



The Unique Role of Medical-Legal Partnerships in Helping Health Centers Address Disability & Chronic Disease Discrimination

The New Kid on the Disability Block: COVID-19 and Emerging Issues

HRSA

Health Resources & Services Administration

National Center for Medical-Legal Partnership

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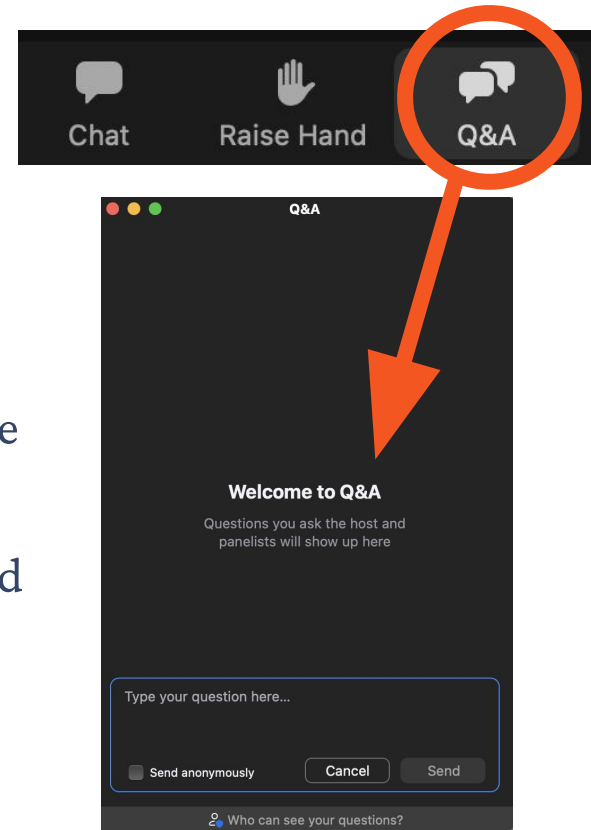
Health Outreach Partners

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Housekeeping

- Attendees are muted throughout the webinar.
- Type questions into **Questions & Answers pane**.
- If you cannot see the ASL interpreters, make sure that your view is set to “Side-by-Side” gallery.
- To activate captions, select “Live Transcript” and “Show Subtitle.”
- This webinar will be recorded and shared at medical-legalpartnership.org/resources/
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Katie Hathaway

Moderator
NCMLP Consultant

Katie Hathaway is a consultant for the National Center for Medical-Legal Partnerships and the moderator of this webinar series. Katie has nearly 20 years of experience as a disability rights attorney, and spent 17 years at the American Diabetes Association building and then leading its legal advocacy program seeking to end discrimination against people who live with diabetes.



Claudia Center

Legal Director

Disability Rights Education & Defense Fund

Claudia Center is Legal Director for Disability Rights Education & Defense Fund, where she litigates cases that increase civil rights and civil liberties for persons with disabilities, and represents the disability community in legislative, policy, amicus, and appellate work. She has previously worked at the ACLU, Legal Aid at Work, and NARAL Pro-Choice America.



**Christian Ramers, MD, MPH,
FIDSA, AAHIVS**

Chief of Population Health and
Director of Graduate Medical Education
Family Health Centers of San Diego

Christian Ramers, MD, MPH, FIDSA, AAHIVS pursued an undergraduate degree in Microbiology & Molecular Genetics at UCLA, medical school at UC San Diego, and residency training in internal medicine and pediatrics at Duke University Medical Center. He completed his fellowship training in Infectious Diseases and earned a Master's degree in global Public Health at the University of Washington in Seattle. He currently serves as the Chief of Population Health and Director of Graduate Medical Education at the Family Health Centers of San Diego (FHCS), a large Federally Qualified Health Center (FQHC) system serving nearly 200,000 medically underserved individuals throughout San Diego county. He is board certified in Internal Medicine, Infectious Diseases, and Addiction Medicine, and is particularly interested in HIV, HBV, HCV, and service of medically underserved, immigrant, and refugee populations. He is a core member of FHCS's COVID-19 Response team, delivering biweekly updates to >200 clinicians and staff. He is the principal investigator of an NIH-sponsored research trial on prevention of household COVID-19 transmission, sits on an NIH Long COVID review panel, and leads a CDC-sponsored national webinar & discussion series on long COVID.



Rachel Weisberg

Managing Attorney
Equip for Equality

Rachel Weisberg is an experienced disability rights attorney who has represented hundreds of clients in individual and systemic disability discrimination cases. Rachel is Managing Attorney at Equip for Equality, where she developed and now manages its Employment Rights Helpline, which aims to expand employment opportunities by providing legal and practical advice to applicants and individuals with disabilities. Rachel is a frequent trainer on the disability rights laws and speaks regularly at national conferences and webinars. Prior to Equip for Equality, Rachel worked for the Illinois Attorney General's Office, Sidley Austin LLP, and clerked in the Northern District of Ohio. Rachel is a graduate of Northwestern University School of Law and the University of Michigan.

Today's Presentation Will Cover:

- COVID-19 and Long COVID as disabilities
- Emerging issues with COVID-19 and Long COVID
- Panel discussion about COVID-19 and Long COVID in the workplace
- An open Question & Answer period



Long COVID

- People who have direct cell damage caused by a COVID-19 infection that takes time to recover. E.g., acute kidney damage, acute lung damage.
- People hospitalized with COVID-19 infection who have long term complications from being in hospital beds for long period of time. E.g., muscle weakness, neurological damage, lung damage.
- People who have new or recurring symptoms that originate or last beyond the initial COVID-19 infection.
- Estimates are that between 10-30% of people who are infected with COVID-19 experience Long COVID.



Definition of Disability

The Americans with Disabilities Act Amendments Act of 2008

- A physical or mental impairment that substantially limits a major life activity or a record of having an impairment that substantially limits a major life activity
- Subject to an adverse action because of an impairment or perceived impairment, whether or not it limits or is perceived to limit a major life activity, unless the impairment is both transitory (lasting six months or less) and minor
- Major life activities & Major bodily functions
- Mitigating measures
- Episodic impairments



COVID-19 as a Disability

- People with heightened medical vulnerability/high risk of complications or death as a result of COVID-19 infection because of underlying condition = have a disability
- CDC risk factors are broader and may not provide sufficient basis for ADA disability for some high risk people (e.g., age, pregnancy, obesity)
- Whether COVID-19 itself, absent other conditions, is a disability will be very fact-specific and individualized
- Even if an initial case of COVID-19 is not a disability, it may cause impairments that are themselves disabilities (e.g., heart inflammation, stroke, diabetes) or worsen a pre-existing condition that was not previously substantially limiting.



Long COVID as a Disability

U.S. Department of Justice and U.S. Department of Health and Human Services Guidance on Long COVID as a Disability Under the ADA, Section 504, and Section 1557:

https://www.ada.gov/long_covid_joint_guidance.pdf

- Long COVID is a physiological condition affecting one or more body systems (physical or mental impairment) that can substantially limit a major life activity
- Individualized assessment; no automatic disability

U.S. Equal Employment Opportunity Commission, What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws:

<https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws>





Emerging Issues: Health Center View

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Emerging Issues: Disability Rights View

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Panel Discussion: COVID-19 and Long COVID in the Workplace

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Open Question & Answer

**Please take a
moment to fill
out our survey!**

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Building a Disability/Chronic Disease MLP

June 8, 2022, 2-3:30 PM ET

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