



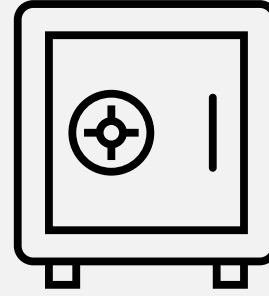
EMERGENCY PREPAREDNESS FOR REP PAYEES

Presented by: Justice Shorter & Mark Larson

February 10, 2021

Grounding

- ▶ Acknowledgement of WHY we are here
- ▶ Express a commitment to centering those WHO are most impacted
- ▶ Examine WHERE you enter
- ▶ Explore WHAT you would like to do
- ▶ Content warnings
- ▶ Create Collective Access
- ▶ This presentation is NOT set in stone
- ▶ All content and frameworks are ever-evolving



Financial Exploitation

- ▶ CDC Definition: “The illegal, unauthorized, or improper use of an older individual’s resources by a caregiver or other person in a trusting relationship, for the benefit of someone other than the older individual.”
- ▶ DOJ Definition: “**Financial exploitation**” means the use of an eligible adult's resources by another to the disadvantage of that adult or the profit or advantage of a person other than that adult.

Financial Exploitation (continued)

- ▶ **“Eligible adult”** means either an adult with disabilities aged 18 through 59 or a person aged 60 or older who resides in a domestic living situation and is, or is alleged to be, abused, neglected, or financially exploited by another individual or who neglects himself or herself. “Eligible adult” also includes an adult who resides in any of the facilities that are excluded from the definition of “domestic living situation” if either:
 - ▶ alleged abuse or neglect occurs outside of the facility and not under facility supervision and the alleged abuser is a family member, caregiver, or another person who has a continuing relationship with the adult;
 - ▶ or, the alleged financial exploitation is perpetrated by a family member, caregiver, or another person who has a continuing relationship with the adult, but who is not an employee of the facility where the adult resides.

Warning Signs



- ▶ Unauthorized withdrawal of awarded disaster funds using the elder's ATM card/banking information
- ▶ Abrupt changes in a will or other financial documents following a disaster
- ▶ Unexplained disappearance or withholding of property/valuable possessions
- ▶ Substandard care being provided or bills left unpaid despite the availability of adequate financial resources throughout disasters
- ▶ Discovery of an individual's signature being forged for financial transactions or for the titles of his/her possessions after an emergency event
- ▶ Sudden appearance of previously uninvolved relatives claiming their rights to an elder's property or possessions after disasters
- ▶ Unexplained sudden transfer of assets to a family member or someone outside the family
- ▶ The provision of services that are not necessary especially when critical needs remain unmet after an emergency
- ▶ An elder's report of financial exploitation.

Abuse & Neglect

- ▶ “abuse” means any act or failure to act which was performed, or which was failed to be performed, knowingly, recklessly, or intentionally, and which caused, or may have caused, injury or death to an individual with a disability.
- ▶ “neglect” means a negligent act or omission by an individual responsible for providing services, supports or other assistance which caused or may have caused injury or death to an individual with a disability or which placed an individual with disabilities at risk of injury or death, and includes acts or omissions.

Abuse & Neglect In A Disaster Context

- ▶ Failure to prepare or take recommended/mandatory precautions
- ▶ Refusal to respond to evacuation orders and other suggested sheltering standards
- ▶ Ignoring emerging issues/critical needs during a pandemic/crisis related to health and safety
- ▶ **Denial of food, water, medication, medical treatment, accommodations, DMEs/CMS etc.**
- ▶ **Labor and sex trafficking after a disaster due to displacement/lack of housing/loss of supports etc.**
- ▶ **Forcing someone to live in a protracted state of personal crisis/deprivation/harm which makes it increasingly difficult to prepare for sudden onset crises**

Related Risks

- ▶ Loss of medications/access to medical treatment
- ▶ Disruptions of Support Systems
- ▶ Disaster Scams
- ▶ Domestic Violence
- ▶ Abuse & Neglect
- ▶ Preventable Death & Injury
- ▶ Displacement & Disappearances
- ▶ Involuntary Institutionalizations
- ▶ Human Trafficking
- ▶ Incarceration

