

Disability Rights IOWA

Law Center for Protection and Advocacy™

FISCAL YEAR 2019 & 2020 AREAS OF FOCUS¹

What is DRI's mission? The mission of Disability Rights IOWA (DRI) is to advance and protect the rights of lowans who with disabilities, including lowans with significant mental health issues, to dignity, equality, integration, self-determination and appropriate services and supports. DRI envisions a world where individuals with disabilities have the opportunity to live, work and learn in the most integrated settings, with the supports and services they need, free of abuse, neglect, stigma and discrimination.

What is DRI? DRI is a private, non-profit law center. DRI has several federal grants and other funding sources, which are described at the end of this document. However, DRI is an independent agency and is not part of the state or federal governments. There is no charge for DRI's services.

What does DRI do? DRI has the authority to investigate complaints of abuse or neglect of individuals with disabilities, including individuals with significant mental health issues. DRI also provides legal and advocacy services to lowans with disabilities.

What issues does DRI focus on? Although the needs of lowans with disabilities can be unlimited, DRI funds are very limited. Therefore, DRI's Board of Directors - based on input from the public, individuals with disabilities and their families and DRI staff - identifies the areas which DRI should focus on each year. DRI's areas of focus for fiscal year 2019 (October 1, 2018 – September 30, 2019) are described in the following pages. DRI hopes to continue these areas of focus in fiscal year 2020, with some revisions based on an annual review and input from the public, clients, Board of Directors, the mental health advisory committee, staff and others.

What factors does DRI consider when deciding whether to take a case? DRI considers the following factors when deciding whether it can provide legal representation/advocacy to an individual requesting services:

- Eligibility for services under relevant grant;
- The individual's issue arises because of a disability;
- The issue is within DRI's Areas of Focus (see following pages);

¹ DRI's fiscal year starts on October 1 and ends on September 30 of each year. These areas of focus cover October 1, 2018 through September 30, 2020.

- Legal merit or available remedy
- Severity of harm;
- Imminence of risk;
- Self-advocacy ability of client or family;
- Availability of resources and staff to properly advocate for the individual's issues.
- Potential of case to facilitate systems change or benefit other individuals;
- Availability of other resources to help the individual address the alleged violation; and
- Availability of other appropriate, independent investigatory authorities.

What types of cases does DRI not take? Regardless of the individual's disability or his/her initial eligibility, DRI will not accept cases, but will only provide information and referral services, when the following issues are presented:

- Divorce, child custody, and adoption;
- Bankruptcy;
- Estate planning (wills and trusts);
- Criminal representation or Civil mental health commitment including appeals;
- Representing parents with respect to termination of parental rights;
- Establishing that a Child is in Need of Assistance;
- Tax law, corporate or business law, consumer law, debtor-creditor law;
- Personal injury (other than injuries arising from abuse and neglect);
- Malpractice;
- Social security eligibility or appeals;
- Worker's compensation cases;
- Civil litigation that does not relate to the legal or civil rights of an individual with a disability;
- Initiation of guardianship or conservatorship of a person; and
- Cases involving inmates at county or state correctional facilities (other than injuries arising from abuse and neglect, restraint/seclusion issues or failure to provide reasonable accommodations).

What will DRI provide to an individual requesting services if DRI decides it cannot take a case? DRI will try to provide information and referral to other resources. The individual may also file a grievance with DRI. DRI's grievance policy can be found on DRI's webpage in the "Contact Us" folder at <https://disabilityrightsowa.org/contact-disability-rights-iowa/grievance-policy/>.

How can I request assistance from DRI? You can request assistance from DRI by:

- calling 515-278-2502 extension 12;
- calling our toll free number at 1-800-779-2502, extension 12;
- applying online on DRI's website at <http://driowa.org/contact-disability-rights-iowa/let-us-help/>

SUMMARY OF AREAS OF FOCUS

DRI has limited staff and resources. Therefore, DRI’s Board identifies what issue areas DRI should focus on each year. Below is a summary of DRI’s Board-approved areas of focus for FY 19 and FY 20. More detailed descriptions of the areas of focus follow this summary.

