



THE STATE  
of ALASKA  
GOVERNOR MIKE DUNLEAVY

## Department of Health

SENIOR AND DISABILITY SERVICES  
Governor's Council on Disabilities  
and Special Education

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August 31, 2022

Bryan Fisher, Director  
Division of Homeland Security and Emergency Management  
P.O. Box 5750  
JBER, AK 99505-5750

RE: Access and Functional Needs Coordinator

Dear Director Fisher:

The Alaska Disability Advisory Group (ADAG) consists of representatives from State and Federal agencies and non-profit organizations throughout Alaska. The ADAG was created to help support emergency planning and response for individuals with disabilities and other vulnerable populations in Alaska. In support of its efforts, the ADAG recommends adding an Access and Functional Needs (AFN) Coordinator within the State Emergency Operations Center (SEOC).

According to FEMA, people with access and functional needs includes individuals who need assistance due to any condition (temporary or permanent) that limits their ability to act.<sup>1</sup> Individuals having access and functional needs may include, but are not limited to, individuals with disabilities, seniors, and populations having limited English proficiency, limited access to transportation, and/or limited access to financial resources to prepare for, respond to, and recover from the emergency.<sup>2</sup>

The Centers for Disease Control and Prevention reports 111,809 adults in Alaska live with a disability.<sup>3</sup> As disasters disproportionately impact the disability community and other vulnerable populations, the ADAG believes the SEOC should enhance its ability to reach these Alaskan residents by including AFN coordination in every aspect of emergency management. Moreover, AFN should be engrained into every service the SEOC delivers in order to comply with federal laws, including:

The Americans with Disabilities Act of 1990: One of the primary responsibilities of state and local governments is to protect residents and visitors from harm, including assistance in preparing for, responding to, and recovering from emergencies and disasters. State and

<sup>1</sup> "FEMA Reaches Out to People with Disabilities, Access and Functional Need" January 11, 2021.

<sup>2</sup> Id.

<sup>3</sup> [AK Disability and Health State Profile FINAL \(cdc.gov\)](#).

local governments must comply with Title II of the ADA in the emergency- and disaster-related programs, services, and activities they provide. The ADA also requires making reasonable modifications to policies, practices, and procedures when necessary to avoid discrimination against a person with a disability and taking the steps necessary to ensure effective communication with people with disabilities.<sup>4</sup>

Fair Housing Act of 1968, as amended: The Act covers all types of housing intended as a short or long-term residence, including the following types that are often used to house persons who are displaced by disasters: shelters that house persons for more than a few days, transitional housing facilities, nursing homes, and manufactured housing.<sup>5</sup>

Rehabilitation Act of 1973, as amended; Section 504: Imposes nondiscrimination and accessibility requirements on all of the operations of Federal agencies, including any direct services they provide to the public or any programs that they specifically operate. Any agency, organization, or person that receives any type of Federal financial assistance is covered by Section 504.<sup>6</sup>

Very recently, the Washington Emergency Management Division was successful in submitting a request to the legislature for funding an Access and Functional Needs position. Washington may now join other states like California, New Jersey, Colorado, and North Carolina that already have a position in place.

The ADAG believes that an Access and Functional Needs Coordinator within the SEOC is necessary for the State of Alaska to best serve its most vulnerable populations. However, if this is somehow not possible, the ADAG recommends these responsibilities be formally assigned to a staff member already in the SEOC or at least divided between existing employees.

Thank you for considering this important matter.

Sincerely,

*Patrick Reinhart*

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Patrick Reinhart  
Interim Executive Director  
Governor's Council on Disabilities and Special Education

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<sup>4</sup> ADA.gov. ADA best practices tool kit for state and local governments: Emergency management under title II of the ADA.

<sup>5</sup> Department of Homeland Security. 2007. Accommodating individuals with disabilities in the provision of disaster mass care, housing, and human services: Reference guide.

<sup>6</sup> Id.

Alaska Disability Advisory Group (ADAG)  
members:



David Newman  
State ADA Coordinator  
ADA Compliance Program



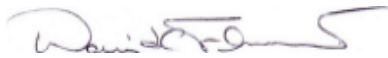
Cindy Hensley  
CEO/President  
Cindy and Vic's R&R, Inc.



Michael Christian  
Executive Director  
Statewide Independent Living Council



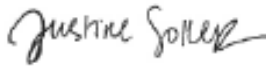
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