Reducing Risks

For Beneficiaries:

- ▶ Ask that your payee review their disaster/emergency plans with you directly
- ▶ If warranted, advocate for any financial flexibility needed to cover your disaster needs
- ▶ Contact Social Security if your payee is unresponsive during an emergency or is refusing to assist with requests for help
- ▶ Connect with your local P&A office for additional legal/advocacy support
- ▶ Reach out to local domestic violence and/or human trafficking survivor peer support groups

For Payees:

- ▶ Secure safe sheltering options before, during and after a disaster
- ▶ Identify and implement a strategy for remaining in contact with beneficiaries all throughout emergencies
- ▶ Immediately offer assistance with preventing involuntary institutionalizations
- ▶ Provide sufficient financial support with covering the cost of critical needs or disaster related expenses



Pay Attention To...

Housing inspectors claiming to represent FEMA

- ▶ somebody asking for an applicant's nine-digit FEMA registration number, social security number or banking information. FEMA inspectors will never ask for this information. They already have it in their records.

Fake offers of local or federal aid

- ▶ Someone asking for money to provide an inspection, disaster assistance or application support/accommodations. Or, someone requesting a down payment for a disaster grant.

Fraudulent building contractors. Applicants should:

- ▶ Use licensed or verified local contractors backed by reliable references.
- ▶ Don't pay more than half the costs of repairs in advance.
- ▶ Demand that contractors detail the job to be done with guarantees in writing.

Climate Gentrification

- ▶ Wealthier, and often white, individuals who seek to gentrify low income areas or communities of color after disasters. Attempts may be made to convince or coerce historically marginalized populations into selling their properties after a disaster. Gentrifiers may also take advantage of individuals who are unable to show proof of ownership/other vital documents.

ABLE Accounts During Disasters

ABLE accounts can be used to

- ▶ Assist people with disabilities to put aside funds that can help with response during disasters such as emergency evacuations
- ▶ Purchase disability related items needed for a Go Bag
- ▶ Replace critical disability equipment/items lost/damaged during a storm
- ▶ Cover displacement expenses such as temporary stays in an accessible motel
- ▶ Secure certain educational supports for students with disabilities resettling in new districts
- ▶ Pay for recovery expenses associated with home accessibility repairs/removal of physical barriers

Cross Movement Organizing & Cross Disability Solidarity

- ▶ When assessing possible remedies/solutions, understand the differences between Disability Rights & Disability Justice
- ▶ Center the voices, needs and priorities of beneficiaries
- ▶ Pick Your Advocacy Partners Widely
- ▶ Strategize around systemic change
- ▶ Evaluate the efficacy of escalation tactics
- ▶ Collaborate to holistically address emergencies/crisis conditions that impact beneficiaries

The Connection Between Financial Considerations & Fire Safety

Fire Safety Review General Guidance

Checklists Available on TASCnow.com



Fire Safety Site Review General Guidance

Prepared by Mark Larson and the National Disability Rights Network

Introduction

The following are some statistics from the National Fire Protection Association (NFPA) based on fires where physical disability / mobility was a factor. Note that it is difficult to establish this information due to problems built into the standardized fire incident reporting forms used by most fire agencies in the U.S. The information below reflects 'fatalities.'

- 32% were bedroom fires
- 28% were living room fires
- 12% were kitchen fires
- 42% of the fatal fires involved the individual being in the area of origin AND involved with the ignition.

These numbers show a significant difference from residential fires not involving individuals with disabilities / mobility issues where the leading causes of fires are (in order): Cooking – Heating – Electrical – Smoking – Candles

General Guidance

Before you begin your adventure as a fire code 'observer,' let's review some guidance to help relieve any apprehensions you may have regarding the fire safety process.

There are numerous editions of fire codes and safety standards in use across the United States and its territories. Some are applicable on a national level; others are applicable on state and local levels.