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[Figure 1 Photo of elderly women with bruises on her arm](#)

ABUSE AND NEGLECT: KEEP IOWANS WITH DISABILITIES SAFE

DRI will focus on the following areas:

➤ **Investigating abuse and neglect in facilities**²

Why is this important? Working to reduce abuse and neglect in facilities, by conducting abuse and neglect investigations, is a core function of Disability Rights Iowa. Disability Rights Iowa collaborates with the Department of Inspections and Appeals, the Long-Term Care Ombudsman and others to prevent abuse or neglect. DRI also works to improve the investigations of other enforcement and oversight agencies and issues public reports, where appropriate, to create systemic change.

Possible activities to achieve this goal:

- Conduct individual investigations into suspected abuse or neglect, including deaths and injuries of individuals with disabilities resulting from abuse or neglect.
- Provide, information, referrals, and individual advocacy including technical assistance, negotiation, legal or other assistance, to protect the rights of individuals with disabilities or mental illness receiving services in facilities or service settings.

² Facilities include, but are not limited to, nursing facilities, mental health institutes, residential care facilities (RCFs), and intermediate care facilities for individuals with intellectual or developmental disabilities (ICF-ID). Prisons, jails and juvenile justice facilities are covered under another area of focus.

➤ **Monitoring facilities with respect to the rights and safety of residents**

Why is this important? Disability Rights Iowa is able to determine a facility's compliance with respect to the rights and safety of residents by conducting monitoring visits to facilities. Monitoring facilities or service settings with allegations of abuse or neglect, with histories of the same, or as a matter of routine course. Monitoring includes, among other things, meeting and communicating privately with individuals, interviewing administrators and other staff, inspecting, viewing and photographing all areas of a facility which are used by residents or are accessible to residents.

Possible activities to achieve this goal:

- DRI will monitor at least three (3) residential care facilities; both mental health institutes, both state resource centers, an additional three (3) intermediate care facilities for individuals with intellectual or developmental disabilities, one (1) provider of services for individuals with traumatic brain injuries, and three (3) nursing facilities.
- Provide rights and self-advocacy information, on an individual basis, to individuals residing in the facilities monitored.

➤ **Investigating abuse or neglect in home and community based settings**

Why is this important? The Department of Inspections and Appeals does not investigate abuse and neglect in home and community-based settings. Instead, the Department of Human Services, which also contracts with providers of home and community-based services, investigates dependent adult abuse reports. To ensure that an independent entity investigates abuse and neglect in home and community-based service settings, DRI has made this an area of focus.

Possible activities to achieve this goal:

- Conduct individual investigations into suspected abuse or neglect of service recipients by HCBS providers, including deaths and injuries of individuals with disabilities resulting from abuse or neglect;
- Provide individual representation or advocacy including technical assistance, negotiation, or other assistance, to protect HCBS service recipients' rights related to abuse and neglect.

➤ **Monitoring home and community based settings**

Why is this important? On June 22, 1999, the United States Supreme Court held in *Olmstead v. L.C.* that unjustified segregation of persons with disabilities constitutes discrimination in violation of title II of the Americans with Disabilities Act. The Court held that public entities must provide community-based services to persons with disabilities when (1) such services are appropriate; (2) the affected persons do not oppose community-

based treatment; and (3) community-based services can be reasonably accommodated, taking into account the resources available to the public entity and the needs of others who are receiving disability services from the entity. To ensure that individuals living in home and community-based settings are safe and have their rights protected, DRI monitors such settings.

Possible activities to achieve this goal:

- Conduct monitoring visits to at least six (6) home and community settings. (See related community integration goals and activities)

ACCESSIBILITY: ENSURE ACCESS TO SERVICES AND PLACES



Figure 3 [Photo of Iowa State Capitol building](#)

- **Enforcing the right of individuals with disabilities to have equal opportunities to access state and local government services, programs and activities**

Why is this important? Iowans with disabilities are entitled to access government services, programs and activities under Title II of the Americans with Disabilities Act.

Possible activities to accomplish these goals:

- Provide individual and systemic legal advocacy concerning denial of equal access to state/local government services or other Title II public entities.
- Enforce the right of students with disabilities to reasonable accommodations.



Figure 4 Photo of young man in wheelchair dancing at music event

➤ **Enforcing the right of individuals with disabilities to places of public accommodation**

Why is this important? The inclusion of people with disabilities necessitates a wide and comprehensive approach, one which gives people with disabilities the opportunity to be included in every avenue of community life. Yet, community living doesn't just take the form of supportive services or the narrow bands of activities stereotypically linked to people with disabilities. Integration means the full weaving of disability into the greater communal narrative.

What will DRI do?

