



DISABILITY RIGHTS NEW YORK

Protection & Advocacy and Client Assistance Program Services in the 27th Congressional District

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BACKGROUND

Disability Rights New York (DRNY) is the designated organization to provide the federal Protection & Advocacy System and the Client Assistance Program services to New Yorkers with disabilities. This Report provides an overview of the services, from June 1, 2013 to December 31, 2016, that DRNY has provided to individuals with disabilities living in New York's 27th Congressional District. These services are provided pursuant to the following eight federal programs.

Protection & Advocacy for Individuals with Mental Illness

DRNY serves people with a diagnosis of significant mental illness or emotional impairment and prioritizes services to individuals in a facility receiving care and treatment and has the ability to investigate complaints of neglect and abuse.

Protection & Advocacy for Individuals with Intellectual and Developmental Disabilities

DRNY serves people with developmental disabilities, including, intellectual disabilities, autism, epilepsy, cerebral palsy and neurological impairments.

Protection & Advocacy of Individual Rights

DRNY serves individuals with disabilities who do not qualify for any other protection and advocacy services. It is not limited to people with a specific disability or facing a certain issue.

Protection & Advocacy for Traumatic Brain Injury

DRNY serves people with a traumatic brain injury (TBI). This includes working to ensure "due process" within the "New York State TBI Waiver" program, and appropriate services to all individuals, including those not participating in the waiver. DRNY provides services to ensure individuals with TBI have access to comprehensive, high quality health care services.

Protection & Advocacy for Voting Access

DRNY helps individuals with disabilities have full participation in the electoral process. DRNY educates, trains and assists individuals with participating in the electoral process. These efforts include ensuring physical accessibility of polling places and informing people about the rights of voters with disabilities.

Protection & Advocacy for Assistive Technology

DRNY helps people with disabilities with services related to assistive technology devices or services. This includes investigating and negotiating access to assistive technology devices, as well as outreach efforts.

Protection & Advocacy for Beneficiaries of Social Security

DRNY serves people with disabilities who receive Social Security Disability Insurance or Supplementary Security Income, and who are trying to return to work, gain employment, or receive certain employment-related training and services. DRNY educates beneficiaries about Social Security's work incentives and provides advice about vocational rehabilitation and employment services.

Client Assistance Program

DRNY assists people with disabilities who have questions or have encountered problems while receiving or applying for vocational rehabilitation (VR) services from state VR agencies. DRNY also advocates for those who receive services from Independent Living Centers, Commission for the Blind, and for those applying for or receiving services from Tribal VR offices.

CLIENTS

The most recent U.S. Census Bureau estimates show that there are 88,666 individuals with disabilities living in the 27th Congressional District. DRNY has handled 465 Service Requests for 366 distinct clients. These individuals lived in 65 of the 142 zip codes in the 27th Congressional District. Over this 43 month period, DRNY averaged approximately 10.81 Service Requests per month from individuals in this District.

Clients by Age

DRNY has assisted some of the most vulnerable individuals in the 27th Congressional District. 182 unique clients were residents of nursing homes, hospitals, correctional facilities, rehabilitation facilities, and youth-focused residential facilities. Of the residents living in the community, 22, or nearly 12.79% of DRNY's unique clients were under 18. According to census data, individuals under 18 account for only 4.88% of civilian, non-institutionalized individuals with a disability in the 27th Congressional District. The following table shows that 23.96% of DRNY's clients are age 55 or older. Demographic information is not required to receive DRNY services, and so we lack age information on 7 individuals.

Age Group	Number of Individuals	Percentage of Total
Under 5 Years Old	1	0.28%
5-9 Years	5	1.39%
10-14	11	3.06%
15-19	14	3.90%
20-24	20	5.57%
25-34	68	18.94%
35-44	59	16.43%
45-54	95	26.46%
55-59	42	11.70%
60-64	26	7.24%
65 or Older	18	5.01%

Clients from Under-Represented Groups

DRNY affirmatively seeks to provide services to historically under-represented groups. The following charts compare race and ethnicity demographics for the entire 27th Congressional District with that of DRNY's clients in the 27th Congressional District. DRNY does not require demographic information from our clients as a pre-requisite for services, so for 46 clients, race and ethnicity information is incomplete or unavailable, and for 36 clients ethnicity information is incomplete or unavailable.

Race	Estimate	As Percentage	DRNY Clients	As Percentage
Total population	717,794		320	
One race	708,362	98.69%	313	97.81%
White	674,144	93.92%	219	68.44%
Black or African American	17,814	2.48%	90	28.13%
American Indian and Alaska Native	3,569	0.50%	3	0.94%
Asian	7,889	1.10%	1	0.31%
Native Hawaiian and Other Pacific Islander	91	0.01%	0	0.00%
Some other race	4,855	0.68%	0	0.00%
Two or more races	9,432	1.31%	7	2.19%

Hispanic or Latino Origin by Type	27 th Congressional District	% of Total	DRNY Clients	% of Total
Total population	717,794		330	
Hispanic or Latino (of any race)	17,861	2.49%	40	12.12%
Not Hispanic or Latino	699,933	97.51%	290	87.88%

SERVICE REQUESTS

DRNY provided full case services in 211 of the requests for services, 45.38% of the total 465 Service Requests. DRNY provided Information and Referral (I&R) services to the remaining 254. DRNY makes appropriate referrals to other agencies in those matters where the issues are outside DRNY's priorities, or because DRNY lacks the resources to undertake the matter. DRNY will also provide information regarding the clients' rights and available options. These matters vary from consumer financial issues, evictions, or other legal issues that are unrelated to the client's disability.

Service Requests by Program

All 8 of DRNY's programs provided case services to at least one constituent in the 27th Congressional District.