- State and local governments can and do make modifications to the nationally recognized codes and standards.
- There is no consistent standard for training/experience for those charged with enforcing the adopted codes.
- The enforcement of the fire codes and safety standards is a discretionary



Fire Safety Site Review Guidance Residential Homes

Prepared by Mark Larson and the National Disability Rights Network

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Residential Homes

Unlicensed, single family

Residents may be renters or occupants of a property without the necessary authority to make structural/significant safety changes to a home, building or apartment unit. Nonetheless, residents can file complaints against absentee/unresponsive property owners with the local housing authority or health & safety authority. If needed, offer any available P&A assistance with navigating such complaint processes.

In most cases, there are no fire Authorities Having Jurisdiction (AHJ's) to report any fire specific safety problems to. In many jurisdictions, fire officials have no authority to make people in single family homes do anything related to personal safety.



Fire Safety Site Review Guidance Commercial Facilities

Prepared by Mark Larson and the National Disability Rights Network

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Commercial Facilities

Licensed, health care facilities

Section A: Fire/Life Safety Review Questions

1. Is this facility licensed?
 - a. If YES, by what agency?
 - b. When does the license expire?
2. What Fire Agency responds to calls for this facility?

When was your facility last inspected?

 - a. Ask to see a copy of the report.

Guidance Regarding the Fire Safety Process

- ▶ There are numerous editions of fire codes and safety standards in use across the United States and its territories. Some are applicable on a national level; others are applicable on state and local levels.
- ▶ State and local governments can and do make modifications to the nationally recognized codes and standards.
- ▶ There is no consistent standard for training/experience for those charged with enforcing the adopted codes.
- ▶ The enforcement of the fire codes and safety standards is a discretionary authority.
- ▶ All the facilities you will be going into have already been inspected and approved by some Authority Having Jurisdiction (AHJ), you are just going to be making observations on what you see/find when you are there.
- ▶ In almost every case, the codes and standards used across this country require the owner to keep copies of inspection reports on the premises.
- ▶ What has been approved and is acceptable in one jurisdiction may not be permitted in another, but most fire safety features are simply a matter of common sense:
- ▶ Required exits must be identified and accessible. They should have a lighted sign above them (EXIT), and not be obstructed.

Guidance Regarding the Fire Safety Process (continued)

- ▶ Required fire protection features (fire sprinkler systems, fire alarm systems etc.) are supposed to work.
- ▶ Fire protection features, like fire alarm pull stations and fire extinguishers, should not be obstructed.
- ▶ Corridors: The required unobstructed width of corridors varies, depending on the type of facility. If a corridor 'looks' too narrow to you, ask about it.
- ▶ Care facilities are supposed to have emergency action plans. However, not every emergency action plan is going to be the same.
- ▶ Employees of those facilities are supposed to know what to do in case of an emergency.
- ▶ The owner of the building has the ultimate responsibility for ensuring all of the items listed above are in place and maintained according to the established standards.
- ▶ You do not need to know how things are supposed to be. The owner/occupant of the building is the person who should know. The most important tool you bring to this effort is a willingness to simply ask questions and provide referrals to facilitate the creation of fire safety protocols and to obtain fire safety equipment.

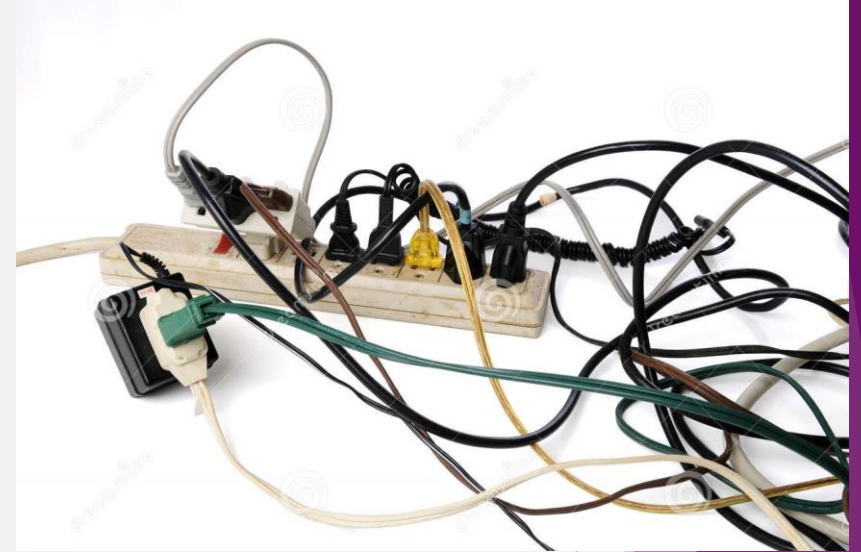
Fire Safety Review Guidance – Residential Homes

