



Disability Rights Center  
Statement of Goals and Priorities  
October 1, 2020 – September 30, 2021

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# INTRODUCTION

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Disability Rights Center – NH is dedicated to eliminating barriers faced by people with disabilities as they exercise their civil and legal rights. Each year, we provide legal advice or representation to over 700 people with disabilities across the state in areas like special education, accessibility, employment discrimination, home and community-based services and Medicaid.

We also work on systemic issues via litigation, investigations, monitoring and other policy change efforts, which are all focused on improving the lives of people with disabilities across New Hampshire.

However, each year, we face difficult decisions on how to allocate limited resources to address the most critical issues. All callers with disability-related issues that fall within our broad priorities have access to an attorney for consultation and referral during an initial meeting via telephone or in person, but further legal help is often limited.

Our FY 2021 priorities attempt to reflect a recognition of two challenges faced by people with disabilities in New Hampshire and across the US.

People with disabilities are disproportionately impacted by the COVID-19 public health crisis. We recognize that members of our disability community are vulnerable to serious illness and even death, if they are infected by COVID-19. Moreover, they are at risk of serious harm as a result of discriminatory medical rationing, isolation in New Hampshire's institutions, and the loss of special education services and supports.

The second challenge is racial justice in the disability community. Black people and people of color are barred from full participation in American life, facing systemic bias and discrimination. Black people and people of color with disabilities are doubly at risk, facing layers of discrimination. We are committed to fighting every day against these injustices and for accountability whenever power is abused.

However, we have much work to do. The disability community, the community we serve, does not exist in a silo. People with disabilities are members of all races, religions, socio-economic classes, genders, and sexual orientations and are subject to intersectional discrimination on a daily basis. We commit to amplifying the voices of Black people with disabilities and people with disabilities from other minority groups in our work and to supporting those who share our values of equality, civil rights, and justice. We commit to examining and changing our internal practices and procedures that may serve as barriers to those who need access to our services. We commit to diversifying the voices at DRC-NH to better reflect the diversity of New Hampshire.

## **Case Acceptance Guidelines**

In accepting cases for representation, DRC-NH will consider the following guidelines:

- Does the individual meet eligibility criteria?
- Does the case have legal merit?
- Do we have the capacity, funding and expertise to provide quality representation?
- Does the case fit within our priorities?
- What is the likelihood that our advocacy would make a positive difference to people with disabilities?
- Would our advocacy result in services being provided in a more integrated setting?

Below is a draft of our priorities for FY 2021 (October 1, 2020 – September 30, 2021). We welcome your feedback. To share your comments, call us at 603-228-0432, email [mail@drcnh.org](mailto:mail@drcnh.org) or write to Disability Rights Center – NH, 64 North Main Street, Suite 2, Third Floor, Concord, NH 03301.

# PAIMI (PROTECTION AN ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS)

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**Monitor facilities where care is provided to individuals with significant mental illness including monitoring the impact of COVID-19 on residents of institution, including management of risk and quality of life issues**

- SPU
- Children’s facilities based on restraint reports
- Institutions serving people with mental illness where DRC-NH has reason to suspect abuse, neglect, the improper use of restraint or seclusion or other issues with the care of patients/residents with mental illness

**Investigate significant abuse or death of an individual with mental illness in one or more of these facilities:**

- Any facility serving individuals with mental illness where DRC-NH has probable cause to suspect abuse or neglect

**Monitor implementation of Amanda D v Hassan**

- Individual Representation regarding access to services as defined in the CMHA
- Mediation or Legal Action to Enforce Settlement Agreement
- Monitoring of transitions out of Glencliff and NHH

**Protect DRC-NH’s access authority whenever it is in question**

**Ensure youth with significant mental illnesses in the foster care system can access needed mental health services in the least restrictive environment**

**Provide counseling and advice to eligible people with significant mental illness with problems in the broad areas outlined below.**

