

DISABILITY RIGHTS IDAHO (DRI) STATEMENT OF GOALS AND PRIORITIES

Fiscal Year 2018 (October 1, 2017 – September 30, 2018)

CASE SELECTION CRITERIA

1. The applicant must meet the program eligibility guidelines and the identified problem must fall within a priority for services.
2. Case services will be provided only to people whose problem is related to their status as person with a disability, whose problem could be resolved by DRI staff, and whose case has legal merit.
3. Case services will generally only be provided to people whose problems cannot be solved through self-advocacy or by other individuals, agencies, attorneys or organizations.
4. While DRI may provide direct representation to individual clients, cases with systemic issues will be chosen over cases for individual relief.
5. DRI receives more requests for assistance than resources allow, so DRI may deny a request for case services due to lack of funding or staff, even if the issue falls within a priority and meets case acceptance criteria.
6. DRI resolves problems, whenever possible, through non-adversarial means such as negotiation, mediation, conciliation, and exhaustion of administrative remedies, where appropriate, before filing legal action in federal or state court.

ASSISTIVE TECHNOLOGY

GOAL: People with disabilities will have access to assistive technology (AT) devices and services that they need.

Priority #1: Provide systemic advocacy to ensure access to AT devices and services.

Priority #2: Accept cases regarding denials for AT devices and services as resources allow.

DISABILITY DISCRIMINATION

GOAL: Public or private entities will not discriminate against people with disabilities in violation of the Americans with Disabilities Act (ADA), or Section 504 of the Rehabilitation Act of 1973.

Priority: Accept cases of discrimination against people with disabilities in violation of Title II or Title III of the ADA or Section 504 of the Rehabilitation Act of 1973 as resources allow.

EDUCATION

GOAL I: Students with disabilities in Idaho public schools will not be subjected to disciplinary actions that violate their rights under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act.

Priority: Provide assistance to parents and students to prevent or stop the use of unnecessary restraint and seclusion in public schools.

GOAL II: Students with disabilities will have access to appropriate transition services to help the student prepare for post-secondary activities (e.g. college, training, employment, adult independent living, etc.).

Priority #1: Provide advice, resources, strategies, or other short term assistance to parents and students with disabilities to ensure access to appropriate transition services under IDEA, Section 504, and the Workforce Innovation and Opportunity Act (WIOA).

Priority #2: Conduct transition workshops that provide information and educate on the benefits of competitive, integrated employment.

EMPLOYMENT

GOAL I: Increase access to Rehabilitation Services Administration (RSA) authorized services [i.e. Idaho Division of Vocational Rehabilitation (IDVR), Idaho Commission for the Blind and Visually Impaired (ICBVI), and independent living centers (ILC)].

Priority #1: Provide advocacy and legal services as appropriate to assist people with disabilities to access RSA authorized agencies, programs or projects.

Priority #2: Identify and address systemic issues of RSA authorized agencies, programs or projects.

GOAL II: Social Security (SS) disability beneficiaries will secure, maintain, retain or advance employment.

Priority #1: Provide written advice, resources, and strategies necessary for self-advocacy to people with disabilities who have alleged employment discrimination.

Priority #3: Conduct monitoring at up to eight (8) sheltered workshops and address identified violations of Section 14(c) requirements of the Fair Labor Standards Act..

Priority #5: Provide information and referral to Social Security beneficiaries about work incentives and employment services.

GUARDIANSHIPS

GOAL I: Promote the rights of people with disabilities who are, or may be, subjected to a guardianship or conservatorship.

Priority #1: Participate on the Idaho Supreme Court Committee on Guardianships and Conservatorships to represent the rights and perspectives of people with disabilities regarding guardianships or conservatorships.

Priority #2: Advocate for the implementation and use of the supported decision making model as an alternative to guardianships.

GOAL II: People with disabilities will be free from abusive or unnecessary guardianships or conservatorships.

Priority: Provide legal representation to people with disabilities to modify or terminate abusive or unnecessary guardianships or conservatorships as resources allow.

MEDICAID

GOAL: People with disabilities will have access to appropriate Medicaid services.

Priority #1: Provide information to families, and providers of mental health services to children with serious emotional disturbance (SED), regarding the medical necessity criteria for Medicaid psychiatric rehabilitation services.

Priority #2: Pursuant to case selection criteria, and as resources allow, provide representation to children with SED who experience a denial of Medicaid psychiatric rehabilitation services.

Priority #3: Through public policy or other system change activities, advocate for the implementation of the Centers for Medicare and Medicaid Services (CMS) information bulletin "Clarification of Medicaid Coverage of Services to Children with Autism", dated July 2, 2014.

Priority #4: Advocate that the Idaho Department of Health and Welfare comply with the CMS person centered planning rules for the Home and Community Based Services (HCBS) Aged and Disabled (A&D) Waiver.

Priority #5: Inform public policy makers on the effects of including inpatient care on the Medicaid mental health managed care contract.

OUTREACH/TRAINING

GOAL I: People with disabilities will have increased awareness about the services offered by DRI and the Client Assistance Program (CAP).

Priority #1: Conduct outreach to transition-age youth with disabilities, including transition-age youth in facilities.

Priority #2: Conduct outreach in the community to increase awareness of services offered by DRI and the CAP.

Priority #3: Conduct outreach to RSA authorized agencies and clients.

