

PUBLIC COMMENTS

HB 3711

HOUSE COMMITTEE ON PUBLIC HEALTH

Hearing Date: April 28, 2021 8:00 AM

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Disability Rights Texas

Austin, TX

Thank you for the opportunity to provide comments on behalf of Disability Rights Texas (DRTx) on HB 3711 by Representative Bucy establishing a registry of medically fragile individuals for wellness checks during certain emergencies. DRTx is Texas' designated Protection and Advocacy (P&A) agency. We work to ensure that the rights of Texans with disabilities are upheld and individuals are not discriminated against on the basis of a disability.

On April 6, 2021, DRTx released a report summarizing findings from a survey answered by nearly 600 people asking Texans with disabilities on how Winter Storm Uri impacted them. Detailed recommendations include:

1. Ensuring all disaster planning is inclusive of people with disabilities.
2. Improving notification systems ahead of disasters.
3. Treating disaster planning for cold weather events, including weatherization, as a priority for the State of Texas.

<https://bit.ly/2R1CjM7>

Performing wellness checks is a great idea, takes steps to address some areas within our disaster planning recommendations and will have a positive impact on people with disabilities. Some improvements could be made to the legislation to make it even more impactful for people with disabilities. Considerations include:

- A broad population of people with disabilities who could benefit from this registry fall outside the bounds of this definition, including individuals with an intellectual or developmental disability, mental illness or other disabilities, who also can benefit if they indicate requiring essential supports, not limited to skilled nursing.
- Coordination and alignment with other emergency management tasks under Ch. 418, such as emergency support functions (ESF) that fall under mass care/human services with Health and Human Services Commission (HHSC), public safety with Texas Department of Public Safety (TDPS) and public health/medical services with Department of State Health Services (DSHS) at each local jurisdiction emergency management department. Inclusive planning at the local levels amidst local emergency operation plans and annexes under CH. 418 will be critical to the success of this registry.
- Strategies, roles and follow-up with wellness checks must include a baseline for knowledge of disability-related needs by TDEM, Volunteer Organizations Active in Disasters (VOADS), volunteers and others.
- Providing essential, life sustaining health and community supports and services, and alternative energy sources to avoid placement in non-preferred long-term care facilities or institutions, is key. Critical planning should be done in blue-sky times with memorandums of understanding or agreement in how to operationalize plans. Coordination with 3rd party providers will be needed.
- While most people have some type of mobile device/effective communication for the wellness--check process, it is necessary to ensure communications are effective, delivered and accessible.

Thank you. smurphree@drtx.org