

April 16, 2020

Dear Business Leaders:

On behalf of Disability Rights Maryland and the Maryland Association of Centers for Independent Living we want to thank you and the many other essential businesses that have remained open during this unprecedented pandemic. Your businesses are providing necessary items to the community while we all navigate this crisis together.



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Disability Rights Maryland, a non-profit organization, is the state's federally mandated Protection & Advocacy agency created to advocate for the legal rights of people with disabilities. The Centers for Independent Living are non-profit organizations created by federal law to promote consumer-driven independent living for people with disabilities. We join together to raise concerns that have arisen in our client community regarding individuals with disabilities who are having trouble accessing your businesses and services.

When individuals with disabilities seek to obtain necessary items either by shopping in-person or through online orders with delivery services, they may not be able to access the items needed. To address these concerns, we request several solutions:

- 1.) As an in-store accommodation, create an hour of shopping for individuals with disabilities who are higher-risk as identified under the CDC guidelines, and offer some hours that are not exclusively very early morning as some people need assistance getting up and ready in the morning or rely on personal care assistance and are not able to use the early morning hours;
- 2.) As an online delivery services accommodation, provide a checkbox option for higher-risk individuals to self-identify at the checkout to be prioritized;
- 3.) Allow staff that serve programs for people with disabilities to purchase in bulk as needed to provide essential items to programs they support; and
- 4.) Accept electronic benefit cards (EBT) for on-line orders and delivery.

The reasons for requesting the above accommodations are described below.

We appreciate that many stores have created separate shopping hours for individuals who are elderly or vulnerable. We believe this is a critical step to ensure that individuals can access needed supplies during this pandemic. If your business has not done so already, we request that you ensure that these measures are equally available for all individuals identified by the Centers for Disease Control as higher-risk groups. For example, individuals who have health conditions that place them in the higher-risk group and do not fall within the 60+ year of age category. Allowing individuals with disabilities to access your stores at specially designated times provides reasonable access to your stores. Without such accommodations a trip to the grocery store could risk their lives.

Staggering a few hours for use of persons with disabilities or who are seniors will help those individuals for whom it is not possible to transfer out of bed and be dressed and ready to come to your store by six or seven am. Many individuals rely on personal care staff who will not arrive early enough to provide supports so that the person can get to a store at very early hours.

Many individuals with disabilities who rely on delivery services for essential items are concerned that some necessary items are taking two or more weeks to be delivered. Because many such disabilities have no other means of obtaining these items, we ask that you prioritize their delivery orders. For example, adding a checkbox to delivery orders that allows individuals to self-identify as an individual with a disability or someone in the CDC higher-risk categories can help orders be prioritized in your delivery service scheduling. This simple step would ensure that people who do not have the option to leave home because of their disability or higher-risk category, can continue to receive the items they need to live. Some businesses have reserved certain delivery days or times for seniors and have reduced or waived delivery fees. This can be done for persons with disabilities as well. Waiver or low cost delivery fees are especially appreciated.

Some staff serving group homes or other programs serving persons with disabilities have reported that they have been limited in purchasing the quantity of items needed, even when they can identify as working for a program serving multiple individuals. These individuals are providing critical services during a challenging time and should be offered all support we can give for their service. We urge accommodations be made so that such staff may purchase items needed to care for persons with disabilities whom they support.

Some low income individuals with disabilities have reported that they are not able to use their state EBT (electronic benefit care) to order on-line, although the store accepts in person use of such cards, or that they cannot use such cards for delivery services. One food business has creatively offered a substantial discount for delivery services to compensate for when it is not equipped to accept the EBT card for delivery orders. We salute the ingenuity of this business owner in providing equal access. It is important to provide access to food in a safe manner, and for those individuals whose health is at heightened risk and who are instructed not to enter public places, accepting EBT cards for on-line or delivery services is critical.

The Americans with Disabilities Act (ADA) recognizes that, for people with disabilities to participate in the everyday activities in their communities, they need to have access to the goods and services provided by your business. **The law requires that businesses make reasonable accommodations in order that people with disabilities have equal access to such goods.** Our community needs our businesses and needs accommodations as required by law. Please help people with disabilities use your business.

Should you have questions or need additional information, please contact Disability Rights Maryland at (410) 727-6352.

Thank you for your attention to these important issues.