SR Type	CAP	PAAT	PABSS	PADD	PAIMI	PAIR	PATBI	PAVA	Grand Total
Case Services	21	14	15	36	47	75	2	1	211
I & R	7	0	1	16	139	85	6	0	254
Grand Total	28	14	16	52	186	160	8	1	465

Service Request Response Time

143 of these Service Requests were resolved in less than 7 days.

208 of these were resolved in less than 14 days.

Areas Covered by Service Requests

- 18 involved education issues
- 19 involved employment, including allegations of hiring discrimination and improper terminations
- 24 involved housing issues, including housing discrimination
- 109 involved issues of abuse and neglect, including the failure to provide appropriate mental health treatment, use of inappropriate or excessive medication, and allegations of physical assault
- 75 involved clients seeking assistance with obtaining or maintaining benefits including ACCES-VR services, SSI, SSDI, Medicaid, or other forms of health insurance
- 46 involved healthcare issues including admission to and discharge from residential care or treatment facilities

Representative Issues

- Assisted a service member with obtaining vocational rehabilitation services and in addressing employment discrimination
- Advocated for a client to obtain the use of a personal transportation device at a county fair
- Provided technical assistance to a veteran about an Incarcerated Veteran's Program
- Educated a client about work incentive programs, vocational rehabilitation services and other programs designed to assist individuals with disabilities to obtain competitive employment
- Assisted a client with obtained access to a more appropriate education program
- Negotiated a reasonable accommodation for a client so he could maintain his job
- Advocated for a client with a developmental disability to maintain eligibility for Home and Community Based Waiver services
- Assisted a client with Autism and a client with Cerebral Palsy to obtain a speech generating devices to use at school and in the community
- Obtained a ramp outside of a client's home that was installed by the client's landlord
- Secured a 504 plan for a student facing disciplinary issues at school
- Ensured that a client was able to have his service animal while at work
- Assisted a client who's funds were misappropriated while she was admitted into a VA hospital

PROJECTS

In addition to serving clients individually through Service Requests, DRNY operates a number of Projects ranging from ongoing outreach efforts, presentations on specific topics, investigation and monitoring of service providers, and systemic litigation to advance the rights of people with disabilities.

One of DRNY's core projects is our collaboration with other educational advocates and schools to improve educational outcomes for students with disabilities, called the New York State Special Education Task Force. DRNY spearheaded the formation of regional affiliates in the 27th Congressional District to provide a local forum for parents, advocates, attorneys, school personnel, service providers and individuals with disabilities to discuss issues, policies, and proposed changes to special education law and regulation. The Western New York Task Force and Greater Rochester Task Force are committed to improving educational access and outcomes for students with disabilities through a collaborative regional and statewide network of stakeholders representing a variety of perspectives in addressing the special education needs of students.

Another one of DRNY's core projects is to monitor facilities, including skilled nursing facilities, which provide care to people with disabilities. DRNY has conducted monitoring visits at nursing homes within the 27th Congressional District and educating residents about their rights. DRNY reviews the practices and policies of the nursing homes to ensure that residents are not unnecessarily diapered, over-medicated, or subject to unnecessary physical or chemical restraints.

DRNY also investigates allegations of abuse and neglect against individuals with disabilities in jail and prison settings. DRNY conducted on-site monitoring and investigations at Department of Corrections and Community Services (DOCCS) facilities in the 27th Congressional District. DRNY specifically monitored the Albion Correctional Facility with a specific focus on the Residential Crisis Treatment Program, Intermediate Care Program, Transitional Intermediate Care Program, and Protective Custody Program. Services were being provided in a building which was not accessible for individuals with certain disabilities. DRNY worked with DOCCS to relocate the program to an accessible location. DRNY has also advocated for improvements to Albion's policies for inmate mobility assistants, integration of inmates into vocational programming, and diabetic self-management. DRNY also monitored the Wende Correctional Facility in the 27th Congressional District. DRNY advocated for increase access to the law library for those inmates housed in the Regional Medical Unit or in need of assessable software.

DRNY conducted training and outreach targeting people in residential facilities, VR offices, and schools within the 27th Congressional District.

Investigations of Abuse and Neglect

DRNY investigated allegations of abuse and neglect including

- Physical restraint in schools
- Use of force and solitary confinement in prisons and jails
- Inadequate care in skilled nursing facilities
- Unsanitary conditions and poor care in facilities

Veteran's Issues

New York State is home to nearly 900,000 veterans, many of whom could benefit from the advocacy of the Protection and Advocacy System. As a demonstration of DRNY's ongoing support of veterans, we have several projects designed to engage, support and advocate for service members throughout New York.

- Conducting free day-long Continuing Legal Education (CLE) courses to educate lawyers, and non-lawyers how to advocate to obtain benefits, prepare claims and appeal decisions for Veterans Benefits
- Conducting 5 outreach events across New York State targeting veterans and collaborating with organizations and group that currently serve veterans
- Attending various military and Veteran Administration (VA) sponsored events including at libraries and VA hospitals
- Connecting with VA Medical Centers, organizations helping homeless and vulnerable veterans and legal service providers dedicated to veteran issues
- Working with and revitalizing veteran coalitions across New York State to identify issues where JAG cannot assist

Coalition Building

DRNY is also involved in forging coalitions between agencies on statewide issues like:

- Improving communication between students, families and schools in Special Education
- Ensuring that voter's with disabilities have access to a private accessible vote
- Expanding cultural competency and language access

Systemic Issues

DRNY also identifies and addresses systemic issues such as:

- Sidewalk and street accessibility
- Difficulties faced by individuals transitioning from various state-run facilities back to the community
- Barriers to integrated employment opportunities

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