

Know Your Rights When Preparing for an Emergency

A Resource for Individuals with Paralysis
and their Caregivers



UCCEDD

University of Cincinnati Center for
Excellence in Developmental Disabilities



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People with disabilities are generally protected under the Americans with Disabilities Act of 1990 and Rehabilitation Act of 1973 which prohibits recipients from discriminating on the basis of disability and protects the civil rights of persons with disabilities.

Right to information

- You have a right to all disaster alerts & information in a format that is accessible to you.
- All emergency information must be provided in clear, plain and actionable language.
- ASL interpreters provided at public events must be qualified. When televised, the interpreter should be in-frame at all times.
- Televised information must include captions for individuals who are Deaf and hard of hearing.
- If you require sign language interpreters, Braille, large print, or other alternative formats, you have a right to reasonable accommodations throughout the disaster assistance process.

Right to evacuation transportation

You have a right to be included in community evacuation transportation plans.

- Community evacuation transportation plans must include accessible options for people with mobility disabilities or limited transportation.

Right to independent living supports in community shelters and temporary housing

You have a right to disability services and supports in an accessible community shelter, not transferred to a “special” shelter, hospital, or nursing home.

- If you lived in the community before the disaster, you have the right to be provided with the disability and health maintenance supports and services you require to maintain your health, safety, and independence;
- It is a violation of your civil rights to be directed towards a “special needs or medical shelter,” a nursing home, hospital or other medical or psychiatric facility. Only people who require hospital or nursing home care should be separated from the community during or after a disaster.
- You have a right to barrier-free shelter and temporary housing.
- Shelters cannot discriminate when providing safety, comfort, or basic needs.
- Shelters must be physically accessible. You have the right to accessible sleeping, eating, medical and recreation areas, toilets, showers and transportation (when transportation is available to others).
- You have a right to a qualified sign language interpreter, Braille, large print, plain language, and other information, and to shelter-provided personal assistance services, back-up power for medical devices, privacy for personal care and accommodations for meeting disability-related needs for reduced stimulation.
- You have a right to meals and snacks that meet your dietary and medical needs.
- You have the right to keep your service animal with you throughout evacuation, sheltering and temporary housing.

- Disaster services providers are required to allow individuals with disabilities to be accompanied by their service animals & must provide reasonable accommodations for meeting their needs.

Right to healthcare

- You have a right to receive care and cannot be denied treatment because of your disability.

US Department of Justice Guidance

- People with disabilities should generally be housed with their families, friends, and neighbors in mass care shelters and not be diverted to special needs or medical shelters.
- Special needs and medical shelters are intended to house people who require the type and level of medical care that would ordinarily be provided by trained medical personnel in a nursing home or hospital.
- Emergency managers and shelter operators must accommodate people with disabilities in a combined setting appropriate to their needs, which is typically a mass care shelter



- Local governments and shelter operators may not make eligibility for mass care shelters dependent on a person's ability to bring his or her own personal care attendant.
- Sheltering services and facilities must be accessible to children and adults with disabilities.
- Individuals shall be provided appropriate accommodations and not turned away or moved from general population shelters and temporary housing or inappropriately placed in other, more restrictive, environments (e.g., "special needs" shelters)
- Caregivers must be aware that they may fall into more than one category of provider. This can be due to the funding agency of your agency or organization.

Service and Assistance Animals

What is a service animal?

- Service animal means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability.

What are assistance animals?

- Assistance animals do work, perform tasks, provide assistance, or provide emotional support for a person with a physical or mental impairment that substantially limits at least one major life activity or bodily function.

Emergency managers and shelter operators need to be ready to make reasonable accommodations** to policies, practices, and procedures when necessary to avoid discrimination.

Shelters and temporary housing are all covered under the Fair Housing Act, which requires reasonable accommodations including service and assistance support animals to shelter with their owner.

For an individual with a disability who relies on a service or assistance animal, be sure that you have a plan and supplies.

