



We have the legal right of way.

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## DISABILITY RIGHTS OHIO

### Federal Fiscal Year 2015 Programmatic Priorities

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## ISSUE AREA: COMMUNITY INTEGRATION

Community integration means people with disabilities live in the same communities and are able to do the same things as people who do not have disabilities. Disability Rights Ohio (DRO) will work to make sure that individuals with disabilities can live where they want to live and have the services and supports that they need. The efforts below are ways that DRO will help people with disabilities with community integration.

### Help People with Housing Discrimination

People with disabilities need a safe and affordable place to call home. However, housing discrimination can be a barrier for people with disabilities. Housing discrimination is when people with disabilities are treated differently than people who do not have disabilities, or when people with disabilities are not allowed to have a reasonable accommodation that would help them find, keep, and live safely in their communities. Disability Rights Ohio will help by giving people information so they can advocate for themselves. Disability Rights Ohio will also work on problems that affect many people at the same time. DRO will also help certain individuals who may have to move to an institution or become homeless because of housing discrimination.

### Recovery Requires a Community Program

People with mental health disabilities are often forced to live in nursing facilities, separated from family, friends and community life. Ohio has a new program called Recovery Requires a Community. This program helps people with behavioral health needs leave a nursing facility setting and live in the community. DRO will work with legal aid organizations and other partners to make sure that people living in nursing facilities know about this program and how it can help them. Disability Rights Ohio will also monitor this new program to make sure that it is working.

## **Segregated Living and Work Programs for Individuals with Developmental Disabilities**

Often times, people with developmental disabilities are not given the choice to live in their own home or with family or friends. And often they do not have the choice to get a job or spend their days doing the activities they like with their friends or family. Instead, people with developmental disabilities are placed in an institution or receive day services that keep them away from the community and only with other people with disabilities. Disability Rights Ohio will find out why this is happening and then work with partners to change how programs and services are done so that individuals with developmental disabilities have a real opportunity to live in their own home, get a job, and spend their days fully included in their community.

### **Voting**

Voting and political participation are important parts of community living. These let all people share their opinions and help make decisions on important community issues. Sometimes, discrimination can get in the way when people with disabilities try to vote. Voting information or polling locations may not be accessible, or a person with a disability may be told that he or she is not allowed to vote even if they really are allowed. Disability Rights Ohio will tell people with disabilities about their voting rights. Disability Rights Ohio will also be available to represent people who have problems with voting because of a disability.

### **Program/ Service Accessibility**

People with disabilities sometimes face barriers when they seek services or visit businesses. For example, people with disabilities are told they are not welcome in stores because they have a service animal. People with disabilities are sometimes told they can't have interpreters at medical appointments. Sometimes buildings and other areas are not physically accessible for people with disabilities. Disability Rights Ohio will tell people with disabilities what their rights are so they can use this information to advocate for themselves. Disability Rights Ohio will also represent people who have problems because they use a service animal or because of communication troubles.

## **ISSUE AREA: EMPLOYMENT**

Having a job and being self-sufficient is an important goal for people with disabilities. Employment helps people with disabilities have money so they can pay for the things they want and need. People with disabilities often face obstacles in gaining meaningful employment. For example, many people with disabilities have trouble finding vocational rehabilitation (VR) services that give them what they need to find a job. People with disabilities also may want to return to work but are worried about how working will change their other benefits, including Social Security and Medicaid. Over the next year, Disability Rights Ohio will focus on the areas below to help people with disabilities with employment.

### **Vocational Rehabilitation (VR)**

As Ohio's Client Assistance Program (CAP), Disability Rights Ohio helps people with disabilities

who have problems with vocational rehabilitation (VR) services. DRO will tell individuals their rights and will help individuals understand the VR process. DRO will also work to find out the causes of problems with the VR system that affect many people and will find ways to fix these problems. The new Workforce Innovation and Opportunity Act has changed the laws about VR programs. DRO will help people with disabilities and others understand these changes.

## **Return to Work for Individuals Receiving Social Security**

Disability Rights Ohio operates the Work Incentives Planning and Assistance (WIPA) program, which helps people who receive Social Security benefits if they want to try to return to work. The program helps people with disabilities understand programs that can help them work and not lose their Social Security benefits.

Sometimes, individuals with disabilities run into problems when Social Security has paid them too much money. Disability Rights Ohio will give people timely and relevant information that they need to be self-advocates and work to address any benefits issues they may have.

