



Executive Order

Commonwealth of Pennsylvania

Governor's Office

Executive Order 2026-01 – Protecting The Rights, Dignity, and Privacy of People With Disabilities

Date: April 15, 2026

By Direction of: 
Josh Shapiro, Governor

WHEREAS, Pennsylvania recognizes that people with disabilities are integral members of our communities, contributing to the social, cultural, civic, and economic vitality of the Commonwealth; and

WHEREAS, it has been a longstanding practice of the Commonwealth to ensure that all people with disabilities are afforded equal protection under the law and meaningful access to the programs, services, and activities offered by state agencies; and

WHEREAS, federal and state laws safeguard the rights of people with disabilities and require public entities to prevent discrimination and ensure access and equal opportunity; and

WHEREAS, the Commonwealth is committed to upholding these legal protections and reaffirms the principles that were previously set forth in *Executive Order 2002-5, Disability-Related Policy*, including that no Commonwealth agency under the Governor's jurisdiction shall discriminate against any individual with a disability because of the disability; that people with disabilities must be treated with respect and dignity and provided access to Commonwealth services, programs, activities, and employment opportunities; and that Commonwealth programs and services must be nondiscriminatory, accessible, and responsive to the particular challenges faced by persons with disabilities; and

WHEREAS, autism is recognized as a neurological difference and developmental disability, and Pennsylvanians with developmental disabilities are entitled to participate fully in society; and

WHEREAS, proposals to establish a national registry or centralized database of people with autism or other developmental disabilities have raised significant concerns among people with autism, people with developmental disabilities, disability advocates, researchers, and families regarding privacy, consent, and the protection of civil rights; and

WHEREAS, the protection of sensitive personal information is essential to preserving individual privacy, dignity, and autonomy, and the centralized collection of Developmental Disability and Autism-Related Data without adequate safeguards, including appropriate consent, may increase the risk of stigma, profiling, discriminatory use, or deterrence from diagnosis, services, or supports; and

WHEREAS, the Commonwealth of Pennsylvania is committed to protecting the civil and human rights, privacy, and dignity of all people with disabilities, including those with developmental disabilities and autism, and to preventing the implementation of policies or practices that could result in discrimination, unwarranted surveillance, or loss of autonomy.

NOW, THEREFORE, I, Josh Shapiro, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws of the Commonwealth, do order and direct as follows:

1. Disability-Related Policy.

- a.** No Commonwealth agency under the Governor’s jurisdiction shall discriminate against any individual with a disability because of that individual’s disability. People with disabilities shall be treated with respect and dignity and shall be provided access to Commonwealth services, programs, activities, and employment opportunities consistent with applicable federal and state laws.
- b.** All Commonwealth agencies under the Governor’s jurisdiction shall ensure that the programs and services they offer to the public are nondiscriminatory, accessible, and responsive to the challenges faced by people with disabilities, including people with intellectual disabilities, developmental disabilities, and autism.
- c.** All Commonwealth agencies under the Governor’s jurisdiction shall, consistent with applicable law and available resources, continue to look for opportunities to improve accessibility, inclusion, and nondiscrimination in Commonwealth programs, services, and activities for people with disabilities, including, but not limited to, people with intellectual disabilities, developmental disabilities, and autism.
- d.** All Commonwealth agencies under the Governor’s jurisdiction shall continue to conduct their operations and programs in a manner that respects the dignity and individuality of people with disabilities. Agencies shall continue to utilize appropriate, respectful language when referring to people with disabilities in all official communications, forms, and publications. Each agency shall, as needed, provide training or guidance to employees to ensure that interactions with and references to people with disabilities are respectful, person-centered, and nondiscriminatory.
- e.** The Governor’s Policy Office shall coordinate with relevant agencies, boards, and commissions for the implementation of Commonwealth disability-related policies and assess the effectiveness of those policies.

2. Developmental Disability and Autism-Related Data Privacy Protections.

a. Definitions.

As used in this Executive Order, the following phrases or terms shall have the following meanings, unless the context clearly indicates otherwise or is limited by federal or state law:

- (1) Developmental Disability and Autism-Related Data.** Any information that identifies an individual or a member of that individual's family as having a developmental disability, including autism or autism spectrum disorder. The term does not include data that has been de-identified in accordance with applicable standards or aggregate data that cannot reasonably be used to identify an individual or a Family Member of that individual.
- (2) Family Member.** Family Member means a spouse or domestic partner, child, parent, sibling, grandparent, grandchild, guardian, or any individual residing in the same household or otherwise in a close family or caregiving relationship to the individual with developmental disability, including autism or autism spectrum disorder.

b. Permissible Purposes for Data Collection.

Commonwealth agencies under the Governor's jurisdiction may collect, utilize, and maintain Developmental Disability and Autism-Related Data only as necessary for specific legitimate purposes, including administering state or federal benefit programs; providing medical care, therapies, public health activities related to monitoring prevalence rates, health oversight activities, or social services; auditing, researching, or evaluating education or assistance programs or services; reviewing claims, denials, and payments related to medical, behavioral health, home and community-based or long-term care services; litigating claims in federal or state courts or in administrative tribunals; or complying with express requirements of federal or state law.

c. Collection Limitations.

Commonwealth agencies under the Governor's jurisdiction that collect, utilize, and maintain Developmental Disability and Autism-Related Data shall do so in accordance with all applicable federal and state privacy laws. Such collection, use, and maintenance must be narrowly tailored to the purposes set forth in Section 2.b., and Commonwealth agencies must collect the minimum data necessary to achieve the intended programmatic purpose. Commonwealth agencies shall not create or participate in any registry or database of Developmental Disability and Autism-Related Data except as provided in Section 2.b., or as expressly authorized by law and in full compliance with these privacy protections.

d. Disclosure Restrictions.

No Commonwealth agency under the Governor's jurisdiction shall disclose or share any Developmental Disability and Autism-Related Data with any individual, entity, or government outside of the Commonwealth's executive branch unless one or more of the following conditions are met:

- (1) The individual to whom the data pertains, or the individual's legally authorized personal representative, has provided informed, written authorization for the disclosure.
- (2) The disclosure is necessary to ensure the provision of or payment for services or supports for the individual, such as home and community-based or long-term care services, educational accommodations, medical care, employment or housing support.
- (3) The disclosure is for educational, evaluation, monitoring, consulting, auditing, or research purposes and the entity receiving the data has executed any required data sharing and confidentiality agreements, including a business associate agreement, to the extent such is required by law.
- (4) The disclosure is required by federal or state law.

When disclosure of Developmental Disability and Autism-Related Data is authorized under this subsection, a Commonwealth agency shall disclose only the minimum data necessary. Whenever feasible, a Commonwealth agency shall provide information or data in a de-identified or aggregate form.

3. Implementation.

This Executive Order shall be implemented consistent with applicable law. This Executive Order is not intended to and does not create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies, or entities, its officers, employees, or agents, or any other persons.

4. Effective Date.

This Executive Order shall take effect immediately and shall remain in effect until amended or rescinded by the Governor.

5. Rescission.

Effective immediately, *Executive Order 2002-5*, dated May 3, 2002, is hereby rescinded.