- Survey places of places of public accommodation in at least three geographical areas in Iowa.
- Provide trainings and technical assistance to owners and operators of places of public accommodation.
- Provide legal advocacy or litigate cases concerning denial of equal access to places of public accommodation.



Figure 5 Photo of young man using puff device to use computer

ASSISTIVE TECHNOLOGY: IMPROVE FUNCTIONING

DRI will focus on the following area:

- **Assisting students with disabilities in public schools to make progress by having the assistive technology they need and the training to use it**

Why is this important? Many students are removed from their school day, inappropriately disciplined, restrained, and secluded for behaviors that stem from a frustration with classroom tasks. The wide spectrum of assistive technology available to students and teachers is underutilized in the classroom. By increasing access to and understanding of assistive technology for students with disabilities in Iowa, more students will be able to fully engage in their classrooms with less frustration and teacher involvement.

Possible activities to accomplish this goal:

- Students with disabilities receive testing and evaluations to find out the best assistive technology devices and services for them.
- Students, parents, and school staff are trained on assistive technology options available to them and the right way to use the technology.

- **Increasing assistive technology and services for individuals with disabilities in facilities and home and community based settings**

Why is this important? Technology has become one of the main engines for economic activity, education and innovation in the United States. Advancements in

technology profoundly impact individuals with disabilities. Assistive technology device (AT), which is a subset of technology generally, are items, pieces of equipment, or product systems (whether acquired commercially, modified or customized) which increase, maintain, or improve the functional capacities of individuals with disabilities, maintain health and enhance independence. AT services are any service that directly assists an individual with a disability in selecting, acquiring, or using AT devices. However, assistive technology is often underfunded and individuals with disabilities do not realize the assistive technology that they might use to increase, maintain or improve their functional capacities.

Possible activities to accomplish these goals:

- Provide individual and systemic advocacy to assist individuals with disabilities in securing assistive technology from managed care companies and others.
- Monitor facilities to determine adequacy of assistive technology devices and services.
- Increase awareness of available technology by conducting workshops and seminars aimed at caregivers and organizations.



Figure 6 Photo of a young man preparing a snack for himself while relaxing in the kitchen of his apartment

COMMUNITY LIVING: PROTECT THE RIGHTS OF IOWANS TO LIVE IN THE MOST INTEGRATED SETTING

DRI will focus on the following areas:

➤ Increasing the options of adults who want to live in the community rather than facilities to successfully transition to the community

Why is this important? Individuals with disabilities have the right under the Americans with Disabilities Act and the U.S. Supreme Court's Olmstead decision to receive services in the most integrated settings within a reasonable timeframe.

Possible activities to accomplish goals:

- Represent individuals residing in nursing facilities to ensure that nursing facilities are implementing federal law regarding discharge planning and transitions to community based settings;
- Represent individuals residing in intermediate care facilities who wish to return to the community and are not receiving adequate transition planning;
- Review Pre-Admission Screening and Resident Review (PASRR) Level II Specialized Services and Care Plans of individuals in Nursing Facilities to ensure specialized services that would assist individuals in returning to the community are in place;
- Educate residents of nursing facilities and intermediate care facilities for individuals with intellectual disabilities about rights, including the right to participate in decisions about where they live and what services they receive.

- **Ensure that adults on home and community-based service waivers who live in settings where services are received 24 hours a day, have full access to the community and, through the person centered planning process, have control over daily life decisions including what services they receive and who provides them**

Why is this important? This is important so that all individuals with disabilities can live in a truly integrated community.

Possible activities to accomplish goals:

- Continue to monitor state and federal oversight of HCBS Waiver programs.
- Provide advocacy to persons not receiving Person Centered Planning.
- Monitor compliance with CMS' home and community-based settings rule and take appropriate action to ensure compliance with the rule, including requesting Iowa Medicaid Enterprises to submit a setting through the heightened scrutiny process, and;
- Monitoring 24 hour HCBS settings to identify individuals who are not receiving person centered planning
 - In carrying out this goal, DRI will monitor six (6) providers of HCBS services.

- **See Health Care priority with respect to 1) Medicaid managed care issues and 2) children's mental health**



EDUCATION: PROTECT THE RIGHTS OF STUDENTS WITH DISABILITIES



[Figure 7 Picture of empty desk](#)

DRI will focus on the following areas:

➤ **Keeping students with challenging behaviors in school all day and assisting them in making adequate progress in the curriculum**

Why is This Important? Students with challenging behaviors related to their disability need to be in school and in their classroom all day so that they can receive specially designed instruction from qualified special educators. Research has shown that frequent use of suspensions or expulsions has no educational benefit, is strongly associated with low achievement, increases the risk of a student dropping out, and creates a greater likelihood of juvenile justice involvement.