- Protection against abuse or neglect
- Conditions in NH’s emergency rooms or institutions
- Access to appropriate supports and services for adults with mental illness in their homes and communities
- Accessibility of communities and services
- Appropriate supports for children in the least restrictive environment in schools and in the community
- Children’s right to secure FAPE (free appropriate public education), compensatory education and extended school year services as a result of COVID-19Employment
- Discrimination in housing
- Bullying of children with disabilities
- Access to due process rights in Medicaid denials, terminations and reduction
- Opportunities to empower people with mental illness to make decisions including alternatives to guardianship

**Provide limited or full representation to eligible people with mental illness in the following areas:**

- Access to services as outlined in the community mental health agreement
- Access to appropriate mental health treatment for prisoners or patients with significant mental illness who are at risk of suicide

- Access to community based mental health services to prevent or address unnecessary institutionalization for children and adults
- Exclusions from school
- Restraint and seclusion in school
- Children’s right to secure FAPE (free appropriate public education), compensatory education and extended school year services as a result of COVID-19
- Reasonable accommodations in hospital and facility visitor policies

*In accepting cases for limited or full representation, DRC-NH will consider the following:*

- *Does the case have legal merit?*
- *Do we have the capacity, funding and expertise to provide quality representation?*
- *Does the case fit within our priorities?*
- *What is the likelihood that our advocacy would make a positive difference to people with disabilities?*
- *Would our advocacy result in services being provided in a more integrated setting?*

**Ensure policy makers are aware of the impact of laws and regulations on the rights of and issues impacting people with mental illness.**

Funded only by PAIMI

- Educate legislators and DHHS staff regarding effects of long-term commitment terms.
- Educate legislators about CD revocations and impact on boarding population.
- Analyze housing options for persons leaving NHH; educate legislators regarding housing impact on cost of institutional care.
- Educate legislators about benefits of proper implementation of crisis, housing and other services consistent with principles of CMHA.
- Monitor policy proposals with regard to SPU location and conditions, eligible populations, etc. Related research and education of legislators.
- Monitor efforts to modify competency to stand trial procedures. Continued work with judiciary to improve practices and educate policymakers about impact of delayed diversion of persons with MH from the system.
- Educate on the impact of proposed legislation on people with significant mental illness in NH as resources allow.
- Educate on the impact of proposed regulations on people with significant mental illness in NH as resources allow.

Funded by PAIMI and other funding sources

- School discipline
  - Educate legislators and DOE staff regarding effects of exclusionary discipline on children with disabilities.
  - In conjunction with ACLU and NHLA, analyze OCR and other available data on impact of discipline policies and practices in NH schools.
  - Monitor expected legislation on exclusionary discipline.
- Juvenile justice
  - Analyze adequacy of current service system outside of SYSC.
  - Educate legislators and DHHS staff regarding same.
  - Monitor legislation in JJ area.

- Restraint and Seclusion of children
  - Analyze adequacy of DHHS and DOE compliance with Chapter 126-U.
  - Educate DHHS and DOE staff regarding rulemaking requirements of same.

**Other Systemic Advocacy**

DRC-NH will monitor these issues and advocate for systemic improvements as resources allow.

- Access to services for people with significant mental illness in nursing homes
- State waiver to obtain Medicaid funding for substance use treatment in institutional settings
- CFI systemic issues
- Involuntary commitment
- Compliance with RSA 126U
- Emergency room boarding
- Transfers from NHH to SPU
- Rules that exceed federal minimums
- Access to services for individuals with mental illness and intellectual disabilities
- Alternatives to Guardianship
- Disability issues in jails and prisons
- Elder law issues
- Implementation of Order of Selection in VR
- Implementation of NH's 10 year mental health plan
- Use of solitary confinement in state prisons
- Impact of COVID-19
  - Oversight of state and hospital crisis standards of care plans and triage guidelines
  - Discrimination in testing or prioritization of resources
  - Access to mental health services in the manner that best meets the need of the person with mental illness
  - COVID-19 treatment and care for people in long term care facilities

**Ensure the PAIMI Advisory Council provides input into DRC-NH's work on behalf of people with mental illness**

**Communicate to people with mental illness, family members and others regarding the rights of and issues impacting people with mental illness.**

- Conduct outreach and training as limited resources allow.
- Communicate via DRC-NH e-news, social media and website
- Communicate via the media
- Publish the RAP sheet
- Develop and distribute brochures and written materials. Priority will be given to the development of written materials in areas where we are not providing representation.

