

DLP FY2022 PADD PRIORITIES

Case acceptance is based on four factors:

- (1) the client meets the federal definition of an individual with a developmental disability;**
- (2) the case is within the PADD priorities;**
- (3) the case has merit; (sufficient evidence to support the claim) and**
- (4) there are sufficient staff resources to take on the case.**

2022 PADD PRIORITIES

GOAL	PRIORITY	DATA
<p>Goal A. People with disabilities have access to needed health care/long term care; children with developmental disabilities and/or mental health needs will receive needed services and supports.</p>	<p>Priority A1: Represent individuals with disabilities seeking access to needed health care/long term care when issue is disability, duration of services, covered services, due process or EPSDT. Priority given to cases involving:</p> <ul style="list-style-type: none"> (1) access to Covid-19 related health care including access to ventilators, personal protective equipment and vaccination when available; (2) children and youth inappropriately placed or held in emergency departments due to lack of mental health services; (3) services and discharge planning for children and youth transitioning from residential placements. 	<p>Narrative Quarterly and Annual Reports.</p>
	<p>Priority A2: Engage in legal and systems advocacy to maintain or increase access to health care including access to Covid-19 related health care, treatment and protection; EPSDT services, long term care services, Pediatric High Tech Nursing Services and children’s developmental and mental health services, and including due process issues such as adequacy of denial/termination/reduction notices. Comment on proposed Health Care</p>	<p>Narrative Quarterly and Annual Reports.</p>

	Administration Rules (HCAR) and other proposed rules affecting access to health care for people with disabilities.	
<p>Goal B: Students with disabilities are identified, evaluated, and receive a free and appropriate public education and related services during and after the Covid-19 pandemic. Students with disabilities are educated in the most integrated appropriate educational setting, are not harassed, are not unlawfully disciplined, and are not unlawfully suspended or expelled from their educational program. Students with disabilities receive an appropriate transition from school to employment and independent living. Resources permitting: Students with disabilities are identified, evaluated, and receive a free and appropriate public education and related services. Eliminate use of truancy proceedings for students with disabilities. Federal and Vermont entitlements and procedural protections are preserved. Congressionally</p>	<p>Priority B1: (a) Work on cases involving students with disabilities who have been disciplined, suspended or expelled from school due to disability-related behaviors, who are at risk of suspension or expulsion due to disability-related behaviors, or who are involved in truancy proceedings; (b) Work on COVID related education cases including difficulty in complying with Covid-related policies in schools; <u>appropriate evaluation of deficits resulting from denial of FAPE/loss of services due to Covid-19; access to appropriate compensatory education services for denial of FAPE/loss of services due to Covid-19.</u> (c) Where resources permit, work on cases involving students who are not otherwise receiving a Free and Appropriate Public Education (FAPE).</p>	Narrative Quarterly and Annual Reports.
	<p>Priority B2: Provide individual advocacy for students who are transitioning out of school including graduation issues (forced early graduation and participation in graduation activities) and access to adult and/or vocational services.</p>	Narrative Quarterly and Annual Reports.
	<p>Priority B3: Provide individual and systems advocacy for students placed in and</p>	Narrative Quarterly and Annual Reports.

allocated Covid-related funds are used to increase equity in Vermont's education system.	transitioning out of alternative programs and at Woodside Juvenile Rehabilitation Center or any successor programs.	
	Priority B4: Continue to investigate complaints of inappropriate/unlawful use of restraint and seclusion in Vermont schools and alternative programs.	Narrative Quarterly and Annual Reports.
	Priority B5: Monitor implementation of census-based funding for special education in Vermont, including participation on the Census-Based Funding Advisory Group. Engage in systems advocacy to preserve and protect Federal and Vermont entitlements, including advocacy to ensure that federal education dollars allocated to Vermont to address issues related to the Covid-19 pandemic are used to increase equity in Vermont's education system, and advocacy to address Vermont's definition of "adverse effect" in making special education eligibility determinations. Comment on relevant proposed State Board of Education rules.	Narrative Quarterly and Annual Reports.
Goal C: Ensure access to appropriate services/supports in the least restrictive and most integrated settings.	Priority C1: Advocate for people with disabilities in nursing homes, long-term care homes, correctional facilities, inpatient hospital settings and other restrictive settings for whom appropriate services/supports may be available in more integrated settings.	Narrative Quarterly and Annual Reports.
Goal D: Advocate to improve	Priority D1: Provide individual advocacy to	Narrative Quarterly and Annual Reports.