GOAL II: Conduct outreach to unserved and underserved populations with disabilities.

Priority: Provide information about services offered by DRI and the CAP and other rights information to people with disabilities residing on the Fort Hall Indian and Coeur d'Alene Indian Reservation.

Provide outreach about services offered by DRI, including the CAP, and other rights information to Latinos with disabilities and their families.

GOAL III: People with disabilities will have increased awareness about the services offered by DRI to increase access to voting.

Priority #1: Conduct outreach to transition-age youth with disabilities regarding access to voting.

Priority #2: Conduct outreach/training in the community regarding voter training and information.

PUBLIC POLICY/SYSTEMS ADVOCACY

GOAL: Participate in systemic advocacy that protects and promotes the rights of people with disabilities.

Priority #1: Inform public policy makers of the impact that proposed changes to Medicaid will have on Idahoans with disabilities.

Priority #2: Monitor legislative bills and proposed rules, analyze their impact on people with disabilities, and provide this information to disability organizations and others.

Priority #3: Participate with other stakeholders and disability groups on task forces, work groups, and councils that present opportunities to advocate on behalf of people with disabilities.

Priority #4: Address systemic public policy issues in the Idaho Medicaid managed care programs which arise during FY2017.

Priority #5: Serve on task forces for developing new rules for home and community based services for people with developmental disabilities concerning person centered planning, individual budget setting, and quality assurance, in compliance with the consent decree in K.W. v. Armstrong.

Priority #6: Participate in the development of state rules governing Homes for Adult Residential Treatment (HART) facilities.

Priority #7: Collaborate with the Idaho Council on Developmental Disabilities and the Center on Disability and Human Development at the University of Idaho (University Center for Excellence in Developmental Disabilities – UCEDD) to address disparities in access to, utilization of, and outcomes in services and supports experienced by Spanish speaking people with intellectual and developmental disabilities in Idaho by developing individual and collective leadership skills and tools.

Priority #8: Collaborate with the Idaho Department of Health and Welfare and other organizations, to create state rules to address restraint and seclusion in home and community based settings (HCBS) that comply with federal requirements.

Priority #9: Collaborate with the State Independent Living Council and the Consortium for Idahoans with Disabilities to develop person

centered planning process for people on the Medicaid HCBS/A&D Waiver which complies with Center for Medicaid Services regulations.

RIGHTS IN FACILITIES

GOAL I: People with disabilities in facilities will live free from abuse.

Priority #1: Investigate instances of deaths of people with disabilities in facilities in which death was caused by physical assault; failure to treat, care or monitor the individual; seclusion; or physical, mechanical or chemical restraint.

Priority #2: Propose changes to rules for residential habilitation, residential assisted living facilities and certified family home providers to report deaths to the Idaho Department of Health and Welfare, and participate in the rule-making process.

Priority #3: Investigate allegations of abuse of people with disabilities in facilities according to the abuse and neglect case selection criteria.

Priority #4: Collaborate with stakeholders to propose hospital licensing rules regarding restraint and seclusion.

Priority #5 Ensure the implementation of the corrective action plan approved by the Idaho Department of Health Welfare to address identified restraint and seclusion violations at State Hospital North.

Priority #6: Pursue available legal remedies for abusive practices at State Hospital North not addressed in the corrective action plan approved by the Idaho Department of Health and Welfare.

Priority #7: Review the abuse and neglect investigations conducted by the Human Resources Division of the Idaho Department of Health and Welfare, and the Bureau of Facility Standards at the Southwest Idaho Treatment Center; monitor corrective actions, and pursue appropriate remedies.

GOAL II: People with disabilities in facilities will live free from neglect.

Priority: Investigate allegations of neglect of people with disabilities in facilities according to the abuse and neglect case selection criteria.

Goal III: People with disabilities in facilities will have their rights protected.

Priority #1: Investigate allegations of rights violations of people with disabilities in facilities according to the rights violation case selection criteria.

Priority #2: Conduct monitoring of up to six (6) selected facilities, including facilities housing children with disabilities.

Priority #3: In collaboration with the American Civil Liberties Union, propose that the Idaho Sheriff's Association include adequate mental health treatment standards for people with mental illness in county jails in the Idaho Jail Standards manual.

Priority #4: Identify and address unlawful denials of the protection and advocacy (P&A) system's access to residents in facilities and records subject to P&A federal access authority.

Priority #5: Participate in the rule-making process regarding the secure treatment facility for individuals diagnosed with a developmental disability and mental illness.

Priority #6: Monitor the secure treatment facility for individuals diagnosed with a developmental disability and mental illness for violations of rights, abuse or neglect, and pursue appropriate remedies.

VOTING ACCESS

GOAL: People with disabilities will have full access to the federal voting process.

Priority #1: Collaborate with other agencies and organizations to ensure full access to the federal voting process by people with disabilities.

Priority #2: Reduce barriers to the federal voting process for people with disabilities.

DRI is a private non-profit organization, primarily funded by special federal grants. Due to limited funding in each program, we must establish specific priorities and objectives on an annual basis.

Goals are areas of concern which DisAbility Rights Idaho hopes to address through activities described in the Objectives.

Priorities describe the specific activities for which DRI has committed resources in this fiscal year and the types of cases the agency will accept in the priority areas.

To comment on these goals and priorities, or to suggest new ones for next year, please contact us:

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