- Be ready to explain to first responders that you have a service animal and that you have the legal right to be evacuated with your service animal.
- Be prepared with food, extra water, ID tags, veterinarian records, and other supplies for your service animal. Do not rely on shelter to provide food for your service animal.
- Evacuation considerations, equipment availability and usage and transportation for individuals who are paralyzed
- While you may choose to sign up for emergency assistance or utility registries, you should be sure to have your own plans for getting emergency information about actions you must take to shelter in place or evacuate to a safer location.
- Consider how you will evacuate buildings with more than one floor (not only your own home).
- Identify all possible accessible transportation alternatives you may need to use to evacuate from your location to a safe place to shelter.
- Medical provider emergency and disaster planning with individuals with paralysis
- Work with all of your medical and disability providers on preparedness planning so you have a shared plan and know the procedures for reaching them in an emergency.

Fire Safety Tips

When you have mobility or cognitive impairment, it becomes even more important to be aware of a fire as soon as possible. The sooner you know, the more time you have to react.

- Make sure smoke alarms are installed in your home and work area and be sure to test them at least once a month and change the batteries twice a year. This simple technique can reduce your chances of dying in a fire by 60 percent.

How will you get help?

- Keep an accessible phone with you at all times, even at night. This could be a cell phone or a sip-n-puff phone next to the bed, or a picture phone.
- Consider a home fire alarm system that can provide monitoring and alert your local fire department
- Be sure that your address is easily visible from the street so that first responders can find you quickly.
- Make sure your wheelchair or mobility device is always within reach for a transfer when you are not using it.

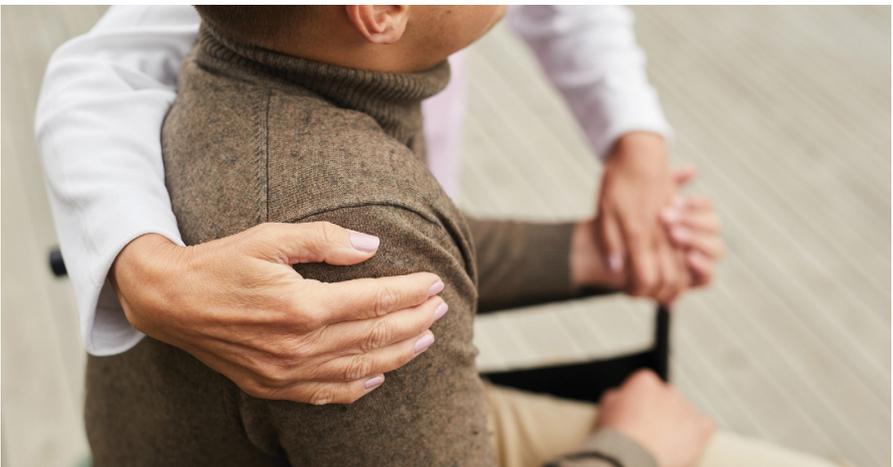


What if you have to wait for firefighters?

- If at all possible, get yourself out of your wheelchair or bed onto the floor. Smoke rises, and the best air for breathing will be down low.
- If you're in a public building, locate an area of refuge. This is often inside the stairwell as these areas are often designed to resist fire longer than other rooms. This is also a place firefighters will look for survivors first.

Plan Ahead!

- Determine if you want to use a RESCUE label. If so, place the RESCUE label in a visible location on the front of your home. This is the standardized placement recommended by emergency responders.
- Make sure you have TWO accessible entrances/exits in your home. If possible, have your sleeping area near an accessible exit. Consider the easiest rooms of your house and sleep on the ground floor.
- Consider installing sprinkler systems, fire-safe compartment walls, or using flame-resistant blankets and clothing to increase the time you have to be safely rescued.