**Ensure DRC-NH collaborates with other groups and organizations on the rights of and issues impacting people with mental illness via committee work**

- Children's Behavioral Health Collaborative - MS
- Access to Justice -PP
- MCAC -KR
- Incapacitated and Vulnerable Adult Fatality Review Commission -SP

# PADD (PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES)

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**Monitor facilities where care is provided to individuals with developmental disabilities including monitoring the impact of COVID-19 on residents of institution, including management of risk and quality of life issues**

- Institutions serving people with developmental disabilities where DRC-NH has reason to suspect abuse, neglect, the improper use of restraint or seclusion or other issues with the care of patients/residents with developmental disabilities

**Investigate significant abuse or death of an individual with developmental disabilities where DRC-NH has probable cause to suspect abuse or neglect.**

**Protect DRC-NH's access authority whenever it is in question**

**Ensure youth with developmental disabilities in the foster care system can access needed services in the least restrictive environment**

**Provide counseling and advice to eligible people with developmental disabilities with problems in the broad areas outlined below.**

- Abuse or neglect
- Accessibility of communities and services
- Access to appropriate supports in their least restrictive environment in area agencies, schools and in the community for children and adults with developmental disabilities
- Access to employment
- Disability discrimination in housing
- Appropriate area agency services for individuals on the waiting list
- Services for children with developmental disabilities ages 0-3
- Applied behavior analysis for children for whom it is medically necessary
- Children's right to secure FAPE (free appropriate public education), compensatory education and extended school year services as a result of COVID-19
- Choice of case manager/service coordinator
- Reductions in or terminations of Medicaid services without proper notice
- Bullying of children with disabilities
- Access to due process rights in Medicaid denials, terminations and reduction
- Opportunities to empower people with developmental disabilities to make decisions including alternatives to guardianship

**Provide limited or full representation to eligible people with developmental disabilities in the following areas:**

- Improper use of risk assessments resulting in denials of services and/or overly restrictive service settings
- Access to area agency services for individuals with developmental disabilities aged 18-21
- Access to home and community based services for individuals currently in out of state institutions or institutions within NH or who are at risk of such placement
- Exclusions, suspensions or expulsions from school



- Restraint and seclusion in school
- School services in the least restrictive environment
- Children’s right to secure FAPE (free appropriate public education), compensatory education and extended school year services as a result of COVID-19
- Egregious violations of rights in area agency services after informal efforts to resolve the problem have been unsuccessful
- Reasonable accommodations in hospital and facility visitor policies

*In accepting cases for limited or full representation, DRC-NH will consider the following:*

- *Does the case have legal merit?*
- *Do we have the capacity, funding and expertise to provide quality representation?*
- *Does the case fit within our priorities?*
- *What is the likelihood that our advocacy would make a positive difference to people with disabilities?*
- *Would our advocacy result in services being provided in a more integrated setting?*

**Ensure policy makers are aware of the impact of laws and regulations on the rights of and issues impacting people with developmental disabilities.**

Funded only by PADD

- Analyze current process for developmental service eligibility.
- Educate legislators about benefits of transparency and consistent, objective standards in the eligibility process.
- Monitor budget process for waitlist and other DD funding; related analysis and education of legislators.
- Educate on the impact of proposed legislation on people with developmental disabilities in NH as resources allow.
- Educate on the impact of proposed regulations on people with developmental disabilities in NH as resources allow.

Funded by PADD and other

- School discipline
  - Educate legislators and DOE staff regarding effects of exclusionary discipline on children with disabilities.
  - In conjunction with ACLU and NHLA, analyze OCR and other available data on impact of discipline policies and practices in NH schools.
  - Monitor expected legislation on exclusionary discipline.
- Juvenile justice
  - Analyze adequacy of current service system outside of SYSC.
  - Educate legislators and DHHS staff regarding same.
  - Monitor legislation in JJ area.
- Restraint and Seclusion of children
  - Analyze adequacy of DHHS and DOE compliance with Chapter 126-U.
  - Educate DHHS and DOE staff regarding rulemaking requirements of same.
- Supported Decision Making

## **Other Systemic Advocacy**

DRC-NH will monitor these issues and advocate for systemic improvements as resources allow.

