



AN ACT RELATIVE TO PREVENTING DISCRIMINATION AGAINST PERSONS WITH DISABILITIES IN THE PROVISION OF HEALTHCARE

H.1360 / S. 869, filed by Rep. Domb, Rep. Howard, and Sen. Gomez

This bill seeks to protect disabled people from life-threatening discrimination in our healthcare system. People with disabilities are often victims of explicit and implicit bias in medical settings, based on the inaccurate assumption that the lives of people with disabilities have less worth than the lives of people without disabilities. *A coalition in support of this bill is led by the Disability Policy Consortium (DPC).*

CONTEXT

- The COVID-19 pandemic exposed healthcare discrimination against people with disabilities. When resources were limited, Massachusetts' Crisis Standards of Care deprioritized people with disabilities when they needed lifesaving treatment.
- Even in non-crisis situations, individuals with disabilities and their families can be pressured to sign 'Do Not Resuscitate' orders, even when not appropriate.
- People with physical, intellectual or developmental disabilities can live full, complete, healthy lives. Yet they are often presumed to have a lower quality of life, which can lead to dangerous and wrong decisions in medical settings.

THE BILL

- Ensures that in any future public health crises, rules surrounding care do not discriminate against or deprioritize people with disabilities.
- Prohibits healthcare entities from deprioritizing or denying treatment options based on the false presumption that people with disabilities have a reduced quality of life.
- Establishes protections to prevent disabled patients from being pressured to sign 'Do Not Resuscitate' orders.

THE IMPACT

Healthcare is a human right, yet people with disabilities face discrimination in healthcare settings. Particularly for individuals with intellectual or developmental disabilities who may be non-verbal or communicate in different ways, the protections in this bill are critical. Especially in crises and when life-saving care is on the table, we must ensure that all patients, regardless of their ability or presumed ability, are treated fairly and with respect.