



## Know Your Rights

If you have Long COVID, you may be considered an “individual with a disability” under civil rights laws, including the Americans with Disabilities Act (ADA), Section 501 of the Rehabilitation Act of 1973 (Section 501), Section 504 of the Rehabilitation Act of 1973 (Section 504) and Section 1557 of the Patient Protection and Affordable Care Act (Section 1557). Under these laws, someone with Long COVID has a disability if the individual’s condition or any of its symptoms is a physical or mental impairment that substantially limits one or more major life activities. There are additional rights discussed throughout this chapter.

Each of these federal laws protects individuals with disabilities from discrimination by “covered entities,” which are the employers and providers who must comply. Each law is slightly different in terms of rights and obligations, but there is information about how these laws can help meet the needs of people with Long COVID in different topic areas, such as in workplaces, schools, housing, or in accessing community services. In some topic areas, such as education, there are additional federal laws that require services for someone with a disability.

- The Department of Health and Human Services (HHS) Office for Civil Rights (OCR) and the Department of Justice (DOJ) Civil Rights Division have issued [Guidance on “Long COVID” as a Disability Under the ADA, Section 504, and Section 1557](#)
- The Equal Employment Opportunity Commission (EEOC) addresses Long COVID as a disability and the employment rights of individuals with Long COVID. See section N within their guidance document [What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)
- DOJ and HHS OCR also provide education to the public on the rights and responsibilities of individuals and entities under the ADA and Section 504 during the COVID-19 pandemic. For more information, visit [Emergency Preparedness and Response | U.S.](#)

### Not Sure Where to Start?

**Q. Do you believe that you have been discriminated against because of your race, color, national origin, disability, age, gender, or religion?**

A. Visit [Office for Civil Rights | U.S. Department of Health and Human Services \(hhs.gov\)](#) or [Contact the Civil Rights Division | Department of Justice](#) or [Home | U.S. Equal Employment Opportunity Commission \(eoc.gov\)](#)

**Q. Do you have a complaint about housing, law enforcement, labor, education or employment discrimination?**

A. Find [other Federal civil rights agencies that can help you](#)

Visit [Contact the Civil Rights Division | Department of Justice](#)



[Department of Justice \(ada.gov\)](https://www.ada.gov) and [Civil Rights and COVID-19 | U.S. Department of Health and Human Services \(hhs.gov\)](https://www.hhs.gov)

- DOJ also has a team of ADA Specialists available by phone, Monday through Friday, to provide technical assistance on the requirements of the ADA. These Specialists can be reached at 1 (800) 514-0301 (Voice) and 1 (800) 514-0383 (TTY)

The federal government recognizes that equity requires non-discrimination in the availability of, and access to, care, treatment, supports and services, and employment opportunities for people with Long COVID. Federal civil rights laws not only protect individuals with Long COVID from discrimination on the basis of disability, but also on the basis of race, color, national origin (including limited English proficiency), age, religion, pregnancy, sexual orientation, and gender identity.

- For additional resources on addressing civil rights issues related to the COVID-19 pandemic, more can be found in the Department of Justice (DOJ) Civil Rights Division's Statement on a Coordinated Civil Rights Response to Coronavirus: [Statement by the Principal Deputy Assistant Attorney General for Civil Rights Leading a Coordinated Civil Rights Response to Coronavirus \(COVID-19\) | OPA | Department of Justice](#).
- The U.S. Equal Employment Opportunity Commission has issued [What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws](#), a series of technical assistance questions and answers on COVID-19 issues, such as return to work, hiring, vaccinations, caregivers, the definition of disability that includes Long COVID, reasonable accommodation, and retaliation.
- The Department of Health and Human Services Office for Civil Rights has issued a bulletin: [Bulletin: Ensuring the Rights of Persons with Limited English Proficiency in Health Care During COVID-19 | Guidance Portal \(hhs.gov\)](#).

## ***Legal Assistance and Information***

Sometimes people with Long COVID may have questions about their eligibility for some of the programs discussed in this chapter. They or their family member may have been told they are not eligible, or that services are not covered, and they want to know their legal rights. They may be subject to a legal proceeding, such as an eviction or a collection on a bill they could not pay because they lost their job. They may be eligible for free legal help for some or all of these questions.

### ***Legal Assistance for People with Disabilities through Protection and Advocacy Systems***

Protection and Advocacy Systems (P&As) are congressionally mandated agencies that provide a range of legal advocacy services to people with disabilities. P&As can assist if a person has been denied access to a service or an opportunity to take part in an activity, such as employment or



education, and can address allegations of neglect or abuse and conduct monitoring and investigations of facilities. For people with Long COVID, their local P&A may help assess their status and needs, provide case management, ensure access to services, and address accessibility barriers. There are 57 P&As—one in each state and territory, as well as one which serves the Navajo and Hopi Nations in Colorado, New Mexico, Arizona, and Utah.

- Find a local P&A, visit [Member Agencies | National Disability Rights Network \(ndrn.org\)](#)

### ***Legal Assistance for Older Americans***

The Older Americans Act (OAA) provides funding for legal assistance to older adults ages 60 and older provided through Area Agencies on Aging (AAAs). There are approximately 1,000 OAA-funded legal services providers nationwide. The legal services network can provide important assistance for older persons in accessing long-term care options and other community-based services. Legal services also protect older persons against direct challenges to their independence, choices, and financial security. These legal services are specifically targeted to “older individuals with economic or social needs.” OAA-funded legal services providers may address issues such as health care coverage, income security, housing, utilities, protective services, abuse, neglect, and age discrimination.

- Find local services, visit [Eldercare Locator | Administration for Community Living \(eldercare.acl.gov\)](#) or call 1 (800) 677-1116

### ***Americans with Disabilities Act National Network***

The Americans with Disabilities Act (ADA) National Network provides information, training, and technical assistance to individuals, including students with Long COVID, educators, businesses, and agencies with rights and responsibilities under the ADA. There are 10 Regional ADA Centers located throughout the United States and an ADA Knowledge Translation Center (ADAKTC), providing technical assistance about the ADA, Sections 501 and 504 of the Rehabilitation Act, and the Individuals with Disabilities Education Act (IDEA).

- Learn more about the ADA National Network, visit [ADA National Network | Information, Guidance and Training on the Americans with Disabilities Act \(adata.org\)](#)
- Reach a representative, call the ADA National Network hotline 1 (800) 949-4232 or visit [Email Us | ADA National Network \(adata.org\)](#)
- [Visit the full Services and Supports for Longer-Term Impacts of COVID-19.](#)

**Visit the full [Services and Supports for Longer-Term Impacts of COVID-19 Report](#).**