

CASE EXAMPLES FOR BOARD/PAC MEETING 6-24-22

(Cases closed between 4-4-22 and 6-14-22)

ACCESSIBILITY

1. PATBI 1 University Accommodations Staff: Emily Ehlers

Client is a 41-year-old female, diagnosed with a traumatic brain injury. She requires accommodations to complete her college coursework. DRI represented the client in negotiations with the university to help establish reasonable accommodations and a process for requesting ongoing assistance. DRI worked with the client to procure a letter from her primary care provider, outlining her disabilities and diagnoses and the need for various accommodations. The university also agreed to have a coordinator available to the client to address needs quickly as they arise.

Date opened: 10-7-21 Date closed: 6-3-22

ASSISTIVE TECHNOLOGY

1. PAAT 1 Medically-Necessary Equipment Staff: Emily Ehlers

Client is a 6-year-old girl with numerous diagnoses, including scoliosis. Her managed care organization (MCO), denied a prior authorization request for a power wheelchair. DRI agreed to represent her in the appeal process. DRI filed a first level appeal, along with medical documentation from the client's treating medical providers. MCO reversed its initial decision and agreed to approve the wheelchair; the client will receive her medically necessary wheelchair.

Date opened: m-d-yy Date closed: m-d-yy

EDUCATION

1. PADD 3 Improved Self-Advocacy Staff: Nathan Kirstein

Client is a 3-year-old boy diagnosed with autism spectrum disorder and is non-verbal. The parent initially contacted DRI about special education evaluation for her son. In the process of representation, the parent also asked for advocacy requesting a reasonable accommodation for ASL services at her son's daycare. DRI confirmed that the client was evaluated and receiving special education services by the time the retainer was signed. DRI discussed speech services with the provider and reviewed provider evaluations for any recommendations for accommodations at the daycare. Through DRI's advocacy, the parent better understood her son's services and the law regarding reasonable accommodations for her child.

Date opened: 11-9-21 Date closed: 5-20-22

2. PADD 1 Full Days of Schooling Staff: Whitney Driscoll

Client is an 18-year-old male, diagnosed with oppositional defiant disorder, attention deficit-hyperactivity disorder, autism, and Tourette syndrome, who lives in a home and community-based service setting. The client was expelled from school for a behavior later determined to have manifested from his disability. However, thereafter, the client did not have full-length school days or access to the behavioral services specified by his individualized education plan (IEP). DRI obtained and reviewed Client's records and advocated for him at an IEP meeting. The client's IEP now reflects that the client should receive full days of school and appropriate behavioral services. DRI also advised the client concerning self-advocacy for future educational needs, as well as

information about his right to receive compensatory education for a past educational violation based on his records.

Date opened: 10-28-21 Date closed: 4-6-22

EMPLOYMENT

1. PADD 2 Job Coaching Accommodation Staff: Scott Lyon

Client is a 23-year-old male, diagnosed with autism spectrum disorder and neurological impairments. Client's employer recently placed him on leave for numerous alleged performance deficiencies. Client submitted a request for accommodation, asking his employer for a job coach. DRI reviewed correspondence between the client, his guardian, and the employer, as well as supporting documentation from Client's treating professionals. DRI provided guidance on Client's rights and available remedies. Client is again working and has a plan allowing him to access job coaching from a third party to help in the areas where he needs assistance.

Date opened: 3-16-22 Date closed: 4-11-22

GUARDIANSHIP

1. PADD 1 Ineffective Guardianship Modified Staff: Scott Lyon

Client is a 65-year-old female diagnosed with an intellectual disability. Client's cousin is her guardian and conservator and was not fulfilling her role appropriately. Client sought assistance terminating the guardianship and conservatorship, and appointing her service provider as representative payee for managing her income. The day prior to trial, the parties reached an agreement for Client's cousin to resign as conservator, relinquish representative payee authority, and limit the guardianship to give Client control over her choice of permanent residence.

Date opened: 7-20-21 Date closed: 6-14-22

2. PAIMI 1 Ineffective Guardianship Modified Staff: Scott Lyon

Client is a 25-year-old male diagnosed with schizoaffective disorder and anxiety. The client's mother is his court-appointed guardian and he alleged she is overly restrictive and verbally abusive. Through DRI's representation, Client's guardian agreed to a request to modify the client's guardianship so he can select his own living arrangements, so long as he agrees to continue receiving services in the home. In exchange, the client dismissed his motion to terminate.

