

CASE EXAMPLES FOR BOARD/PAC MEETING 1-20-23

(Cases closed between 10-11-22 and 12-15-23)

Ensuring Accountability of Systems

1. PAIMI 2 HCBS Abuse and Neglect **Staff: Danielle Workman**
Individual is a 28-year-old woman, with PTSD, Bipolar, Ehlers-Danlos Syndrome. Individual called regarding alleged abuse and neglect and rights violation by their service provider. DRI gathered information from the individual. The individual stated the initial concerns had all been resolved. DRI provided self-advocacy assistance on how to make agency-based complaints for any future complaints.

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

Civil Rights

1. PADD 3 Substitute Decision Maker **Staff: Char Joens**
Client is a 20-year-old female with a diagnosis of ADHD, who would like to terminate having a payee to manage her Social Security benefits. She wants to handle her benefits independently and suspects her current payee might be misusing or improperly using her benefits. DRI provided a generous amount of information related to the client's objective by phone and by mail. The client received new information so that she may successfully self-advocate, restore her rights and/or report financial exploitation.

Date opened: 8-30-22 Date closed: 12-12-22

2. PADD 3 Substitute Decision Maker **Staff: Scott Lyon**
Client is a 39-year-old man with cerebral palsy and intellectual disability (ID). Client lives in a host home setting funded through the home and community-based services (HCBS) ID waiver. Client's sought assistance enforcing his rights when his mother decided to remove him from the home, preparing to move him out-of-state. DRI investigated the matter and determined client's mother did not have legal guardianship, after failing to complete the transfer from out-of-state where they previously lived. DRI represented client in subsequent emergency guardianship hearing and hearing on his mother's motion to change his residence. DRI did extensive investigation and preparation to represent client at final guardianship hearing three months after initial intake. After two days of hearing evidence, the court ultimately removed client's mother as temporary guardian and appointed his aunt (client's chosen alternative candidate) as his guardian in a limited capacity. Client was permitted to continue living in the host home, per his wishes.

Date opened: 6-8-22 Date closed: 10-31-22

3. PAIMI 2 Places of Public Accommodation **Staff: Emily Ehlers**
Client is 21-year-old woman with a diagnosis of anxiety and major depressive disorder. Her sorority denied her accommodation request for an emotional support animal and then charged her a fee for not living in the sorority house. DRI represented the client in negotiations with the sorority in an effort to have the fees waived. The sorority ultimately waived the empty bed fees and the client was returned to good standing with her sorority chapter.

Date opened: 8-8-22 Date closed: 10-24-22

4. PAIR 3 Substitute Decision Maker **Staff: Elizabeth Estey**

The Client is a 30-year-old woman diagnosed with an intellectual disability at the age of 26 and placed under guardianship at the age of 27. Her father and stepmother are her joint guardians. Client contacted DRI because she felt she no longer needed a guardianship and her guardians were restricted her ability to access mental health services and work. The Client was especially concerned that her guardians would move her from her apartment as retribution for terminating the guardianship. DRI contacted one of the Client's co-guardians and she consented to terminating the guardianship. The court terminated the guardianship and client working on finding a new representative payee.

Date opened: 9-23-22 *Date closed: 12-15-22*

Community Inclusion

1. PAAT 4 Assistive Technology **Staff: Emily Ehlers**

Client is a 10-year-old boy with numerous disabilities, including severe intellectual disability. His safety bed was damaged and he needed an extension added to ensure he could not tip it over. His managed care organization denied the required extension and labor. DRI filed an appeal on the client's behalf. The managed care organization overturned the denial and approved the bed extension. The client will receive a repaired and extended bed, better suited to meet his needs.

Date opened: 9-14-22 *Date closed: 10-24-22*

2. PAAT 4 Assistive Technology **Staff: Nathan Kirstein**

The client is a 10-year-old girl diagnosed with Sturge-Weber Syndrome. The school was denying her access to appropriate assistive technology in her IEP and other supports/services. DRI attended three IEP team meetings and successfully advocated for appropriate supports and services, including the appropriate assistive technology to meet the client's educational needs.