Video Clip for Residential Home Site Visits



Key Things to Look For

- ▶ Blocked or obstructed exits
- ▶ External locks on bedroom doors
- ▶ Safety beds with locked frames or mechanisms to prevent wandering
- ▶ Working smoke alarms – including ones to indicate smoke or fire for people who are Deaf or hard-of-hearing
- ▶ Carbon monoxide detectors in homes where fuel (e.g., natural gas, propane, coal, etc.) is used for heating and/or cooking
- ▶ Evacuation plans that are easily understood by a variety of audiences
- ▶ Overloaded/uncovered electrical outlets or exposed wiring/insulation.
- ▶ Extension cords (ideally, appliances should be plugged directly into an outlet)
- ▶ Power strips and surge protectors
- ▶ Smoking materials



Key Things to Look For (continued)

- ▶ Obstructions that would impede egress (e.g., piles of books, boxes, furniture, etc.)
- ▶ Means to communicate in the event of an emergency
- ▶ Portable heaters
- ▶ Extension cords under rugs or going through walls
- ▶ In homes with electric baseboard heaters, anything combustible that may be too close to them
- ▶ Is the area around the stove clear of obstructions?
- ▶ Does the kitchen appear to be in order?
- ▶ Is the kitchen accessible?
- ▶ Who prepares the meals?
- ▶ Where are the meals consumed?
- ▶ Who does the clean-up after meals?



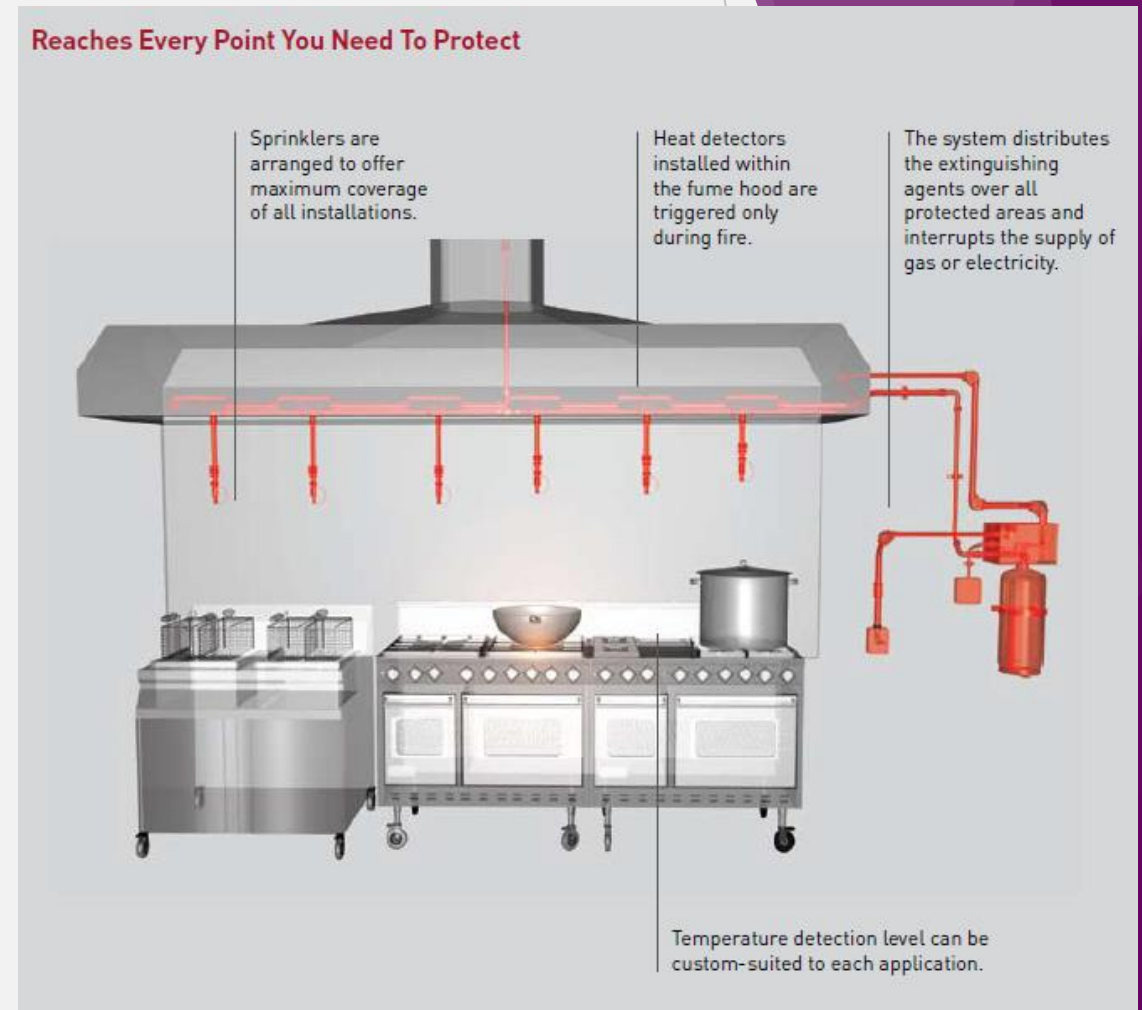
Fire Safety Review Guidance – Commercial Facilities

