

# Disability Rights Nebraska

Protection and Advocacy  
for People with Disabilities

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**Taking Action Against  
Discriminatory Medical  
Rationing During COVID-19**

# COVID-19 Medical Care Rationing

## The circumstances.

- Some states are proposing crisis health standards to ration medical care that are discriminatory to people with disabilities.
- Nebraska currently has no crisis standards of care.
- Without a statewide policy, medical discretion throughout the state will be largely unchecked, unguided, and subject to wide variation – placing even greater responsibility and stress on medical professionals.

## Our call to action.

- On March 27, we called upon Governor Ricketts and state officials to immediately adopt and disseminate mandatory statewide guidelines protecting individuals with disabilities from care rationing. We have not yet received a response.
- On April 8, a large statewide coalition of organizations joined us in our call-to-action. Fifteen organizations signed on to a second letter urging Governor Ricketts to address this issue promptly.

[press release](#)

[March 27 letter](#)

[April 8 letter](#)

## Quote from our CEO, Eric Evans:

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We're seeing written protocols for care that would simply discard people living with an intellectual disability, people who regularly use a ventilator, people with neuromuscular disease, people with immunocompromised systems, and people with some forms of cancer.

This isn't just inhumane — it's illegal.”



# COVID-19 Medical Care Rationing

Access to life-saving medical care **should not** be illegally withheld from an individual because of their disability.

We need our state leadership to establish equitable, democratic, and nondiscriminatory standards of care before the full force of this health crisis hits our hospitals.

**Disability Rights Nebraska**

Protection and Advocacy for People with Disabilities

**The lives of people with disabilities are just as valuable as the lives of people without disabilities.**

**During COVID-19, we need our state leaders to make decisions consistent with that message.**

# Additional Resources

## NATIONAL NEWS

New York Times: U.S. Civil Rights Office Rejects Rationing Medical Care Based on Disability, Age

New York Times: Whose Life is Worth Saving? In Washington State, People With Disabilities Are Afraid They Won't Make the Cut

NPR: HHS Warns States Not To Put People With Disabilities At The Back Of The Line For Care

NPR: Disability Groups File Federal Complaint About COVID-19 Care Rationing Plans

## OTHER

Center for Public Representation's COVID-19 Medical Rationing for individuals with disabilities.

COVID-19 Triage and Disability: What NOT To Do

The Hastings Center: Confronting Disability Discrimination During the Pandemic – discusses Ableism in Medicine, and Triage Protocols

TASH Final Statement on Rights for Equal Access

## IN OUR LETTERS

National Council on Disability COVID-19 Letter to Health and Human Services – Office of Civil Rights

Center for Public Representation and Partners File Second Complaint Regarding Illegal Disability Discrimination in Treatment Rationing During COVID-19 Pandemic

Consortium of Citizens with Disabilities Letter to Health and Human Services and Office of Civil Rights

New England Journal of Medicine Article: Fair Allocation of Scarce Medical Resources in the Time of Covid-19

May Hospitals Withhold Ventilators from COVID-19 Patients with Pre-Existing Disabilities? Notes on the Law and Ethics of Disability-Based Medical Rationing