Date opened: 8-11-22 *Date closed: 12-10-22*

3. PABSS 8 Barriers to Employment **Staff: Emmanuel Smith**

Client is a 24-year-old female diagnosed with a learning disability who requested help in getting her 1619b status reinstated by SSA. In the spring of 2021, the individual was subject to a continuing disability review (CDR) by SSA and determined her to no longer disabled based solely on income considerations. DRI filed a reconsideration of the SSA decision to review work incentives. Following the Disability Determination Services (DDS) hearing, SSA found the client to be disabled and preserved her Medicaid eligibility.

Date opened: 7-27-22 *Date closed: 12-7-22*

4. PADD 3 Medicaid Services Supports **Staff: Scott Lyon**

Client is a 31-year-old man with ID, autism, Tourette's, and seizure disorder. Client receives ID waiver services and his MCO recently notified him it would be reducing his Customer Directed Attendant Care (CDAC). Client and his mother/guardian seeking assistance with an appeal. DRI filed a first level appeal with the MCO and requested a state fair hearing after the appeal was denied. Prior to state fair hearing, the MCO reversed its decision and authorized the services the client had requested.

Date opened: 8-12-22 *Date closed: 10-13-22*

5. PADD 9 Challenging Behaviors **Staff: Steph Smith**

Client is a 16-year-old boy diagnosed with down syndrome. School was refusing to enroll client and provide appropriate Individual Education Planning (IEP). Parent's native language is not English. DRI assisted the parent with re-enrollment and reevaluation through providing the parent with self-advocacy tools. Client is enrolled at school with an appropriate IEP which will be translated into parent's native language.

Date opened: 8-31-22 Date closed: 10-25-22

6. PADD 1 Community Integration

Client is a 20-year-old man with spastic quadriplegic cerebral palsy. He originally contacted DRI for assistance in moving towards a more independent living situation. DRI advocated for the client's requests and ensured his legal rights were protected through a long process attempting to find a home and community based services provider who could meet his needs. DRI worked closely with his managed care case manager to connect with various agencies and to advocate for the client. The client had a major change in medical condition, including a tracheostomy, and spent a significant amount of time in the hospital. Because of the change in medical condition and need for additional nursing services, the identified HCBS provider could no longer meet his needs. The client is now residing in a nursing home, which provides brain injury specific services.

Date opened: 6-10-21 Date closed: 10-11-22

WORKING AND INCENTIVES PLANNING AND ASSISTANCE (WIPA)

1. Staff: Jenny Lynes

Beneficiary is a single 41-year-old female with a dependent son. They originally contacted the Ticket to Work Help Line and ultimately connected with WIPA due to concerns about the impact of employment on their disability benefits. Beneficiary had a housing subsidy going away the following month and did not know if working, whether at their current full-time job or in general, would be a good option for them. Upon review of Beneficiary's situation, I encouraged them to pursue the Earned Income Disregard (EID) and have their housing case manager determine their eligibility. After receiving conflicting information from their housing case manager and advocating for themselves, Beneficiary was able to have the housing authority determine that they are eligible for EID tentatively beginning Spring 2022—resulting in either a credit to their landlord or reimbursement for the rent they paid during most of the previous year. Beneficiary is more confident in their options moving forward and their ability to continue working at their full-time position—a complete turnaround from their original idea that they might need to quit. They are able to anticipate changes in their benefits and prepare for the transition to solely receiving income through earnings as a direct result of the individualized advisement and support provided through WIPA.

2. Staff: Tammy Crouch

Client is a 22-year old male with an intellectual disability. He is receiving SSI and just started a new job earning \$2,000 a month. He reached out to WIPA because he was unsure of how to report his income to SSA and his family was nervous about him losing his disability benefits and Medicaid. After our initial meeting it was clear that he should have been reporting his income earlier and he would likely end up in an overpayment unless we could use a work incentive. His family was asking him to work part time to keep his benefits but he wanted to continue to work full time. The first thing we needed to tackle was reporting his income and getting his SSI check adjusted properly. Once we did that, I was able to use a work incentive called a subsidy to

eliminate his overpayment because he had an accommodation that required a job coach. I also helped him make sure his Medicaid was transferred to 1619b in order to keep his Medicaid active. He will no longer be getting a SSI check each month because of his earnings but instead of just living off of a \$914 a month SSI check he will have his earnings of around \$2,000 a month. I was also able to eliminate his overpayment, and keep his Medicaid going. He also knows how to report his wages on the SSA wage reporting app to avoid future issues w/ SSA.