- Compliance with Medicaid laws on timely determinations of eligibility
- Implementation of the HCBS settings rule
- Conflict of interest case management changes
- Managed care for long term care
- Access to intensive treatment services for individuals with developmental disabilities and behavioral needs
- Compliance with RSA 126U
- Access to area agency services for individuals who are 18-21
- Elder law issues
- Disability issues in jails and prisons
- DD Waitlist
- Access to ABA therapy
- Rules that exceed federal minimums
- Alternatives to Guardianship
- Juvenile Justice reform
- AA reductions and terminations without notice
- Improper use of risk assessments to restrict services or service settings
- Impact of COVID-19
  - Oversight of state and hospital crisis standards of care plans and triage guidelines
  - Discrimination in testing or prioritization of resources
  - Access to disability services in the manner that best meets the need of the person with a disability
  - COVID-19 treatment and care for people in long term care facilities

## **Communicate to people with developmental disabilities, family members and others regarding the rights of and issues impacting people with developmental disabilities.**

- Conduct outreach and training as limited resources allow.
- Communicate via DRC-NH e-news, social media and website
- Communicate via the media
- Publish the Disability RAPP
- Develop and distribute brochures and written materials. Priority will be given to the development of written materials in areas where we are not providing representation.

## **Support self-advocacy efforts**

- Advocate NH
- People First of NH
- ABLE NH

**Ensure DRC-NH collaborates with other groups and organizations on the rights of and issues impacting people with developmental disabilities via committee work**

- Quality Council - SP
- NH Council on Developmental Disabilities -SP
- State Advisory Committee on the Education of Students/Children with Disabilities - KR
- Access to Justice- PP
- MCAC - KR
- Incapacitated and Vulnerable Adult Fatality Review Commission -SP
- ABLE NH - SP
- HCBS Waiver Settings Advisory Task Force – KR
- IOD Consumer Advisory Council - SP

# PAIR (PROTECTION AND ADVOCACY FOR INDIVIDUAL RIGHTS)

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**Monitor facilities where care is provided to individuals with disabilities including monitoring the impact of COVID-19 on residents of institution, including management of risk and quality of life issues**

- Selected nursing homes identified as underperforming
- Institutions serving people with physical disabilities where DRC-NH has reason to suspect abuse, neglect, the improper use of restraint or seclusion or other issues with the care of patients/residents

**Investigate significant abuse or death of an individual with disabilities where DRC-NH has probable cause to suspect abuse or neglect.**

**Protect DRC-NH's access authority whenever it is in question**

**Ensure youth with physical disabilities in the foster care system can access needed services in the least restrictive environment**

**Ensure access to needed service for individuals in institutions or at risk of placement in institutions**

**Advocate for voters who are blind or with print disabilities to vote privately and independently by absentee ballot**

**Provide counseling and advice to eligible people with disabilities with problems in the broad areas outlined below.**

- Abuse and neglect
- Access supports and services for adults with disabilities in their homes and communities
- Accessibility of communities and services
- Appropriate supports for children in the least restrictive environment in schools and in the community
- Employment
- Housing discrimination
- Choice of case manager/service coordinator
- Bullying of children with disabilities
- Children's right to secure FAPE (free appropriate public education), compensatory education and extended school year services as a result of COVID-19
- Access to due process rights in Medicaid denials, terminations and reduction
- Opportunities to empower people with disabilities to make decisions including alternatives to guardianship

**Provide limited or full representation to eligible people with disabilities in the following areas:**

- Illegal discharges from nursing homes
- Denials of or delays in accessing services via the CFI waiver
- Egregious violations of rights regarding the CFI waiver after informal efforts to resolve the problem have been unsuccessful
- Denials of effective interpreter services
- Exclusions from school
- Restraint and seclusion in school

- Children’s right to secure FAPE (free appropriate public education), compensatory education and extended school year services as a result of COVID-19
- Physical and Programmatic Accessibility
- Reasonable accommodations in hospital and facility visitor policies

