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Gov. Lamont, disability rights groups reach agreement on distribution of COVID-19 rapid tests and masks

By Eliza Fawcett
Hartford Courant • Jan 14, 2022 at 5:26 pm



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MARLBOROUGH 01/01/22 Marlborough first selectman Greg Lowrey hands out a BinaxNOW home COVID-19 rapid test kit to a resident at the Marlborough Fire Station 2 Saturday. The town received a supply of 312 kits allowing for one kit per 20 residents. Photo by Cloe Poisson/Special to the Courant (Cloe Poisson / Special to the Courant)

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Gov. Ned Lamont has reached an agreement with two Connecticut disability rights groups, which had alleged that the state discriminated against people with disabilities in its distribution of COVID-19 tests and masks.

Under the terms of the agreement, the state Department of Public Health issued [revised guidance](#) to towns and cities with a specification that test and mask distribution should prioritize vulnerable populations, including those living in congregate settings and individuals with physical, mental or intellectual or other developmental disabilities. The state will also provide 20,000 N95 masks to the Department of Correction for “immediate use” by those who are incarcerated.

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“We know that COVID-19 is impacting certain, vulnerable populations the most, and that is why we need to do everything in our ability to ensure that those who have physical, mental, or developmental disabilities or live in congregate settings have access to the tools they need to protect themselves from this virus,” Lamont said in a statement.

In turn, the disability rights groups — Disability Rights Connecticut and Connecticut Legal Rights Project — have agreed to withdraw the federal complaints filed to the U.S. Department of Justice and the U.S. Department of Health and Human Services’ Office for Civil Rights.

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[\[CT disability rights groups file federal complaints over Lamont administration’s distribution of COVID-19 tests, masks \]](#)

“We are pleased that the governor acted quickly in response to our complaints to get effective relief to the people we represent during this very difficult period in the pandemic,” Deborah Dorfman, executive director of Disability Rights Connecticut, said in a statement. “This will help protect those who are most at risk, benefiting everyone.”

In the complaints, the disability rights groups argued that the Lamont administration’s decision to recommend but not require that towns and cities prioritize people with disabilities in the distribution process was discriminatory, particularly toward those who could not leave their homes to pick up masks and tests.

The [updated guidance](#) notes that distribution of at-home test kits should offer access “after traditional work hours” and that municipalities must offer a phone number to call if someone requires accommodations, as well as a process for providing the accommodations.

Kathy Flaherty, executive director of Connecticut Legal Rights Project, said in a statement that the agreement would ensure that those in Department of Mental Health and Addiction Services facilities would be able to obtain N95 masks and would “increase access to self-test kits for Connecticut residents with disabilities in all 169 cities and towns.”

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In late December, Connecticut received more than 400,000 at-home COVID-19 tests and shipments of N95 masks, with more expected to come. There are currently no limits on the number of N95 being requested by communities, DPH noted.

Eliza Fawcett can be reached at elfawcett@courant.com.



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