Possible activities to accomplish goals:

- * Provide students, who have been suspended or placed on a shorted school day for 10+ days, legal assistance and advocacy to develop appropriate goals and a behavior intervention plan that reduces the use of restraint, seclusion, and other exclusionary disciplinary measures, including the use of suspensions and/or the use of police for behavior related to the student's disability.
- * Train parents and students regarding their rights with respect to discipline issues.
- * Conduct targeted outreach to under-served populations of youth with disabilities, especially youth of color, who are disproportionately suspended, expelled, restrained, and secluded, as well as their families and professionals who work with these youth.

➤ **Implementing transition plans that will enable individuals with disabilities to prepare for post-secondary education and work**

Why is This Important? Students with disabilities are required by Iowa code to begin developing a transition plan at age 14. Standards set by the IDEA have been broken into three categories by the Iowa Department of Education: living, learning and working. The three categories need to be meaningfully addressed in order to successfully transition to life in the community following the completion of graduation requirements.

What DRI will do?

- * Provide advocacy and legal assistance to transition-aged students for inadequately designed/implemented transition plans.
- * Train students and their families about their rights under state and federal law regarding transition issues.



Figure 8 photos of individuals at work

EMPLOYMENT: REMOVE BARRIERS TO EMPLOYMENT

DRI will focus on the following areas:

➤ **Assisting individuals who want to move from sheltered work to competitive integrated jobs**

Why is this important? People with disabilities can and should work in the community if they receive sufficient supports, services and reasonable accommodations. However, many individuals with disabilities are placed in sheltered workshops and find themselves doing menial tasks for years at a time, often receiving pay far below minimum wage. Many consumers within sheltered workshops have a strong desire to work and live in the community, but feel trapped within a system that prevents that shift towards community based employment services. DRI can assist individuals seeking to make that transition.

Possible activities to accomplish goals:

- Review all newly available Iowa Vocational Rehabilitation Services data to identify areas of concern in area education agency regions and community rehabilitation providers.
- Collaborate with other organizations who are promoting employment first and benefits planning in Iowa, and work to redirect organizations still investing in segregated options.
- Provide legal representation to individuals in sheltered workshops who are not receiving services from Iowa Vocational Rehabilitation Services or lack a meaningful transition plan out of the workshop setting.

- Collaborating with the Client Assistance Program to remove barriers to work so that individuals can move from sheltered work to competitive integrated employment.
- Working with the Social Security Administration to ensure that employment networks are providing employment services to beneficiaries.

➤ **Stopping employment discrimination because of a disability and remove barriers to work**

Why is this important? Congress enacted the Americans with Disabilities Act to prohibit discrimination against individuals with disabilities who require reasonable accommodations or modifications of employment policies to perform their jobs to the fullest. Unfortunately, many individuals with disabilities still experience discrimination or barriers to work. Therefore, it is important for DRI, as a law firm for lowans with disabilities, to act as a resource to individuals with disabilities as they challenge that discrimination. By assisting individuals with disabilities encountering employment discrimination, we help beneficiaries maintain employment, and pursue a career with greater confidence.

Possible activities to accomplish goals:

- Provide information to vocational rehabilitation specialists about how DRI can help their clients remove barriers to employment, such as lack of reasonable accommodations under the Americans with Disabilities Act.
- Provide legally-based advocacy or representation to applicants or employees who need reasonable accommodations in their workplace or who have been terminated because of their disability.
- Provide legally-based advocacy or representation to beneficiaries of social security who received improper or inadequate services from an employment network, service provider, services provided by Iowa Vocational Rehabilitation, or other entities involved in the beneficiary's return to work effort.
- Assist beneficiaries with Social Security overpayments when such overpayments are barriers to work.

➤ **Providing planning and assistance to Social Security beneficiaries who want to return to work, but are fearful of losing essential supports**

Why is this important? Individuals receiving social security benefits often do not realize that Social Security provides ways in which they can ease the transition off of benefits while returning to work full or part-time. They may need help from skilled benefit planners who can help them understand this process and create a clear, viable transition plan.