Date opened: 12-23-21 Date closed: 4-22-22

HEALTHCARE

1. PADD 1 Adult Day Care Services Staff: Emily Ehlers

Client is a 31-year-old male, diagnosed with coloboma, heart defect, atresia choanae/choanal atresia, restricted growth and development, genital abnormality, and ear abnormality (CHARGE) syndrome. His managed care organization (MCO), issued notice that it planned to terminate all adult day care services. DRI represented this client in the same issue last year and received a positive decision from an Administrative Law Judge (ALJ). This time, DRI filed a first level appeal on the client's behalf and included the decision from the ALJ. MCO overturned the termination and approved the respite services.

Date opened: 4-22-22 Date closed: 5-20-22

2. PAIMI 1 Full Days of Schooling Staff: Emily Ehlers

Client is a 13-year-old male, diagnosed with a disruptive mood dysregulation disorder and anxiety. He was on a shortened school day, had inappropriate behavior goals in his individualized education plan (IEP), and spent most of the day in the behavioral disorder classroom. DRI provided representation at multiple IEP meetings to make more specific goals tailored to his work avoidance issues, got him back on a full school day, and worked to create a plan to help reintegrate him into the general education setting.

Date opened: 10-14-21 Date closed: 5-20-22

HOUSING

1. PAIR 1 Housing Accommodation Staff: Emily Ehlers

Client is a 57-year-old male with diagnoses that include carpal tunnel and arthritis in his hands. Because of his disability, he struggles to open the heavy front door of his apartment building. He contacted DRI for assistance after his property manager refused to provide the automatic door code. DRI sent a demand letter to the property manager and negotiated on the client's behalf; the property manager provided the automatic door code, preventing pain and discomfort to the client.

Date opened: 3-2-22 Date closed: 4-21-22

WORKING AND INCENTIVES PLANNING AND ASSISTANCE (WIPA)

1. Staff: Mistie Johnson

Beneficiary is a 21-year-old male diagnosed with cognitive disabilities. Beneficiary's guardian and mother reached out to the work incentives planning and assistance (WIPA) team after receiving a referral from the service provider working with her son. In this case, the guardian was outside the U.S., making it difficult to find accurate resources and information. Accordingly, the community work incentives coordinator (CWIC) met with Beneficiary's guardian via virtual conference to collect and verify information regarding her son and his benefits. Upon learning Beneficiary was earning enough work credits to receive Social Security Disability Insurance (SSDI), the WIPA team discussed with the beneficiary his goal to work part-time and gain more independence while still receiving SSDI benefits. The CWIC was able to inform the beneficiary and his guardian about work incentives including the Trial Work Period, which would enable him to work and not negatively affect his benefits for at least nine months. The CWIC also shared information about IA Able accounts, where the beneficiary could save money that would not be counted against any of his need-based, or asset-limited programs such as Medicaid, housing, or Social Security Insurance (SSI). The CWIC plans to meet with the beneficiary, his guardian, and the referring service provider in-person to follow-up on his progress

2. Staff: Tammy Crouch

Beneficiary is 21-years-old diagnosed with an intellectual disability and receiving supplemental security income (SSI). She recently got her first job and has job coaching through a local provider. She and her mother reached out to the work incentives planning and assistance (WIPA) team with questions about earnings and reporting. She had not reported her earnings despite working for a couple of months. DRI obtained a benefits query from the Social Security Administration (SSA), which validated that she did not have any earnings on file. At this point, Beneficiary's mother and employment team became concerned that she would have an overpayment, causing her to lose her benefits; she was encouraged to stop working until the issue could be resolved.

DRI immediately met with her employment team and family to provide clear information about work and benefits, which showed that Beneficiary would receive more income from working than from SSI alone. Beneficiary was taught how to calculate her SSI check each month based on her earned income and how to report monthly earnings. DRI informed beneficiary, her mother, and her employment team that she would not lose her Medicaid benefits, employment supports, or SSI earnings, putting the family at ease. We were also able to avoid an overpayment because SSI reporting is always 2 months behind anyway and the beneficiary was able to return to work, as desired.

This is an example of how the well-informed WIPA staff can use fact-based information to help someone navigate SSA and DHS. Without WIPA intervention, Beneficiary would likely have quit her job based on a lack of information.