who are not disabled.

Education

Hurricane Katrina alone displaced more than 370,000 students. As much as 12 percent of these students have disabilities and received Special Education and related services prior to the hurricane. Fair and appropriate education, including early intervention for young children, is essential to restoring stability in the lives of children with disabilities.

- ❖ Under no circumstances may a school deny services to displaced students with disabilities. Schools must begin services quickly, gathering documentation and holding necessary meetings as soon as possible.
- ❖ Every child with an Individualized Family Services Plan (IFSP) or an Individualized Education Program (IEP) under the Individuals with Disabilities Education Act (IDEA) must be deemed eligible for the services in their previous plan when they enter a new school or early childhood program, regardless of whether the necessary documentation is available. When access to IFSP or IEP documentation is not readily available, schools must be allowed to utilize information collected from parents about the services required for their child.
- ❖ States and the federal government must help schools serving displaced students to hire

teachers, related services personnel and other school personnel with credentials from other states. Where that is not possible, emergency training programs must be instituted to maximize the skills of those personnel who are entrusted with their education and care.

Civil Rights

While emergencies require expedited action, they do not require the abrogation of civil rights afforded to people with disabilities by federal, state and local law. Government agencies and relief organizations must adhere to all applicable civil rights laws and be held accountable when they do not.

- ❖ People with disabilities must not be discriminated against in access to temporary shelter, long-term housing, health care services including inoculations for communicable diseases, transportation, employment, public accommodations, or any other relief activity or service.
- ❖ Relief providers must ensure access and non-discrimination in accordance with Section 504 of the Rehabilitation Act, the Fair Housing Amendments Act (FHAA), the Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act (ADA) and all relevant state and jurisdictional civil rights legislation and ordinances.
- ❖ People with disabilities who seek to establish residence in a locale outside their home state after being displaced by an emergency must be afforded the opportunity to register to vote at the earliest possible time.
- ❖ Federally funded Protection and Advocacy programs must have access to people with disabilities, wherever they may be, throughout the disaster relief process.