Possible activities to accomplish goals:

- Provide comprehensive benefit planning assistance to individuals who are about to return to work.

- Refer individuals to Social Security's hot line for basic benefit planning questions.
- Provide outreach and services on benefits planning to transition aged youth.

SUPPORTED DECISION-MAKING: SUPPORT LESS RESTRICTIVE ALTERNATIVES (GUARDIANSHIP, CONSERVATORSHIPS AND REPRESENTATIVE PAYEES)

DRI will focus on the following areas:

➤ **Reducing the number of lowans with unnecessary or overly restrictive substitute decision makers**

Why is this important? People with disabilities are at disproportionate risk of having their right to make their own decisions and control their own lives stripped by courts or family members who believe their disability makes them incapable of doing so, or exposes them to risk of harm or exploitation. Although guardianships and conservatorships are intended to be limited and imposed only as a last resort, less restrictive alternatives and the legal obligations of guardians, conservators, and their attorneys, and courts, are too often overlooked in practice.

Possible activities to accomplish goals:

- Outreach to schools, providers and families to educate families of children with disabilities turning age 18 about alternatives to guardianship and supported decision-making options.
- Attend the meetings of the Iowa State Bar Association and offer suggestions that support less restrictive alternatives to guardianship/conservatorship.
- Participate in the Institute on Guardianship and Conservatorship to continue the discussion on reform and education where the task force leave off.
- Advocate for supported decision- making.
- Provide legal representation to individuals to assist with terminating, modifying or resisting establishment of unnecessary or abusive guardianships/conservatorships or other substitute decision makers (i.e. representative payees).
- Create an Alternatives to Guardianship page on DRI's website with forms and guidance for self-representation and self-advocacy; and
- Develop resources for adults under guardianship who want to self-advocate for less restrictive alternatives.

➤ **Preventing exploitation of Social Security beneficiaries by representative payees**

Why is this important? Individuals with disabilities are depend on representative payees to manage their Social Security benefits. Some representative payees perform their duties well while others may be mismanaging beneficiaries' funds or even financially exploiting beneficiaries.

Possible activities to accomplish this goal: Conduct reviews of rep payees and educational visits for rep payees.



Figure 9 Photo of Individual at home

HEALTH CARE: PROTECT ACCESS TO LONG-TERM SERVICES AND SUPPORTS

DRI will focus on the following areas:

➤ **Protect the rights of Medicaid waiver recipients receiving home and community-based services**

Why this is important? Iowa has privatized its Medicaid system. Medicaid recipients have experienced many issues in the delivery of necessary services under managed care, especially individuals receiving long-term services and supports. This subjects people currently living in the community at risk of unnecessary institutionalization and segregation due to cost-cutting measures and flawed implementation of the service delivery system.

What DRI will do?

- Provide legal representation in the grievance and appeal processes including but not limited to state fair hearings, to individuals for whom specific long-term care services have been denied, reduced or terminated.
- Review and address any systemic issues in managed care to ensure the State's compliance with state and federal Medicaid laws and the U.S. Supreme Court decision known as Olmstead.

➤ **Improve Access to Mental and Behavioral Health Services for Children**

Why is this important? Since 2011, parent coalitions, advocates and state task forces have identified problems with the children's mental health system in Iowa. Under the Early Periodic Screening Diagnosis and Treatment (EPSDT) provisions of the Medicaid Act, children under the age of 21 have the right to receive medically necessary treatment, including, but not limited to crisis services, mental health counseling, case management

and in-home services and supports. Iowa children and adolescents need adequate, effective, and appropriate services to correct or ameliorate their conditions.

What will DRI do?

- Provide training and education to families of children under age 21 about their legal rights to treatment under EPSDT and how to advocate to protect their legal rights.
- Provide legally based advocacy and representation to children in administrative appeals when they are denied their rights under the EPSDT provisions of the Medicaid Act by a managed care organization or the Iowa Department of Human Services.



Figure 10: [Photo of multi-storied modern apartment building](#)

HOUSING: PREVENTING DISABILITY-BASED DISCRIMINATION

DRI will focus on the following areas:

➤ **Enforcing the rights of people with disabilities to have equal access to housing**

Why is this important? Individuals with disabilities may experience a denial of equal access to public housing or encounter a landlord who will not provide a reasonable accommodation or otherwise discriminate against them due to a disability. In addition, on DRI's public survey, approximately 70% of the people responding stated that DRI needs to focus on strategies to get more affordable housing for individuals with disabilities. .

