



THE DEPUTY SECRETARY OF HEALTH AND HUMAN SERVICES

WASHINGTON, D.C. 20201

JUN 19 2020

Dear Governors:

In April, I wrote to ask your support for ensuring that child welfare personnel and service providers had the tools and protective equipment to see children in their home environments during the COVID-19 pandemic. I am writing today with a similar request for the workforce that provides critical services for older adults and people with disabilities.

These populations are at higher risk of infection and developing severe illness from COVID-19 during the pandemic. Older adults are at increased risk simply because of age. That risk increases further if they also have any of a number of underlying health conditions, many of which are more common in older adults. Disability alone may not be related to higher risk for getting COVID-19 or having severe illness. However, individuals with disabilities are more likely than individuals without disabilities to have serious underlying health conditions and chronic medical conditions. Older adults and people with disabilities who require frequent care and services to remain independent in their homes have additional challenges in complying with mitigation strategies such as social distancing.

As stated above, many of these vulnerable people rely on services that cannot be performed without in-person contact. These services include home-delivered meals, in-home supports, and personal care. As with the child welfare system, in-person interaction is also crucial to detecting and preventing abuse and neglect, and exploitation. These services are critical in supporting older adults to maintain their health and independence. Without them, these individuals have a high likelihood of requiring care that will place additional stress on emergency, acute, and long-term care providers and facilities. Also, we know that older adults and many people with disabilities began social distancing earlier than most and will need to continue to use greater caution for a longer period than most as our nation reopens.

The essential workers who provide these services, whether paid or volunteer, require crucial protective equipment such as facemasks, gloves, face shields, and gowns. These essential workers include:

- **In-Home Service Providers** – Many older adults and people with disabilities need frequent or daily support from direct support workers who help them with their activities of daily living, and others who assist in providing chore services and household tasks.
- **Home-Delivered Meal Providers** – Over a million meals are provided daily to older adults, people with disabilities, and people with serious medical conditions at their homes by these providers. These deliveries also serve as screening visits; they frequently enable these individuals to receive assistance with emerging issues before they develop into crisis situations. Finally, meal deliveries offer an

opportunity for socialization, serving as a critical buffer against loneliness and social isolation. While contact-free meal delivery is possible, the wrap-around services provided by meal deliverers cannot be delivered remotely.

- **Adult Protective Services (APS) Workers** – APS workers focus on adults living in the community and work to prevent abuse, neglect, and exploitation.
- **State Long-term Care Ombudsmen** – Ombudsmen work with residents of long-term care facilities to provide consumer advocacy services, resolve complaints, and ensure quality care.
- **Protection & Advocacy (P&A) Workers** – P&A workers ensure that individuals with disabilities are able to exercise their rights to make choices, contribute to society, and live independently. Under the Developmental Disabilities Act, they also have the authority to investigate incidents of abuse and neglect in settings where a person with intellectual or developmental disabilities receives services. With this authority, P&A workers may access and monitor both facilities and records to ensure that people's rights are protected. This cannot be done effectively without in-person interaction.
- **Similar Providers in Tribal Communities** – Tribal elders are served by the essential workers listed above, but similar services are also provided by organizations that focus solely on Native Americans.
- **Providers in long-term care facilities and congregate settings** – These facilities and settings have high concentrations of vulnerable adults and include assisted living facilities, group homes, shared housing establishments, intermediate care facilities, and specialized mental health rehabilitation facilities.

While these essential workers need prioritized access to these important protective items to conduct on-site visits, they also should be classified as Level 1 emergency responders along with other essential health care and public health workers. While these workers are not provided the same level of priority as workers who provide direct emergency care and acute care, they should be prioritized along with other workers who provide direct care. Acknowledging this important reality will protect both workers and those they serve. Several states have already taken key steps to achieve these objectives, and I ask you to be attentive in ensuring the prioritization of these essential workers now and throughout the remainder of the pandemic.

Thank you for your continued leadership and efforts to help ensure the health and safety of all Americans, particularly those at greatest risk of harm as a result of COVID-19.

Sincerely,



Eric D. Hargan