- Consider placing a draw sheet on your bed so that responders may be able to grab the sheet quickly and get you to safety.
- Have your medications together at all times so that you can have someone grab them quickly if necessary.
- Visit your local fire department three days in a row. This will ensure that you meet all the personnel, regardless of which shift they work.
- Ask them to add you into their database so that if you call with an emergency the information about your disability will be on file.
- Give them a copy of your escape plan and find out if they have any suggestions for your plan.
- Offer to teach the firefighters about your wheelchair or a mobility device.
 - If you use a manual wheelchair, show the firefighters which parts are removable. This will help them know whether it is sturdy enough if they want to carry you in your chair.
 - If you use a power wheelchair, show the firefighters how to put your wheelchair into and out of gear. You may even want to put brightly colored tape on your “brakes” to make them easier to identify in the event of an emergency.
- Explain to firefighters what you are, and are not, capable of physically and/or cognitively.
- Explain to the firefighters if symptoms of your disability could be confused with alcohol or drug intoxication (slurred speech, unsteady gait, dizziness, confusion).
- Have your caregivers educate the firefighters if you have any communication difficulties.
- Answer any questions the firefighters may have for you.

Work Evacuations

- Plan detailed escape plans for your workplace and practice them. Give copies of your work escape plans to all of the people you designate as possible helpers. It is helpful to review your plan with designated helpers once a year. Consider the following:
 - Identify all usable exits and fire rated areas of refuge.
 - Will you need to do a transfer? How many people will you need to help you?
 - Can you maneuver the escape route independently? Remember that elevators are not an option in the event of a fire. How many people will you need to help you maneuver the escape route?
 - If you'll need help with a route or a transfer, designate individuals (at work or in your home) to help you. Practice specific transfers and/or specific ways to maneuver stairs until the helpers are very comfortable.
 - At work, identify at least twice the number of people required to provide assistance in case one or more is not available at any given time.

Carries and Evacuations

The following tips are for those assisting you to safety:

Proper Body Mechanics

- Keep your hips under your shoulders.
- Use your legs to lift, not your back or arms.
- Keep the object close to your center of mass (COM), which is close to your belly button.

- Don't twist, keep your feet and hips turned in direction that you are moving, or shift weight from one leg to another.
- Adjust the height of the bed or put one knee on the bed to allow you to get closer to the person and keep your hips under your shoulders.

Sheet Over Toes

- On the floor, brings knees to chest, fold sheet over toes and knees, criss-cross the sheet and tuck the ends of the sheet behind each knee.
- Perform this carry with 2 strong people along each side or positioned at the corners.
- Be sure to communicate, use proper body mechanics and all lift straight up at the same time.
- If you are evacuating a person with a higher level of tetraplegia, make sure the sheet is high enough to support the neck and head as you go down the stairs or ramp.

Two-Person Lift

- Performed with the stronger person at the trunk and one person scooping the legs from the side for more control descending the stairs or ramp.
- Be sure to communicate, use proper body mechanics and both lift straight up at the same time.
- Remind the individual being evacuated to bear down with their arms to prevent injuring the shoulders.

Sheet Drag

- If you find yourself at home with only one other person the best option is to get on the floor onto a sheet or blanket and have someone drag you out to safety.

Options for getting someone out of the bed with one caregiver:

- Turn the mattress sideways and have it act as a slide to lower the person to the floor.
- Swing legs off the side of the bed first and then lower torso and head to the floor.
- Use the sheet to lower the person to the floor.

Getting someone out of a power wheelchair with one caregiver:

- Remove chest strap and seat belt.
- Flip up footplate or remove leg rests.
- Lower person to the side down to the floor by holding onto torso.

Cognitive Considerations

- Recognize that you may have slower reaction time to respond to a dangerous situation.
- Cognitive disabilities can make it difficult to notice and react to unfamiliar things, such as the ability to immediately recognize smoke or that the smell of smoke means danger.
- Post the evacuation plan in your room in order to remember the steps in an emergency.

Fire Safety Must Start at Home

Kitchen

- Depending on the situation, it may or may not be recommended that some individuals with cognitive disabilities are allowed to cook with or without assistance. Consider the following:
 - Stove burners are properly turned off.
 - Stove burners are set to the appropriate cooking level.
 - Flammable items such as paper towels or a kitchen towel are not left near burners or fire.
 - Food is not left unattended while it is cooking, even for a minute.
- Wear tight fitting clothing when cooking over an open flame.
- Turn pot handles away from the front of the stove so they cannot be pulled down.
- Never overload extension cords with too many wires and do not place in areas where a lot of people move around.
- Replace appliances that begin to produce smoke or have old, frayed wires.



