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**FOR IMMEDIATE RELEASE**

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**DISABILITY RIGHTS ORGANIZATIONS CALL UPON BROWARD AND MIAMI-DADE  
COUNTIES TO ENSURE NON-DISCRIMINATORY ACCESS TO COVID-19 TESTING FOR  
THOSE MOST VULNERABLE TO THE PANDEMIC**

**Miami** -- Disability Rights Florida (DRF) in partnership with the Disability Independence Group (DIG) emailed a letter today to Broward and Miami-Dade mayors, county attorneys and members of the county commissions requesting immediate access to COVID-19 testing for persons with disabilities in compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act.

The two advocacy organizations analyzed and reviewed COVID-19 testing procedures in both counties and determined that each relied almost exclusively on drive-thru testing which is inaccessible to persons with disabilities who reside in long-term care facilities, group or other congregate homes, or are unable to travel because of their disability.

The counties have failed to put modifications in place to reasonably accommodate qualified individuals with disabilities who are often at higher risk of infection or severe illness because of their underlying health conditions. And, due to increased demand, many individuals with disabilities may not have access to non-emergency transportation which would allow them to travel in person to a testing site.

Furthermore, some individuals with disabilities have complex self-care needs or require assistance with their activities and instruments of daily living which prevent them from travel or waiting in long lines. Exclusion of individuals with disabilities from testing constitutes discrimination based on disability, in the design, approval and implementation, and administration of COVID-19 testing.

The counties' COVID-19 testing policies are contrary to the U.S. Department of Health and Human Services' (HHS) March 28th Bulletin entitled "Civil Rights, HIPAA, and the Coronavirus

Disease 2019 (COVID-19).” It stated, “HHS is committed to leaving no one behind during an emergency, and this guidance is designed to help health care providers meet that goal.”

It continued to say that persons with disabilities, “should not be put at the end of the line for health services during emergencies. Our civil rights laws protect the equal dignity of every human life from ruthless utilitarianism.” As part of the guidance, HHS directed that “government officials, health care providers, and covered entities should not overlook their obligations under federal civil rights laws to help ensure all segments of the community are served.”

To facilitate the resolution of this issue without resorting to litigation, and to more quickly address the immediate needs of individuals with disabilities in Broward and Miami-Dade counties, DRF and DIG recommend each county take following immediate actions:

- Issue a directive that individuals with disabilities who are unable to travel to COVID-19 testing sites will be provided with reasonable and appropriate accommodations for COVID-19 testing;
- Expand COVID-19 testing capacity to meet the needs of individuals with disabilities;
- Implement policies and procedures to ensure that persons with disabilities have equal opportunity to access COVID-19 testing;
- Coordinate COVID-19 testing directives, policies and procedures so that persons with disabilities have access to COVID-19 testing; and
- Ensure effective communication and accessibility to individuals with disabilities that is just as effective as communication with persons who are not disabled.

Disability Rights Florida Interim Executive Director Pete Sleasman said, “22.2% of Florida’s population have a disability. The counties have an obligation to ensure that vital COVID-19 testing is administered ethically and in a way that respects the basic civil and constitutional rights of each of these individuals.”

Founded in 1977, Disability Rights Florida is the state’s federally mandated Protection and Advocacy system, providing free-and-confidential legal and advocacy services for the benefit of all persons with disabilities in the state through authority maintained across nine federal grants.

Disability Independence Group, Inc. is a 501(c)(3) non-profit organization that promotes recruitment, education and employment of persons with disabilities thereby improving their lives through competitive employment and financial stability; and through the changing of society’s perception of persons with disabilities.