## **Employment Discrimination/Segregation**

People with disabilities can be discriminated against when they are treated differently from a person without a disability when working or looking for work. Employment discrimination can also mean that a person with a disability is not given the accommodations that they need to do their job. Accommodations are changes that an employer makes to help a qualified person with disabilities do their job. These accommodations could include a job coach, a special computer, or a different schedule. Disability Rights Ohio tells people with disabilities the information that they need to know about their employment rights. Disability Rights Ohio will also help people who receive Social Security or medical benefits if they face a barrier to employment.

Some people with disabilities do not get a chance to work in the community. Instead, their only option is to work in sheltered workshops – places where the only employees are other people with disabilities, who are often paid below minimum wage. Disability Rights Ohio plans to investigate sheltered workshops to see that they are meeting all legal requirements and will also tell people who work in sheltered workshops what their rights are. DRO will also work with the Employment First Task Force, which seeks to change state policy so that people with disabilities can work in the community.

## **ISSUE AREA: EDUCATION**

Education is important for anyone who wants a successful future. Students with disabilities often have problems getting an education. Disability Rights Ohio will focus on the areas of education listed below to make sure that Ohio students with disabilities get the services and supports that they need so they can complete school and have a successful future, including having jobs in their community.

### **Transition**

Transitioning from school to either post-secondary (college or trade) education or employment can be a challenge for anyone, but students with disabilities can face many more challenges

during this time. In addition, students might not get the education or other services they need to help them get a job or go to a post-secondary school. Disability Rights Ohio will provide classes (“boot camps”) that help students and parents better understand what they need to know about transition. DRO will also tell students and families about their rights, and will represent some students who do not get services or supports that they needed during transition.

### **Restraint and Seclusion**

The Ohio Department of Education recently created rules banning one kind of restraint (holding a student down) and putting restrictions on other types of restraint and seclusion (keeping a student in a separate area or room) in schools. These rules were a major step forward to make sure that students with disabilities are safe and getting an education at school. Disability Rights Ohio will make sure that the local school districts and the Department of Education are following the new rule. DRO will also work on activities to decrease the number of times restraint and seclusion are used on students with disabilities. Disability Rights Ohio can represent individual students who were hurt or kept out of class for a large amount of time because of restraint and seclusion.

### **Discipline/Punishment**

Students with disabilities are punished for disability-related behavior at a higher rate than other students. When students with disabilities are punished, they do not have access to education, and studies show that students who are suspended or expelled from school are more likely to end up in jail or prison. This pattern is called the “school-to-prison pipeline.” Disability Rights Ohio will help people better understand how students with disabilities end up in the school-to-prison pipeline. DRO will also help students and parents better understand what they can do to avoid the school-to-prison pipeline. DRO will represent students if they are disciplined or punished because of actions related to a disability and the discipline or punishment has made it harder for them to receive an education.

## **ISSUE AREA: ABUSE AND NEGLECT**

People with disabilities are at a higher risk of being abused or neglected, even though they have a right to be free from abuse, neglect, or exploitation. Over the next year, Disability Rights Ohio will deal with issues of abuse and neglect for people with disabilities in the ways explained below.

### **Death Investigations**

Disability Rights Ohio will monitor Major Unusual Incident (MUI) reports, reports that are made when a significant risk of harm occurred to a person. Disability Rights Ohio will look into the incident and for signs of abuse or neglect when a report involves the death of a person with a disability.

## **Abuse, Neglect and Exploitation Investigations**

DRO will look into MUIs when there are serious incidents, such as sexual abuse or serious injuries.

DRO will also work with state and local officials to support policies and plans that solve major problems and prevent abuse and neglect from happening.

## **Restraint and Seclusion**

In 2009, Ohio's Governor issued an executive order requiring state agencies to ban prone restraint (a restraint that blocks the person's airway and can result in death) and put limits on other types of restraint and seclusion. Disability Rights Ohio will make sure that the state agencies are following the rules in the executive order. Disability Rights Ohio will help leaders and the public better understand why restraint and seclusion should not be used on people with disabilities and promote alternatives that keep them from being used. DRO will support plans and programs that stop restraint and seclusion from happening. DRO will also look into reports of restraint or seclusion.

## **Monitoring Abuse and Neglect in Institutions**

Disability Rights Ohio will visit and tour segregated settings, such as nursing facilities, psychiatric hospitals, intermediate care facilities, developmental centers and sheltered workshops, to look for cases of abuse, neglect or rights violations.

## **Criminal Justice**

Individuals with disabilities are discriminated against in the criminal justice process. Disability Rights Ohio will help people who are currently in jail or prison to better understand their rights for accessibility, accommodations and treatment. DRO will also support plans to help people who leave jail or prison return to the community.

Disability Rights Ohio will also advocate for people with disabilities who are victims of a crime and make sure that they have access to the victims' support services.

