



DISABILITY RIGHTS

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Sept 26, 2022

AGENDA

1. Disability Rights Pennsylvania
 - Protection & Advocacy Agency for PA
2. Traumatic Brain Injury
 - Potential Resources

What is DPR?

Public interest law firm

- Non-profit, 501(c)(3) corporation
- Independent
- Statewide

Designated as the federally-mandated
Protection & Advocacy agency in Pennsylvania



What is a Protection & Advocacy Agency?

- Provides legal and advocacy services to protect the rights of individuals with disabilities
- Established by Congress
- P&As in every state and U.S. territory = 57
- National Disability Rights Network (NDRN)



What does DRP do as a Protection & Advocacy Agency?

DRP staff works across the Commonwealth on behalf of individuals with disabilities to:

- improve services and social systems
- work to ensure civil rights and empower the community
- provide technical and training assistance



What is DRP's philosophy?

- **EQUALITY:** People with disabilities are full and equal persons under the law and are entitled to equal access
- **SAFETY, RESPECT, AND DIGNITY:** People with disabilities are entitled to be free from abuse, neglect, exploitation, discrimination, segregation, and isolation
- **INDIVIDUALIZED, CLIENT-DRIVEN:** People with disabilities should have access to appropriate services and supports that are shaped by the unique needs and preferences of each individual



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What is DRP's philosophy (cont.)?

- **INDEPENDENCE, SELF-DIRECTION, INCLUSION:** Such service and supports are designed to foster an independent, productive and integrated community life
- **AUTONOMY:** People with disabilities have the right to make choices about all aspects of their life including daily routines and major life events

What is DRP's mission & vision?

MISSION

- Protects and advocates for rights of people with disabilities so that they may live the lives they choose, free from abuse, neglect, discrimination, and segregation.

VISION

- A Commonwealth where people of all abilities are equal and free.



What are the areas of DRP's services?

Protection & Advocacy for all disabilities:

- Developmental Disabilities (1975)
- Mental Illness (1986)
- Individual Rights – everyone else! (1993)
- Assistive Technology (1994)
- Barriers to Employment for Social Security beneficiaries (1999)
- Traumatic Brain Injury (2000)
- Voting Accessibility (2002)
- Representative Payee (2018)



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What types of problems?

DRP Helps People with Disabilities

- With disability-related problems in:
 - employment
 - education
 - housing
 - access to facilities and programs
 - access to the opportunity to vote
- Who are subjected to abuse or neglect
- Eliminate institutionalization and segregation and advocate for integrated community services, supports and treatment
- Eliminate disability-based discrimination
- Advocate for government service systems and funding for people with disabilities

Examples of DRP's Work

Spotlights on Our Work

Fighting for

- Access to Medicaid services for individuals with disabilities
- Effective communication in public accommodations
- Effective communication in government services
- Accessible city streets and sidewalks
- Equal access to vote

Fighting against

- Discrimination in public accommodations
- Discriminatory employment policies
- Discriminatory zoning rules

Ensuring

- Reasonable modifications and accommodations in housing

<https://www.disabilityrightspa.org/spotlight-category/45-years/>



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Can DRP help everyone who has a disability?

Unfortunately, DRP cannot help everyone who has a disability

- The matters that DRP takes on must be consistent with our priorities. Also, we focus on issues that have a potential to make systemic change
- **DRP does not assist people who need help**
 - Obtaining a divorce or custody
 - Filing tax returns
 - Preparing for probating a will
 - Filing for bankruptcy
 - Defending themselves in criminal matters
 - Finding employment or housing
 - Becoming a guardian for a person with a disability
 - Applying for or appealing social security disability benefits

How are DRP Priorities Determined?

Review of Priorities

- Fiscal year: Oct. 1 – Sept 30
- An online survey seeking feedback from individuals with disabilities, family members, advocates
- Based on the feedback, DRP's Board of Directors adopts priorities about the work that DRP should prioritize

Fiscal Year 2022

DRP FY2022 Priorities

- ❖ People with disabilities will not be subject to abuse, neglect, exploitation, or rights violations.
- ❖ People with disabilities will not be subject to unnecessary segregation and institutionalization, including, but not limited to, unnecessary segregation in home and community-based settings.
- ❖ People with disabilities will have access to high-quality, consumer-controlled, consumer-driven, person-centered, and recovery-oriented services and benefits to enable them to live and thrive in their own homes and communities.
- ❖ People with disabilities will not be subject to discrimination and will be fully integrated in all aspects of society.

Core Functions

Individual: Intake and Case Services

- Get Help:
 - Available state-wide by telephone and an online form
- Live Intake by toll-free telephone system
 - 1-800-692-7443
 - Live Intake from 9:00AM – 3:00PM
- Online Intake Form:
<https://www.disabilityrightspa.org/get-help/>
- Legal advice, advocacy, information and referral services

What are DRP's Advocacy Tools?

- 5 Core Functions:
- * Individual
 - * Systemic



What are DRP's Advocacy Tools?