*In accepting cases for limited or full representation, DRC-NH will consider the following:*

- *Does the case have legal merit?*
- *Do we have the capacity, funding and expertise to provide quality representation?*
- *Does the case fit within our priorities?*
- *What is the likelihood that our advocacy would make a positive difference to people with disabilities?*
- *Would our advocacy result in services being provided in a more integrated setting?*

**Ensure policy makers are aware of the impact of laws and regulations on the rights of and issues impacting people with disabilities.**

- Educate on the impact of proposed legislation on people with disabilities in NH as resources allow.
- Educate on the impact of proposed regulations on people with disabilities in NH as resources allow.
- Supported Decision Making

**Conduct outreach and training to people with disabilities, family members and others regarding the rights of and issues impacting people with disabilities.**

- Conduct outreach and training as limited resources allow.
- Communicate via DRC-NH e-news, social media and website
- Communicate via the media
- Publish Disability RAPP
- Develop and distribute brochures and written materials.

**Other Systemic Advocacy**

DRC-NH will monitor these issues and advocate for systemic improvements as resources allow.

- Implementation of the HCBS settings rule
- Managed care for long term care
- Access to services for children who are deaf
- Elder law issues
- Compliance with RSA 126U
- CFI systemic issues
- Rules that exceed federal minimums
- Alternatives to Guardianship
- Impact of COVID-19
  - Oversight of state and hospital crisis standards of care plans and triage guidelines
  - Discrimination in testing or prioritization of resources
  - Access to disability services in the manner that best meets the need of the person with a disability
  - COVID-19 treatment and care for people in long term care facilities

**Ensure DRC-NH collaborates with other groups and organizations on the rights of and issues impacting people with disabilities via committee work**

- NH Commission on Deafness and Hearing Loss - SP
- MCAC - KR
- Access to Justice -PP
- Incapacitated and Vulnerable Adult Fatality Review Commission -SP
- State Advisory Committee on the Education of Students/Children with Disabilities – KR
- Office of the Long Term Care Ombudsman Advisory Committee - SP

# PATBI (PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH TRAUMATIC BRAIN INJURIES)

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**Monitor facilities where care is provided to individuals with traumatic brain injuries including monitoring the impact of COVID-19 on residents of institution, including management of risk and quality of life issues**

- Institutions serving people with traumatic brain injuries where DRC-NH has reason to suspect abuse, neglect, the improper use of restraint or seclusion or other issues with the care of patients/residents

**Investigate significant abuse or death of an individual with traumatic brain injuries where DRC-NH has probable cause to suspect abuse or neglect.**

**Ensure youth with traumatic brain injuries in the foster care system can access needed medical services in the least restrictive environment**

**Protect DRC-NH's access authority whenever it is in question**

**Provide counseling and advice to eligible people with traumatic brain injuries with problems in the broad areas outlined below.**

- Abuse or neglect
- Accessibility of communities and services
- Access to appropriate supports in their least restrictive environment in area agencies, schools and in the community for children and adults with traumatic brain injuries
- Access to employment
- Disability discrimination in housing
- Appropriate area agency services for individuals on the waiting list
- Services for children with traumatic brain injuries ages 0-3
- Children's right to secure FAPE (free appropriate public education), compensatory education and extended school year services as a result of COVID-19
- Applied behavior analysis for children for whom it is medically necessary
- Choice of case manager/service coordinator
- Reductions in or terminations of Medicaid services without proper notice
- Bullying of children with disabilities
- Access to due process rights in Medicaid denials, terminations and reduction
- Opportunities to empower people with traumatic brain injuries to make decisions including alternatives to guardianship

**Provide limited or full representation to eligible people with traumatic brain injuries in the following areas:**

- Improper use of risk assessments resulting in denials of services and/or overly restrictive service settings
- Access to area agency services for individuals with traumatic brain injuries aged 18-21
- Access to home and community based services for individuals currently in out of state institutions or institutions within NH or who are at risk of such placements
- Exclusions, suspensions or expulsions from school

