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April 23, 2020

The Honorable Roy Cooper
Governor of the State of North Carolina
Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

RE: Continued Accommodations for People with Disabilities During Covid-19

Dear Governor Cooper:

Thank you for the extraordinary leadership you and Secretary Mandy Cohen have provided this state during the COVID-19 crisis. Your leadership has made a difference to thousands of our citizens.

Due to issues that have arisen in other states, the North Carolina Council on Developmental Disabilities (NCCDD) is writing to you as our Governor to highlight an issue of importance to our Council. During the COVID-19 crisis, we want to ensure the state and healthcare providers continue to provide reasonable accommodations to people with disabilities in healthcare decisions and services. While we are not aware that this is an issue in North Carolina, the Council's Executive Committee still decided it was important to send this letter because of what has happened elsewhere.

NCCDD's Executive Committee voted unanimously to state the position that a person's disability should not be a factor in decisions made related to scarce healthcare resource allocations. Specifically, during the COVID-19 state of emergency, there is concern nationwide that a scarce number of ventilators could cause some hospitals to not have sufficient ventilators for all patients who need them. If this occurs, disability should not be a factor in determining who is provided with a ventilator and who is not. Our position is consistent with the Americans with Disabilities Act, the North Carolina Persons with Disabilities Protection Act, and a [March 28, 2020 HHS Office for Civil Rights \(OCR\) Bulletin](#).

Similarly, individuals with disabilities should be provided those accommodations necessary for them to understand, communicate about, make decisions about, and access any and all healthcare services and treatments. We understand the state is issuing guidance on the necessity of such accommodations and appreciate your leadership in this effort.

NCCDD is made up of a diverse group of stakeholders working together in a non-partisan way to identify the needs of North Carolinians with intellectual or other developmental disabilities (I/DD) and their families, and to build solutions. NCCDD is providing daily resources through its website and social media to ensure people with disabilities across North Carolina have access to accessible and updated information during the COVID-19 crisis. Again, thank you for your leadership.

Respectfully submitted,

Kerri Eaker
Council Chair

Talley Wells
Executive Director

cc: Secretary Mandy Cohen