

# Disability Access in Vaccine Distribution

## Disability Rights Laws

Section 504 of the Rehabilitation Act and Section 1557 of the Patient Protection and Affordable Care Act are Federal laws that protect qualified persons with disabilities from discrimination based on disability in programs and activities that receive Federal financial assistance.

## Who Must Comply with These Laws?

A wide range of entities are covered by these disability rights laws.<sup>1</sup> Covered entities may include, but are not limited to:

- All State and Local Governments
- Hospital and Health Clinics
- Tribal Health Centers
- Physicians' Offices
- Urgent Care Centers
- Nursing Homes
- Congregate Care Facilities
- Pharmacies

## Key Actions to Provide Access

All covered entities must ensure that their programs are accessible to persons with disabilities. This guidance provides information about the Federal nondiscrimination requirements and suggests specific steps that all those involved in the planning and distribution of vaccines to combat the COVID-19 pandemic may wish to consider to promote compliance with disability rights laws.<sup>2</sup>

### 1. Eliminate Discriminatory Administrative Barriers

People with disabilities often face greater challenges in navigating administrative processes than others. Administrative processes that have a discriminatory effect on persons with disabilities are impermissible. In addition, administrative processes that screen out persons with disabilities are impermissible unless they are necessary to provide the service or program. Covered entities generally have to provide reasonable modifications to their vaccination processes unless doing so would fundamentally alter the nature of the program. To help prevent discrimination in their vaccination processes, covered entities can consider taking certain steps:

- Simplify the registration, scheduling, and communication processes required to get a vaccination.
- Limit the number of steps required to receive a vaccination appointment.
- Avoid time-consuming and challenging paperwork requirements that may screen out people with disabilities unnecessarily – only require the documentation necessary to ascertain eligibility.

### 2. Provide Effective Communication

Covered entities must take appropriate steps to ensure that communications with members of the public with disabilities are as effective as communications with others and provide auxiliary aids and services where necessary to give individuals with disabilities the opportunity to receive vaccinations and vaccine-related communications like everyone else.

Auxiliary aids that may be required include, providing printed materials in Braille, large print, or electronic formats accessible to screen reader software; captioning and audio-describing videos; providing sign language interpreters or the Video Remote Interpreting Service; using computers or pad-and-pen for simple transactions' or using the Telecommunications Relay Service or Video Relay Service for telephone calls.

<sup>1</sup>Other civil rights laws, such as Titles II and III of the Americans with Disabilities Act, also protect individuals with disabilities.

<sup>2</sup>OCR has also issued other civil rights information about accessibility by persons with limited English proficiency and non-discrimination on the basis of race, color, national origin during COVID-19. Links to this information appear at the end.



**Office  
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## Office for Civil Rights

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### 3. Provide an Equal Opportunity to Make Vaccine Appointments

Covered entities must ensure that they do not discriminate by delaying or denying access to a vaccination because the appointment process is inaccessible or does not provide an equal opportunity to participate. For example, a registration process that allows the public generally to register through a website but requires individuals with vision disabilities to use a telephone to register may discriminate if the telephonic registration delays the individual's timing or place in line for the vaccine. If websites are used for registration or information collection, ensure that the website is accessible. One way to make sure that your website is accessible is to use the web accessibility standards of the U.S. Access Board under Section 508 or WCAG Level 2.1 AA.

### 4. Ensure Program Access

A vaccine program may include several vaccine sites, not just a single site. If some sites - but not others - are accessible, the program may be accessible if the program provides an equal opportunity to participate. Even if a vaccine program site or sites are not accessible, a covered entity can make the program accessible by providing curbside vaccinations, home visits, or vaccination at another, accessible location, or using other ways of making the program accessible. If a county vaccine program selects one or more sites for distribution of a vaccine, and individuals with mobility disabilities are unable to travel to any of the vaccination sites for reasons related to their disabilities, the program will have to find an alternative way to provide individuals with disabilities access to the vaccine program, which could include the provision of transportation to the site or, vaccine administration at home or at a site to which individuals with disabilities are able to travel.

As a best practice, covered entities may wish to locate vaccination distribution sites in areas accessible to communities with limited transportation options, including urban or rural areas where vehicle or public transportation may be a challenge, and consider the use of satellite, mobile, and temporary vaccination locations to reach individuals with disabilities. Covered entities may also engage in targeted outreach to persons with disabilities with limited internet access by using print media, radio, flyers, and door-to-door outreach to provide information on vaccines, using accessible means to reach persons with disabilities. Consider partnering with local organizations that serve individuals with disabilities in order to facilitate accessible communication.

### 5. Modify Social Distancing Practices

Some persons with disabilities require different degrees of social distancing than those used for the general public. For example, persons who are immunocompromised may require greater distancing to navigate a vaccination site safely. Alternatively, people with developmental disabilities may require assistance from a designated support person to attend their vaccination appointment. In these circumstances, States, providers or other covered entities generally should modify their social distancing requirements to permit individuals with disabilities to access vaccination sites safely, so long as such modifications would not constitute a fundamental alteration of the vaccination program.

## For More Information

HHS is available to assist covered entities in ensuring equitable vaccine distribution. OCR is available to provide [technical assistance](#) on Federal civil rights requirements and also [investigates complaints](#) alleging discrimination on the basis of disability with regard to access to vaccines. OCR has issued guidance on Federal Legal Standards Prohibiting [Disability Discrimination](#) in COVID Vaccination Programs as well as guidance about civil rights protections prohibiting discrimination on the [basis of race, color, national origin](#) and ensuring the civil rights of persons with [limited English proficiency](#) during COVID-19.

The Administration on Community Living operates a number of federally-funded grant programs that may serve as useful partners in the planning and implementation of [vaccine distribution](#) efforts to ensure accessibility by people with disabilities.

**DISCLAIMER:** The contents of this document do not have the force and effect of law and are not meant to bind the public in any way, unless specifically incorporated into a contract. This document is intended only to provide clarity to the public regarding existing requirements under the law.

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