- Restraint and seclusion in school
- School services in the least restrictive environment
- Children’s right to secure FAPE (free appropriate public education), compensatory education and extended school year services as a result of COVID-19
- Egregious violations of rights in area agency services after informal efforts to resolve the problem have been unsuccessful
- Reasonable accommodations in hospital and facility visitor policies

*In accepting cases for limited or full representation, DRC-NH will consider the following:*

- *Does the case have legal merit?*
- *Do we have the capacity, funding and expertise to provide quality representation?*
- *Does the case fit within our priorities?*
- *What is the likelihood that our advocacy would make a positive difference to people with disabilities?*
- *Would our advocacy result in services being provided in a more integrated setting?*

**Ensure policy makers are aware of the impact of laws and regulations on the rights of and issues impacting people with traumatic brain injuries.**

- Educate on the impact of proposed legislation on people with traumatic brain injuries in NH as resources allow.
- Educate on the impact of proposed regulations on people with traumatic brain injuries in NH as resources allow.

Funded by PATBI and other

- School discipline
  - Educate legislators and DOE staff regarding effects of exclusionary discipline on children with disabilities.
  - In conjunction with ACLU and NHLA, analyze OCR and other available data on impact of discipline policies and practices in NH schools.
  - Monitor expected legislation on exclusionary discipline.
- Juvenile justice
  - Analyze adequacy of current service system outside of SYSC.
  - Educate legislators and DHHS staff regarding same.
  - Monitor expected legislation in JJ area.
- Restraint and Seclusion of children
  - Analyze adequacy of DHHS and DOE compliance with RSA126-U.
  - Educate DHHS and DOE staff regarding rulemaking requirements of same.
- Supported Decision Making

**Other Systemic Advocacy**

DRC-NH will monitor these issues and advocate for systemic improvements as resources allow.

- Implementation of the HCBS settings rule
- Conflict of interest case management changes
- Managed care for long term care



- Disability issues in jails and prisons
- Elder law issues
- CFI systemic issues
- Compliance with RSA 126U
- Rules that exceed federal minimums
- Special education issues in jails and prisons
- AA reductions and terminations without notice
- VR – Order of selection implementation
- Impact of COVID-19
  - Oversight of state and hospital crisis standards of care plans and triage guidelines
  - Discrimination in testing or prioritization of resources
  - Access to disability services in the manner that best meets the need of the person with a disability
  - COVID-19 treatment and care for people in long term care facilities

**Communicate to people with traumatic brain injuries, family members and others regarding the rights of and issues impacting people with traumatic brain injuries.**

- Conduct outreach and training as limited resources allow. Priority will be given to outreach and training:
- Communicate via DRC-NH e-news, social media and website
- Communicate via the media
- Publish the Disability RAPP
- Develop and distribute brochures and written materials. Priority will be given to the development of written materials in areas where we are not providing representation.

**Ensure DRC-NH collaborates with other groups and organizations on the rights of and issues impacting people with traumatic brain injuries via committee work**

- Incapacitated and Vulnerable Adult Fatality Review Commission - SP
- Quality Council - SP
- ABLE NH - SP
- NH Brain Injury Association Provider Council - KR

# PABSS (PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY)

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**Monitor/investigate the provision of supported employment services and other barriers to full competitive employment for beneficiaries of social security**

**Provide counseling and advice to beneficiaries of social security with barriers to employment**

**Provide limited or full representation to beneficiaries of social security with disabilities regarding barriers to employment. Below are examples of the types of cases DRC-NH will consider:**

- Access to transition services related to employment
- Employment discrimination
- Access to supported employment services from community mental health centers
- Access to supported employment services from area agencies
- Access to vocational rehabilitation services
- Egregious violations of rights in other employment areas after informal efforts to resolve the problem have been unsuccessful

*In accepting cases for limited or full representation, DRC-NH will consider the following:*

- *Does the case have legal merit?*
- *Do we have the capacity, funding and expertise to provide quality representation?*
- *Does the case fit within our priorities?*
- *What is the likelihood that our advocacy would make a positive difference to people with disabilities?*
- *Would our advocacy result in services being provided in a more integrated setting?*

## **Other Systemic Advocacy**

DRC-NH will monitor these issues and advocate for systemic improvements as resources allow.