Possible activities to accomplish goals:

- DRI will represent individuals with disabilities whose landlords are not providing them with reasonable modifications or accommodations.
- DRI will represent individuals with disabilities who have been or about to be evicted based on their disabilities, and;
- DRI will represent individuals who are encountering housing discrimination because of their disability.



Figure 11: Picture [of book page that says "I want meaning for my life."](#)

JUVENILE JUSTICE: IMPROVE THE LIVES OF YOUTH ADJUDICATED DELINQUENT

DRI will focus on the following areas:

➤ **Reducing the use of restraint and seclusion in out-of-home placements for youth**

Why is this important? Research shows that the use of restraint and seclusion is harmful to youth and should only be used if the youth is in imminent danger of harming self or others and only for the time needed to deescalate that danger.

Possible activities to accomplish this goal:

- Monitor or investigate facilities where there is overuse of restraint and seclusion;
- Provide individual advocacy to youth who have been inappropriately restrained and secluded (this includes overuse of restraint/seclusion and/or use of restraint/seclusion in conflict with state/federal regulations);
- Educate youth in out-of-home placements regarding their legal rights; and
- Educate administrators and staff of facilities, juvenile court officers, caseworkers, attorneys, judges about the laws regarding the use of restraint and seclusion.

➤ **Continue DRI's class action litigation efforts to ensure the reduction of restraint and seclusion, as well as the provision of mental health care, for boys residing at the Boys State Training School**

Why is this important? Youth held at the Boys State Training School were denied access to necessary mental health care, and were routinely restrained and secluded for extended periods of time, in violation of accepted best practices.

What will DRI do?

- Continue BSTS class action litigation until settlement or trial.



Figure 12 Picture of cell block in the [Iowa State Penitentiary](#)

PRISONS AND JAILS: PROTECT THE RIGHTS OF INCARCERATED IOWANS

DRI will focus on the following areas:

➤ **Reducing abuse and neglect of inmates with mental illness, developmental disabilities, or traumatic brain injuries in prisons and county jails**

Why is this important? Individuals with disabilities are overrepresented in the criminal justice system. Once incarcerated these individuals are vulnerable to abuse and neglect, such as excessive uses of force, denial of access to necessary treatment, or housing in long-term segregation.

Possible activities to accomplish goals:

- Monitor prisons to detect abuse, neglect, or systemic issues affecting inmates with disabilities.
 - In carrying out this goal, each year DRI will monitor two (2) prisons.
- Monitor county jails to detect abuse, neglect, and ensure appropriate suicide prevention measures are in place. In carrying out this goal, DRI will:
 - monitor five (5) county jails each year;

- publish a public report on suicide in Iowa's county jails to raise awareness on the issue and inform Sheriff's, Jail Administrators and staff on resources and prevention practices;
- collaborate with the Iowa Law Enforcement Academy to conduct a training on preventing suicides in jails.
- Investigate, provide individual advocacy, or provide other appropriate assistance including representation or systemic advocacy to prevent or end abuse and neglect of prisoners.
- Conduct individual investigations into allegations of denial of access to legally required mental health care and medications, and provide advocacy to ensure provision of these services.
- Conduct individual investigations into suspicious deaths in prisons and county jails.

➤ **Increasing the number of reasonable accommodations or modifications of policies and procedures for inmates with disabilities in prisons and county jails**

Why is this important? Inmates with disabilities who are incarcerated should not suffer harsher conditions of incarceration simply as a result of their disabilities. The Americans with Disabilities Act embodies a national policy of nondiscrimination against individuals with disabilities and applies to prisons and jails, requiring that qualified inmates with disabilities be afforded reasonable accommodations and modifications to policies and procedures.

Possible activities to accomplish goals:

- Provide technical assistance in self-advocacy, short-term assistance, or information and referral to prisoners seeking initial or new accommodations/modifications to policy in correctional settings.
- Provide individual advocacy to obtain accommodations for inmates denied access to prison programs and services as a result of physical inaccessibility or denial of reasonable accommodations such as assistive devices.
- Conduct systemic activities such as evaluations, advocacy, recommendations, and technical assistance to ensure compliance with the Americans with Disabilities Act for incarcerated individuals who are Deaf, hard of hearing, visually impaired, or have mental illness.

