



# DISABILITY RIGHTS MISSISSIPPI

Protection and Advocacy for Individuals with Disabilities

## **Disability Rights Mississippi Calls Upon Governor to Prevent Deadly Discrimination Against People with Disabilities Amid COVID-19**

FOR IMMEDIATE RELEASE

Disability Rights Mississippi sent Governor Tate Reeves a letter requesting the state of Mississippi take immediate affirmative action prohibiting the discriminatory rationing of life-saving medical equipment throughout the duration of the COVID-19 emergency. In light of recent policies enacted in other states that discriminate against individuals with disabilities, DRMS urges the Governor to ensure that similar policies do not come to fruition in Mississippi by issuing guidance to hospitals and healthcare providers regarding their obligations under the ADA and other federal non-discrimination laws to individuals with disabilities during all phases of treatment.

Consistent with similar calls from partner and affiliate organizations nationwide, Disability Rights Mississippi urges the state to immediately adopt and disseminate mandatory statewide guidelines that addresses both the provision and continuation of medical treatment during this crisis, including the following criteria:

1. Treatment allocations must be based on individualized determinations, using current objective medical evidence. Treatment decisions should not be based on generalized assumptions about a person's disability.
2. Treatment allocation decisions cannot be based on misguided assumptions that people with disabilities experience a lower quality of life or that their lives are not worth living.
3. Treatment allocation decisions cannot be based on the perception that a person with disability has a lower prospect of survival. While the possibility of a person's survival may receive some consideration in an allocation decision, that consideration must be based on the prospect of surviving the condition for which the treatment is designed - in this case, COVID-19 - and not other disabilities.
4. Treatment allocation decisions cannot be based on the perception that a person's disability will require the use of greater treatment resources. Modifications must be made where needed to ensure persons with disabilities have equal opportunity to benefit from treatment.

The letter also addresses the lack of communication DRMS has obtained from Mississippi Department of Corrections (MDOC) throughout the COVID-19 health crisis. Despite numerous inquiries, DRMS has not received any substantive response from MDOC regarding the measures

taken to protect state inmates from COVID-19 exposure and the efforts to treat inmates who have contracted the disease.

DRMS Executive Director Polly Tribble stated in the letter, “The poor physical condition of the state’s prisons and low staff levels have led state inmates to be confined unsanitary and unhealthy circumstances that have already jeopardized the health and safety of the people in the state’s custody. The introduction of COVID-19 to Mississippi poses a particular risk to our state’s inmates, who cannot practice the social distancing measures recommended by the Center for Disease Control and other national healthcare authorities.” The letter urges Governor Reeves to require MDOC personnel to comply with federal regulations regarding P&A access to information regarding MDOC’s preventative measures to protect inmates from COVID-19.

DRMS is the state’s federally mandated Protection and Advocacy (P&A) system, providing free-and-confidential legal and advocacy services for the benefit of all persons with disabilities in the state.