- Implementation of Order of Selection for NH Vocational Rehabilitation Services
- Elder law issues
- Rules that exceed federal minimums

**Ensure policy makers are aware of the impact of laws and regulations on the employment rights of and issues impacting beneficiaries of social security.**

- Educate on the impact of proposed legislation on the employment rights of and issues impacting beneficiaries of social security in NH as resources allow.
- Educate on the impact of proposed regulations on the employment rights of and issues impacting beneficiaries of social security in NH as resources allow.

**Communicate to people with disabilities, family members and others regarding access to employment**

- Conduct outreach and training as limited resources allow. Priority will be given to outreach and training:
- Communicate via DRC-NH e-news, social media and website
- Communicate via the media
- Publish Disability RAPP sheet

- Develop brochures and written materials. Priority will be given to the development of written materials in areas where we are not providing representation.

**Ensure DRC-NH collaborates with other groups and organizations on employment rights and issues impacting people with disabilities via committee work**

- State Rehabilitation Council - CL
- Access to Justice- PP
- MCAC -KR

# PABRP (PROTECTION AND ADVOCACY FOR BENEFICIARIES WITH REPRESENTATIVE PAYEES)

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**Complete reviews of Representative Payees on behalf of the Social Security Administration as outlined in the Business Process Document.** The scope of work will include reviews of:

- Individual Payees
- Organizational Payees
- Fee-for-Service Organizations
- State Mental Institutions
- Quick Response Check – Misuse Not Alleged
- Quick Response Check – Misuse Alleged
- P&A Initiated Reviews

**Complete required:**

- Educational Visits
- Plans of Correction

**Educate stakeholders on the Representative Payee program. Encourage reports of Representative Payees who are not acting in the best interest of the beneficiary.**

**Provide limited training to Representative Payees as required**

**Provide legal or other assistance to beneficiaries as resources allow**

# PAAT (PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY)

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**Advocate for voters who are blind or with print disabilities to vote privately and independently by absentee ballot**

**Provide counseling and advice to people with disabilities regarding assistive technology**

**Provide limited or full representation to people with disabilities regarding assistive technology legal issues. Below are examples of the types of cases DRC-NH will consider:**

- Access to Communication Access Realtime Translation (CART) services
- Access to ramps to improve accessibility
- Access to assistive technology for people with disabilities in prisons and jails
- Access to assistive technology in schools
- Access to assistive technology in employment
- Access to assistive augmentative communication devices and software (AAC)

*In accepting cases for limited or full representation, DRC-NH will consider the following:*

- *Does the case have legal merit?*
- *Do we have the capacity, funding and expertise to provide quality representation?*
- *Does the case fit within our priorities?*
- *What is the likelihood that our advocacy would make a positive difference to people with disabilities?*
- *Would our advocacy result in services being provided in a more integrated setting?*

## **Other Systemic Advocacy**

DRC-NH will monitor these issues and advocate for systemic improvements as resources allow.

- Access to Medicaid funded assistive technology
- Access to assistive technology in nursing homes
- Access to accessible voting technology in local elections
- Rules that exceed federal minimums
- VR – Order of Selection

**Communicate to people with disabilities, family members and others regarding their rights to access assistive technology**

- Conduct outreach and training as limited resources allow. Priority will be given to outreach and training:
- Communicate via DRC-NH e-news, social media and website
- Communicate via the media
- Publish Disability RAPP
- Develop and distribute brochures and written materials. Priority will be given to the development of written materials in areas where we are not providing representation.

**Ensure DRC-NH collaborates with other groups and organizations on assistive technology issues impacting people via committee work**

- Access to Justice - PP
- ABLE NH - SP

## PAVA (PROTECTION AND ADVOCACY FOR VOTING ACCESS)

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Provide individual counseling and advice to people with disabilities regarding voting rights.

Educate voters with disabilities, family members, advocates and providers about voting rights of people with disabilities.

Train municipal attorneys, election officials, town moderators and others about the voting rights of people with disabilities and their obligations to make voting accessible.