Video Clip for Commercial Facilities Site Visits



Key Things to Look For

- ▶ Is this facility licensed?
- ▶ What fire agency responds to calls for this facility?
- ▶ When was your facility last inspected?
- ▶ Does this facility have a fire alarm system?
- ▶ Does this facility have an automatic fire sprinkler system?
- ▶ Does this facility have commercial cooking equipment?
- ▶ Do you have an evacuation plan? If so, are they easily understood by a variety of audiences? How frequently are they reviewed with residents? Does the plan specifically detail how to support people with mobility aids?
- ▶ How will residents who are Deaf or hard of hearing be notified of emergencies/fires?
- ▶ Is smoking allowed in the building or on the grounds?



Key Things to Look For

- ▶ Do you have carbon monoxide detectors?
- ▶ Do you have your fire extinguishers serviced on an annual basis?
- ▶ Take a photo of questionable issues and upload into RPMT
- ▶ Obstructions to the access or use of the fire / safety features.
- ▶ Fire Alarm Pull Stations
- ▶ Fire Alarm Annunciator Panels
- ▶ Exits
- ▶ Corridors
- ▶ Fire Extinguishers
- ▶ Fire / Smoke Control Doors
- ▶ Fire Sprinkler Heads
- ▶ Commercial Cooking Equipment



Key Things to Look For (continued)

- ▶ Extension Cord Misuse
- ▶ Placement of Portable Space Heaters (depending on location and time of year)
- ▶ Exposed electrical wiring/outlets
- ▶ Storage of Combustible Materials
- ▶ Storage / use of Medical Gas Cylinders



Justine “Justice” Shorter

Disaster Protection Advisor
National Disability Rights Network

Justine.Shorter@ndrn.org

Phone: 202-880-2435

Mark Larson

Principal

Mark Larson and Associates LLC

mark@marklarsonandassociates.com

Phone: 208-576-6848

or 208-867-3720

ANNOUNCEMENTS

National Disability Rights Network

820 First Street NE, Suite 740

Washington, DC 20002

Tel. 202-408-9514 ♦ TTY: 202-408-9521

www.ndrn.org

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NETWORK

