

# THE READI For Disasters Act

Readying Elders and Americans with  
Disabilities Inclusively for Disasters

Draft U.S. Senate Legislation

November 8, 2018

- ▶ Of the 48 million people affected by Hurricanes and Wildfires in 2017, over 12 million were people with disabilities.
- ▶ During and following disasters, people with disabilities are injured and die at a rate higher than the general population.
- ▶ Households of people with disabilities are more likely to need assistance and less likely to evacuate in advance of disasters due to accessibility issues.

## REASONS FOR THE BILL

- ▶ Evacuation information, including orders, are not uniformly communicated in accessible media and languages.
- ▶ During disasters, public shelters often do not have disability related accommodations, forcing people with disabilities to be segregated, sometimes apart from their families and natural supports.

## REASONS FOR THE BILL (cont.)

- ▶ Historically, disaster-related recommendations for people with disabilities have been aimed at caregivers and families members, not people with disabilities.
- ▶ During and following disasters, people with disabilities are more at risk for loss of life, loss of independence, and violation of civil rights than the general population.

## REASONS FOR THE BILL (cont.)

- ▶ To improve inclusion of people with disabilities in preparation for, response to, recovery from, and mitigation of disasters.
- ▶ To protect the civil rights of people with disabilities during and following disasters.
- ▶ To ensure the ADA, the Rehab Act, and other disability laws are followed during preparation for, response to, recovery from, and mitigation of disasters.

## GOALS OF THE BILL

- ▶ To improve the coordination among communities of people with disabilities and Federal, State, and local governments and VOADs and other non-governmental organizations in preparation for, response to, recovery from, and mitigation of disasters.
- ▶ To improve the outcomes for people with disabilities who are disaster-affected.

## GOALS THE BILL (cont.)

- ▶ Sec. 1: Title
- ▶ Sec. 2: Findings
- ▶ Sec. 3: Purposes
- ▶ Sec. 4 Definitions

## BILL CONTENT (NINE SECTIONS)

- ▶ Amends the Stafford Act by
  - ▶ Requiring Federal funds used by states and localities to be overseen by an advisory committee composed of people with disabilities.
  - ▶ Requiring use of Federal funds by governments and non-governmental entities to adhere to the requirements of the ADA, Rehab Act and other disability laws.
  - ▶ Requiring entities using Federal funds communicate their work and activities in accessible media and languages.

## BILL CONTENT: SEC. 5: USE OF DISASTER FUNDS

- ▶ Creation of 20 Training, Technical Assistance and Research Centers (two in each of the 10 HHS regions).
- ▶ Charged with:
  - ▶ providing training and technical assistance to States and localities and to VOADs and other non-governmental entities on inclusive disaster strategies.
  - ▶ Conducting research and collecting data to inform Federal, State, and local governments and VOADs about the impact of disasters on people with disabilities and evidence-based inclusive disaster practices.

## BILL CONTENT: SEC. 6: CREATION OF DISASTER CENTERS

- ▶ Centers will be funded by a five year grant.
- ▶ Grants will be between \$500K and \$2M / year.
- ▶ Eligible entities are non-governmental organizations, including IHEs, with a disability or aging focus.
- ▶ Grants will be renewable.

## BILL CONTENT: SEC. 6: CREATION OF DISASTER CENTERS (Cont.)

- ▶ Creation of Projects of National Significance
- ▶ Specialized projects that are determined by the Sec. of Health and Human Services, with input from stakeholders, that will address specific needs related to inclusive disaster preparation, response, recovery and mitigation.

## BILL CONTENT: SEC. 6: CREATION OF DISASTER CENTERS (Cont.)

- ▶ A three year commission charged with reviewing disaster response related to people with disabilities from 2012 to 2018
- ▶ Composed of at least 11 people with disabilities and State and local emergency response personnel
- ▶ The Chair or the Vice chair must be a person with a disability

## BILL CONTENT: SEC. 7: NATIONAL COMMISSION ON DISABILITY RIGHTS AND DISASTERS

- ▶ Charged with working creating recommendations on
  - ▶ Protecting civil rights during and after times of disasters.
  - ▶ Evidence-based practices to include people with disabilities in disaster preparation, response, recovery and mitigation.
  - ▶ How to use technology to solve notification, evaluation, health maintenance, and other health, safety, and independence barriers during and following disasters.

**BILL CONTENT: SEC. 7:  
NATIONAL COMMISSION ON DISABILITY  
RIGHTS AND DISASTERS (Cont.)**

- ▶ The Commission length is three years.
- ▶ The Commission will issue at least three reports, two interim and one final.
- ▶ The Commission can be extended upon recommendation of Congress.

**BILL CONTENT: SEC. 7:  
NATIONAL COMMISSION ON DISABILITY  
RIGHTS AND DISASTERS (Cont.)**

- ▶ The U.S. Department of Justice will create an internal commission to review all settlement agreements related to disaster preparation, response, recovery, and mitigation between the years 2005 and 2018.
- ▶ The report will be submitted to the authorizing committees of the Senate and House and shared with the public.

### BILL CONTENT: SEC. 8 JUSTICE DEPARTMENT REVIEW OF DISASTER RELATED SETTLEMENT AGREEMENTS

- ▶ Request to the Government Accounting Office to review the use of Federal disaster funds related to people with disabilities and older adults.
- ▶ The report will include a review of funds that followed the requirements of the ADA and the Rehab Act and funds that were spent that did not follow the requirements of those laws.
- ▶ The report is due two years after passage of the law.

### BILL CONTENT: SEC. 9: GAO REPORT ON PAST DISASTERS

- ▶ Finding co-sponsors for the bill.
- ▶ We are working to make the bill bi-partisan with strong representation from states often affected by disasters.
- ▶ Securing letters of support from disability, aging, State, and local organizations.
- ▶ Introduction of the bill the week of November 13.

## NEXT STEPS

- ▶ Letters of support should be sent to Josh Dubensky ([josh\\_dubensky@aging.senate.gov](mailto:josh_dubensky@aging.senate.gov)).
- ▶ If interested in helping to secure co-sponsors, contact either Rachel Feldman ([Rachel\\_Feldman@casey.senate.gov](mailto:Rachel_Feldman@casey.senate.gov)) or Michael Gamel-McCormick ([Michael\\_gamel-mccormick@aging.senate.gov](mailto:Michael_gamel-mccormick@aging.senate.gov)).
- ▶ Further questions? Contact Michael.

## NEXT STEPS (Cont.)