Advocate for the use of accessible voting technology by people with disabilities and advocates across New Hampshire.

Conduct outreach, including demonstration of the accessible voting machines, throughout NH.

Survey candidates in state or federal elections regarding issues that are important to people with disabilities. Share the results of the surveys in non-partisan ways to educate voters with disabilities.

Partner with disability groups across the state to raise awareness of elections, increase participation of people with disabilities and address identified barriers to participation.

Ensure NH's laws and policies promote the rights of people with disabilities to vote.

Ensure people with disabilities can fully participate in the legislative process.

Ensure DRC-NH collaborates with other groups and organizations on voting rights and voting issues impacting people with disabilities via committee work and other voting rights advocacy.

- Granite State Independent Living
- NH Bar Assn. -Bar Sections
- Access to Justice
- ABLE NH
- NH Council on Developmental Disabilities
- NAMI NH
- State Council on Aging
- NH Secretary of State

Educate the media on the voting rights of people with disabilities.

*Note: PAVA funding cannot be used for litigation.*

## EXCLUSIONS

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DRC-NH does not provide legal advice or representation to people with disabilities in the following areas. In these cases, the DRC-NH support staff member will provide referrals to other resources during the initial request for assistance.

- Family matters (divorce, child custody, child support)
- Estate planning including Wills and Trusts
- Criminal Proceedings in which the person charged is seeking representation
- Prison conditions, except as they directly relate to a disability
- Worker's compensation
- Medical Malpractice
- Personal injury cases not related to restraint, seclusion or abuse
- Representation of families to obtain Guardianship
- Representation of individuals with disabilities in Guardianship proceedings, except when DRC-NH is appointed to represent the individual with the disability
- Pursuing an IEA (involuntary emergency admissions) against a person with a disability
- Private insurance – long-term disability or short-term disability appeals
- SSI or SSDI eligibility or redetermination
- Bankruptcy
- Foreclosure
- Evictions based on non-payment of rent
- VA cash benefits
- Food stamps
- Any case not directly related to a person's disability



## ABBREVIATIONS

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AA – Area Agencies

AAC - Assistive Augmentative Communication

ABA – Applied Behavior Analysis therapy

ABLE – NH – Advocates Building Lasting Equality NH

ACLU – American Civil Liberties Union

CART - Communication Access Realtime Translation

CFI – Choices for Independence waiver

CMHA – Community Mental Health Agreement

CMHC – Community Mental Health Centers

DD – Developmental Disability

DHHS – NH Department of Health and Human Services

DOE – NH Department of Education

DRC-NH – Disability Rights Center – NH

FAPE – Free appropriate public education

HCBS -Home and Community Based Services

IEA – Involuntary Emergency Admission

IOD – Institute on Disability

ITS – Intensive Treatment Services

JJ – Juvenile Justice

MCAC – Medical Care Advisory Committee

MPA – Mount Prospect Academy

NAMI NH – National Alliance on Mental Illness, NH Chapter

NH – New Hampshire

NHCDD – NH Council on Developmental Disabilities

NHH – NH Hospital

NHLA – NH Legal Assistance

OCR – Office of Civil Rights

PAAT - Protection and Advocacy for Assistive Technology

PABRP - Protection and Advocacy for Beneficiaries (of Social Security) with Representative Payees

PABSS - Protection and Advocacy for Beneficiaries of Social Security

PADD - Protection and Advocacy for Individuals with Developmental Disabilities

PAIMI – Protection and Advocacy for Individuals with Mental Illness

PAIR - Protection and Advocacy for Individual Rights

PATBI - Protection and Advocacy for Individuals with Traumatic Brain Injuries

PAVA - Protection and Advocacy for Voting Access

RAPP – Research, Advocacy, Policy and Practice

RSA – Revised Statute Annotated

SPU – Secure Psychiatric Unit at NH State Prison

SSDI – Social Security Disability Income

SSI – Supplemental Security Income

SYSC – Sununu Youth Services Center

VA – Veterans Administration

VPI – Residential program for children operated by Becket

VR – Vocational Rehabilitation