

DRI Winter Updates

Boys State Training School Litigation

DRI's litigation against the state is ongoing regarding the treatment of boys with significant mental health issues at the Boys State Training School in Eldora. The Plaintiffs' nationally-recognized experts testified in deposition that there is a lack of adequate mental health care and that the facility overuses solitary confinement and mechanical restraint. DRI has asked for class certification so that the case can be made on behalf of all current and future boys with mental health issues that reside in the facility. The defendant, the director of the Iowa Department of Human Services, has filed a motion for summary judgment. Both motions will be decided in 2019. Trial is scheduled for March 2019.



Individual Managed Care Appeals

DRI represented over 80 individuals receiving long-term services and supports when their services were reduced or terminated by the private managed care companies. This included representation of individuals whose requests for durable medical equipment or other assistive technology devices were denied. For the most part, DRI was successful in getting services restored so that individuals could continue to live in their own homes in the community. In 2019, DRI will continue to represent individuals in managed care appeals. DRI will also focus on children's mental health, by publishing a guide on the rights of Medicaid eligible children to Early Periodic Screening Diagnosis and Treatment (EPSDT), as well as representing such children.



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Davenport School District

The Davenport school district is under investigation for cutting corners with special education students. An initial report found that students were given the same goals in their education plans, and they were not personalized as the law requires. In addition, minority students were over-assigned as needing special education. DRI will be reaching out to families to make sure that they know their rights under special education law.