## **Guardianship/Supported Decision Making**

Sometimes people with disabilities have a guardian – a person who makes legal decisions for them. People with disabilities sometimes have a guardian even though they are able to make decisions for themselves. People with guardians can be placed in institutions against their will. DRO will work to help people who have concerns about their guardianship. DRO will also work with partners to fix the broken guardianship system in Ohio to prevent future problems.

## **Involuntary Treatment**

Ohio recently made changes to its laws about civil commitment, which is a process that allows a court to order a person with a mental illness to receive treatment. DRO will train people about these changes, watch for rights being violated in these hearings, and help people who have concerns about civil commitment.

## **ISSUE AREA: HEALTH CARE**

Health care is an important issue for people with disabilities. There are many programs that help people obtain health care services. However, all of the programs have different requirements, serve different groups of people, and may not offer all of the services a person needs. Disability Rights Ohio will do the things listed below to help people with disabilities get access to the health care services that they need.

### **Training and Outreach**

DRO will help people with disabilities better understand Medicaid Buy-In for Workers with Disabilities and other programs that people with disabilities may not know about.

### **Educate and Inform on Medicaid Expansion**

Disability Rights Ohio will help people with disabilities better understand the benefits of Medicaid expansion. DRO will also make sure that policy makers know how important Medicaid expansion is to people with disabilities.

### **Collaborate with Partners on Health Issues**

Disability Rights Ohio will work with other health-related organizations, including the University Centers of Excellence in Developmental Disabilities (UCEDD), and other developmental-disabilities-related organizations. DRO will help people with disabilities explain their health care problems and make sure that policy makers know about the issues that are important to people with developmental disabilities.

### **Children's Health Care**

It is important to find out if a child has a disability when they are young so they can receive the health care services that they need right away. It is also important that children with disabilities have access to health care as they grow up. Disability Rights Ohio will continue to work to ensure that the required Medicaid screenings (Early Periodic Screening Diagnostic Testing) and the treatment options required by federal law are available for children so they have what they need to grow up healthy.

## **ISSUE AREA: ACCESS TO COUNSEL AND IMPROVING ADMINISTRATIVE HEARINGS**

Sometimes, people with disabilities are told that they cannot have access to programs, services or supports they need. For example, someone may be told that their VR case is "closed" when they still need employment services. This can happen in employment, education, health care or any other service. There are ways for people to disagree about these types of decisions, but many times the process is unfair, and people with disabilities are not able to get an impartial review of the decision to end services. Disability Rights Ohio will support changes to these processes so they can become easier to use and so that people with disabilities are able to access the services and supports they need. This includes making sure that people with disabilities have access to a lawyer when they need one.

## **ISSUE AREA: REPRESENTATIVE PAYEE**

Representative payees are people who help Social Security beneficiaries (individuals receiving Social Security payments) manage their social security benefits. In partnership with the National Disability Rights Network and the Social Security Administration, Disability Rights Ohio will look at select representative payees to make sure that they are following the program rules.

## **ISSUE AREA: POLICY AND COMMUNICATION**

Disability Rights Ohio not only serves individual clients but also works to help the general public better understand the rights of people with disabilities. DRO will continue to help policy makers understand about the rights of people with disabilities and let people with disabilities know about current laws and other programs.

### **Build Policy Expertise**

Disability Rights Ohio will continue to be a resource on disability-related policy for people with disabilities, policy makers and the general public. DRO will make sure that people with disabilities have a chance to express their opinion and that policy makers are aware of how a decision will impact the disability community. DRO will focus on the following key issues: housing, transportation, the state's Employment First program, and transition services.

### **Build Partnerships**

Disability Rights Ohio will build partnerships with other disability organizations, with a primary focus on collaborating with organizations made up of and led by people with disabilities. Examples of partnership-building activities include participating in coalitions, workgroups and task forces, going to events and conferences, and building relationships with other agencies and organizations.

### **Build Positive Images of People with Disabilities**

DRO will build positive images of people with disabilities. DRO will do this by sharing positive stories through traditional media (newspapers, television and radio) and social media (Facebook and Twitter), and on the agency website. These efforts will focus on helping individuals with disabilities and the general public better understand the rights of and reducing stigma against people with disabilities. DRO will help the media better understand how to present information on issues that impact people with disabilities.

### **Empower People to be their Own Advocates**

DRO will work with the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Advisory Council, organizations for people with developmental disabilities, and other groups to help individuals better understand their rights and how to be their own advocates. DRO will do this by writing helpful guides, providing trainings for people with disabilities, and by collaborating with organizations made up of and led by people with disabilities.