VOTING: PARTICIPATION BY INDIVIDUALS WITH DISABILITIES IN THE ELECTORAL PROCESS



Figure 13 Photo of women with sign saying "Disability Issues Matter, I Vote"

DRI will focus on the following areas:

➤ **Increasing the participation of individuals with disabilities in elections**

Why is this important? More than 300,000 Iowans have some kind of disability. They represent 11.7% of the civilian, noninstitutionalized population. Although many issues affect their lives, many Iowans with disabilities do not vote.

Possible activities to accomplish goals:

- Collaborate with two and four year colleges and community organizations to promote voting of individuals with disabilities.
- Educate individuals with disabilities about their voting rights.
- Provide individual advocacy to individuals with disabilities whose voting rights have been violated.
- Collaborate with the Secretary of State's office to increase accessible voting options, including curbside voting.
- Collaborate with other organizations to conduct a survey of congressional candidates on disability rights issues including access to accessible transportation, housing and long-term services.

➤ **Eliminating inaccessible residential caucus sites and making sure that reasonable accommodations are provided to caucus participants with disabilities at all caucus sites (Year: 2020)**

Why is this important? Iowans with disabilities want to fully participate in the Iowa caucuses but many are not accessible to individuals with different types of disabilities.

What DRI will do?

- Collaborate with the political parties to eliminate any inaccessible caucus sites.
- Provide individual and systemic advocacy and representation on behalf of individuals who need reasonable accommodations at their caucus sites (such as interpreters and CART services).
- Inform the public about their voting rights and changes and improvements that the political parties are making to the caucus system, emphasizing the benefits for the disability community.

FEDERALLY-FUNDED PROTECTION AND ADVOCACY PROGRAMS

Protection and Advocacy for Developmental Disabilities (PADD)

Disability Rights IOWA (DRI) receives funding from the Administration on Developmental and Intellectual Disabilities, Administration for Community Living, U.S. Department of Health and Human Services (HHS) under the Protection and Advocacy for Developmental Disabilities (PADD) Act to provide protection and advocacy services to individuals with a developmental disability as defined by federal law.

Protection and Advocacy for Individuals with Mental Illness (PAIMI)

DRI receives funding from the Center for Mental Health Services of the Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services, for providing protection and advocacy services to individuals with a significant mental illness or emotional impairment under the Protection of Individuals with Mental Illness (PAIMI) Act. The eligibility for this program was expanded several years ago to include individuals with a significant mental illness or emotional impairment living either in facilities or in the community. However, pursuant to Congressional mandate, DRI gives priority to serving individuals with a significant mental illness or emotional impairment who are living in facilities, are in the process of being admitted to facilities, or are being involuntarily confined in a municipal detention facility for reasons other than serving a sentence resulting from conviction for a criminal offense.

Protection and Advocacy for Individual Rights (PAIR)

DRI receives funding from the Rehabilitation Services Administration of the U.S. Department of Education under the Protection and Advocacy of Individual Rights (PAIR) Program to provide protection and advocacy services to all individuals with disabilities, as defined by the Americans with Disabilities Act Amendments Act of 2008 (ADAAA), except for those eligible for PADD or PAIMI.

Protection and Advocacy for Voting Accessibility (PAVA)

DRI receives funding as part of the Help America Vote Act of 2002 (HAVA) to provide education, training and assistance to individuals with disabilities that will promote their full participation in the electoral process.

Protection and Advocacy for Beneficiaries with Traumatic Brain Injury (PATBI)

DRI receives funding from Health Resources and Services Administration within HHS to provide protection and advocacy services to individuals with traumatic brain injury.

Protection and Advocacy for Assistive Technology (PAAT)

DRI receives funds from the Administration on Developmental and Intellectual Disabilities, Administration for Community Living, U.S. Department of Health and Human Services (HHS) under Assistive Technology Act to assist individuals with disabilities in the acquisition, utilization and maintenance of assistive technology devices or services.

Protection and Advocacy for Beneficiaries of Social Security (PABSS) DRI receives funding from the Social Security Administration to provide advocacy and other services to assist beneficiaries of Social Security to secure, maintain or regain gainful employment.

Protection and Advocacy for Beneficiaries with Representative Payees DRI receives funding from the Social Security Administration to conduct reviews of representative payees and to conduct educational visits to representative payees.

Work Incentives Planning and Assistance (WIPA) DRI receives funding from the Social Security Administration to provide benefits planning and assistance to Social Security Beneficiaries who are returning to work.

Disability Rights IOWA

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