5 Core Functions:
* Individual
* Systemic

Core Functions

Systemic Advocacy

- Policy
- Investigations and Monitoring
- Education and Outreach
- Litigation



DRP Resources for Self-Advocacy:

27 Topics

Resources under each topic
posted on DRP's website

- Abuse, Neglect and Exploitation
- Access to Public and Private Commercial Facilities
- Americans with Disabilities Act (ADA) Eligibility
- Assistive Technology
- Census 2020
- Community HealthChoices (CHC) and other Community Alternatives to Nursing Facilities
- Deaf and Hard of Hearing People
- Education
- Employment
- Estate Planning/Substitute Decision-Making/Guardianship
- Healthcare
- Housing
- Incarceration
- Infants and Toddlers who are Newly Diagnosed with a Disability
- Intellectual Disabilities & Autism
- Medical Assistance (Medicaid)
- Mental Health
- Parking
- Representative Payee
- Service Animals
- Social Security/SSI
- Tickets to Events
- Transition to Adulthood
- Transportation
- Veteran Resources
- Voting
- Work Incentives Planning and Assistance (WIPA)

Resources:

<https://www.disabilityrightspa.org/resources/>



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Questions? (Part I)



TBI

❖ Traumatic Brain Injury Act and Potential Resources



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Traumatic Brain Injury Act

Traumatic Brain Injury (TBI) Act

- Federal law that directs funding to states
- Administered by the Administration for Community Living (ACL)
- Goal: To improve access to rehabilitation and other services for individuals with traumatic brain injury (TBI).
- Requires establishment of State TBI Advisory Board
 - Pennsylvania Dept of Health TBI Advisory Board

Examples of Potential TBI Resources

Overview

- **Pennsylvania Department of Health**
 - Traumatic Brain Injury / Head Injury Program
 - Acquired (Non-traumatic) Brain Injury Program
 - NeuroResource Facilitation Program

- **Pennsylvania Department of Human Services, Office of Long Term Living**
 - Medicaid Waivers for Home and Community-Based Services

- **Pennsylvania Office of Vocational Rehabilitation**

- **Brain Injury Association of Pennsylvania**
 - Brain Injury Resource Line
 - BrainSTEPS
 - Brain Injury Ambassador Program

- **Traumatic Brain Injury Center of Excellence**
 - (Formerly, the Defense and Veterans Brain Injury Center))

- **Brainline:** information/support



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Examples of Potential Brain Injury Resources

Traumatic Brain Injury / Head Injury Program:

- Eligibility criteria applies
- For information:
 - Brain Injury Help Line: 1-866-412-4755
 - <https://www.health.pa.gov/topics/disease/Pages/Traumatic-Brain-Injury.aspx>

Traumatic Brain Injury NeuroResource Facilitation program

For information:

- 1-717-772-2763 or 1-866-412-4755
- <https://www.health.pa.gov/topics/programs/Pages/NeuroResource-Facilitation-Program.aspx>

Acquired (Non-Traumatic) Brain Injury Program

- Eligibility criteria applies
- For information:
 - Brain Injury Help Line: 1-866-412-4755
 - <https://www.health.pa.gov/topics/programs/Pages/Acquired-Brain-Injury.aspx>



Examples of Potential TBI Resources

Pennsylvania Department of Human Services (DHS)

Office of Long Term Living (OLTL)

- Medicaid Waivers for Home and Community-Based Services for Adults:
 - Community Health Choices Home and Community-Based Services Waiver
 - Act 150 Attendant Care Program
 - OPTIONS Program
 - Living Independence for the Elderly (LIFE) Program
- For additional information, see our publications about **Community HealthChoices (CHC) and Other Community Alternatives to Nursing Facilities** at: <https://www.disabilityrightspa.org/resources/#chc>
- You may also contact OLTL's Participant Hotline at 1-800-757-5042 or the DHS's Customer Services at 1-877-395-8930.



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Pennsylvania Office of Vocational Rehabilitation (OVR)

Examples of Potential TBI Resources

- Goal: to help persons with disabilities prepare for, obtain, or maintain employment
- Services are wide-ranging and individualized, provided through a network of approved vendors.
- Eligibility requirements
- For information, visit:
 - <https://www.dli.pa.gov/Individuals/Disability-Services/ovr/Pages/default.aspx>



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Examples of Potential TBI Resources

Brain Injury Association of Pennsylvania (BIAPA)

Statewide nonprofit, organization supporting educations, advocacy, and research in the field of brain injury.

- Visit <https://Biapa.org/> or call 1-800-444-6443
 - Brain Injury Resource Line
 - Brain Injury Ambassador Program
- BrainSTEPS: a school re-entry counseling program. For information contact 1-724-944-6542

Examples of Potential TBI Resources

Traumatic Brain Injury Center of Excellence*

Promotes care to mitigate consequences of mild to severe TBI

- Active-duty service members
- Veterans
- and their Families

For information:

- Visit: <https://health.mil/Military-Health-Topics/Centers-of-Excellence/Traumatic-Brain-Injury-Center-of-Excellence>
- Call: 1-800-870-9244
- *Formerly, the Defense and Veterans Brain Injury Center



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Examples of Potential TBI Resources

BrainLine

Offers information and support to individuals whose life has been affected by brain injury or PTSD.

For information:

- Email: info@BrainLine.org
- Call: 1-703-998-2020



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Resources:

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How to contact DRP?

➤ DRP's Website: <https://www.disabilityrightspa.org/>

➤ "Get Help"

- <https://www.disabilityrightspa.org/get-help/>

- Online Intake Form
- Request Training/Education
- General Inquiries

➤ Call Live Intake:

- (800) 692-7443
- Monday – Friday 9:00AM to 3:00PM



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Questions?