- While using a microwave, do not cook items for too long or place inappropriate objects in the microwave (i.e. metal).
- Use check lists while cooking so that no step is missed—including turning the stove off!
- Stick to familiar cooking routines.
- Some individuals may benefit from adaptive equipment to increase their safety while cooking, such as a stove that turns itself off if it has been left on for a certain period of time.

At Home

- Avoid the use of matches and candles. Use check lists while ironing or have supervision from a friend or family member to increase safety.
- If you smoke, never leave your smoking materials unattended and never smoke in bed!
- Make sure you have leave at least 3 feet between a space heater and any flammable materials.
- Keep flammable materials outside your home, such as gasoline or propane.



Resources

- Disability Rights Laws: www.ada.gov/cguide.htm#anchor62335
- Service and Assistance Animals:
 - adata.org/print/service-animal-resource-hub/emergencies
 - www.hud.gov/sites/dfiles/PA/documents/HUDAsstAnimalINC1-28-2020.pdf
- *** Glossary of ADA terms: adata.org/glossary-terms
- Supplies specific to individuals with paralysis in regard to emergency kits for sheltering in place and evacuation to congregate and non-congregate settings:
 - unitedspinal.org/ready-to-roll/
 - adata.org/factsheet/emergency-supply
- Shepherd Center Emergency Preparedness: www.myshepherdconnection.org/emergency-preparedness
- Be Ready To Go: Evacuation Transportation Planning Tips for People with Access and Functional Needs (2010): www.jik.com/evac_tips.pdf
- Be Ready To Go: Disability-Specific Supplies For Emergency Kits (2010): www.jik.com/Supply_checklist.pdf
- Be Real, Specific, and Current: Emergency Preparedness Information for People with Disabilities and Others with Access and Functional Needs, Edition 1.0 (2016): www.jik.com/pubs/RealEPTips.pdf
- Emergency Evacuation Preparedness: Taking Responsibility For Your Safety, A Guide For People with Disabilities and Other Activity Limitation (2002) develop plans that integrate people with disabilities and others with access and functional needs.
- Emergency Health Information: Savvy Health Care Consumer Series (2011) jik.com/pubs/emerghealthinfosavvy.pdf guides you through developing your emergency health information.
- Emergency Power Planning for People Who Use Electricity and Battery Dependent Assistive Technology and Medical Devices: www.jik.com/Power%20Planning%2010.24.09.pdf
- Emergency Preparedness for Personal Assistant Services (PAS) Users, Edition 2.0, (2016): www.jik.com/pubs/PAS-EP.pdf contains tips specific to individuals who use personal assistants, attendants or caregivers.
- Emergency Preparedness: Taking Responsibility For Your Safety—Tips for People with Activity Limitations and Disabilities (2006): www.jik.com/pubs/emergpreptips.pdf
- Emergency Supplies Kits for People with Disabilities and Activity Limitations, 2010, Edition 2.0, (2016): www.jik.com/pubs/SupplyChecklist.pdf—*Checklist suggests emergency kit contents including no cost supplies, that you can tailor to your needs and abilities.*
- Emergency Travel Safety Tips for Overnight Stays, www.jik.com/pubs/EmergencyTraveSafetyTipsOvernightStays.docx Edition 1 – October 2017: *Tips for everyone. Safety tips include check-in, personal support, in your guest room, other safety tips and more resources.*
- Tips for Emergency Use of Mobile Devices Edition 2, (2015): www.jik.com/Mobile%20Devices.pdf —*Cell phones, smart phones and other mobile wireless devices like tablets are a big part of our lives.*
- Paralysis, Disability and Disaster Readiness: wid.org/2019/09/03/paralysis-disability-and-disaster-readiness/

The UCCEDD and its project partners does not provide legal advice over the Internet. The information provided is not legal advice. Legal advice is dependent on individual circumstance and may vary from state to state, based upon local laws and regulations. The information provided may not be up to date. You should contact an attorney licensed in your jurisdiction for current information and advice on the law regarding your situation. If you are an Ohioan with a disability you may wish to contact Disability Rights Ohio by phone to receive further assistance.

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