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Florida Association of
Centers for Independent Living

Governor Rick Scott
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399

Dear Governor Scott:

October 30, 2018

On behalf of people with disabilities in Florida, we are asking for immediate assistance in supporting the unmet needs and civil rights of people with disabilities impacted by Hurricane Michael, the fourth strongest storm to hit the United States.

Since the storm made landfall, thousands of Panhandle residents with disabilities have been forced from their homes. Many are in shelters and some are awaiting appointments with FEMA to learn if they will be eligible for any assistance. Most were evacuated quickly and had no choice but to leave behind wheel chairs, walkers and medicine they need in order to live independently. As shelters close, our state is facing the potential of mass institutionalization of people with disabilities as they are unnecessarily moved from living independently in their communities, into nursing homes.

This institutionalization is unlawful. People with disabilities have a right to housing in the most integrated setting appropriate to their needs, which is almost always in the community with supports and services to maintain health, safety and independence. The Rehabilitation Act of 1973 protects this basic right and according to the Department of Justice and Department of Homeland Security, there are no waivers or exceptions to these rights, even in a disaster.

The Independent Living Network (IL) and other disability community leaders are working collaboratively with state and county emergency management officials, legal and civil rights services and other human service agencies to respond to the immediate and long-term crisis facing the most vulnerable Floridians. Through this process, our relief workers are seeing the access rights and needs of Floridians with disabilities being ignored daily as they struggle to obtain housing, food, transportation, medicine and other services.

Disaster models estimate as many as 40,000 of the 150,000 impacted households have one or more member with a disability. An unknown number of these disaster impacted individuals

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are facing institutionalization due to a lack of equal access to emergency programs and services. At this time our frontline staff are witnessing first hand the massive shift from community living into unnecessary institutionalization. We are aware of, and are documenting, many more hurricane-impacted Floridians being placed into institutions at an alarming rate. Furthermore, accommodations required by the Americans with Disabilities Act, such as access to sign language interpreters, are largely missing. Our organizations have a responsibility to do all we can to stop the illegal, immoral, and inhumane treatment of disaster impacted people with disabilities. Our government and elected officials share this responsibility and your immediate action is needed.

This human catastrophe is clear and imminent, and the window of opportunity to intervene is rapidly closing. We are requesting the following:

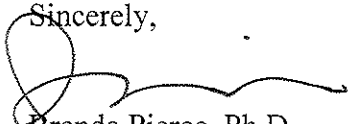
1. Both the Governor of Florida, and FEMA, provide qualified disability inclusion advisors to meet and assist with our coalition daily as we navigate immediate and ongoing issues related to the State's obligations. Many of these obligations that the State has are outlined in the Americans with Disabilities Act, the Rehabilitation Act, Stafford Act and other laws and regulations in compliance with equal access and reasonable accommodations for disaster impacted individuals with disabilities.
2. We are requesting the release of state and federal funds to expand capacity among the Centers for Independent Living, which are state and federally funded disability organizations with already existing funding avenues, to provide immediate assistance to individuals with disabilities who have been denied equal access and reasonable accommodations to emergency services and programs.
3. We are also requesting funds to provide intensive case management assistance for displaced residents to ensure they are diverted from unneeded institutionalized care and are reintegrated back into inclusive community living.
4. If immediate action is not taken by the Governor and FEMA, we request a special session of the State Legislature be convened in order to:
 - a. effectively address the immediate and daily crisis facing hundreds of thousands of displaced Floridians who have no home and nowhere to live; and
 - b. ensure the state of Florida is meeting its obligations under the Americans with Disabilities Act, the Rehabilitation Act, Stafford Act and other laws and regulations in compliance with equal access and reasonable accommodations for disaster impacted individuals with disabilities.

We are here to work collaboratively with you in meeting the needs of people with disabilities

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in Florida and look forward to your timely response.

Sincerely,



Brenda Pierce, Ph.D.
CEO

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