<p>access to Developmental Services for children and adults with intellectual and developmental disabilities.</p>	<p>children, adults, or families seeking access to developmental services or whose developmental services have been reduced or terminated; provide individual advocacy in grievances and appeals from service provider decisions.</p>	
	<p>Priority D2: Where resources permit, engage in systems advocacy to maintain and increase access to developmental services for Vermonters with intellectual and developmental disabilities, including monitoring changes to Vermont’s DD services funding and method for assessing level of services, commenting on proposed regulations, policies, legislation and procedures affecting access to developmental services, including any proposed changes to how the state defines and assesses “developmental disability” for purposes of DDS eligibility determinations, and the state’s implementation of “conflict free case management.” Serve on relevant advisory and ad hoc committees to assure increased and expanded access to developmental services for Vermonters with intellectual and developmental disabilities.</p>	<p>Narrative Quarterly and Annual Reports.</p>
<p>Goal E: Provide advocacy to ensure people with intellectual and developmental disabilities do not have unnecessary or</p>	<p>Priority E1: Provide direct case representation in selected cases including representation for individuals seeking to become their own guardians.</p>	<p>Narrative Quarterly and Annual Reports.</p>

unnecessarily restrictive guardianships.	Priority E2: Serve on Probate Oversight Committee to ensure consistent best practices among Vermont Probate Courts and practice statewide;	Narrative Quarterly and Annual Reports.
	Priority E3: Working with Green Mountain Self Advocates and the Office of Public Guardian, explore and develop alternatives to guardianship in Vermont. <ul style="list-style-type: none"> • Serve on Supported Decision Making (SDM)-workgroup. 	Narrative Quarterly and Annual Reports.
Goal F: Access to Public Benefits (SSI, Unemployment Insurance and Covid-related state and federal payment programs) Access to and preservation of SSI benefits for income eligible children under age 18 or turning 18 whose benefits are terminated on the basis of disability. Maintain maximum SS benefits for adults who are disabled and working. Ensure access to Unemployment Insurance and Covid-related state and federal payment programs.	Priority F1: Provide representation at administrative law judge (ALJ) level hearings for children under the age of 18 or turning 18 where issue is disability. Priority F2: Provide counsel and advice and, where resources permit, full representation to individuals to ensure access to Unemployment Insurance and any Covid-related state and federal payment programs. Priority F3: Engage in systems advocacy to ensure full access for people with disabilities to SSI, Unemployment Insurance and any Covid-related state and federal payment programs.	Narrative Quarterly and Annual Reports.
Goal G: Provide advocacy to	Priority G1: Provide individual advocacy in	Narrative Quarterly and Annual Reports.

<p>Improve access to government services and programs as provided in Title II of the ADA.</p>	<p>response to client complaints about accessibility and lack of accommodations in government services such as higher education, Reach Up, judicial and corrections systems - including people with disabilities who have been victims of crime, and parents with disabilities in the child protection system.</p>	
	<p>Priority G2: Provide technical assistance to Communication Support Project and support to its management as resources permit to ensure that people with intellectual and developmental disabilities receive communication support in judicial and other proceedings.</p> <p>Priority G3: Engage in legal and systems advocacy to insure that state and local emergency planning efforts include considering the needs of people with disabilities. Assistance will be offered should a residential care or nursing home desire help in preparing a disaster plan. <u>(DRVT)</u></p>	<p>Narrative Quarterly and Annual Reports.</p>
<p>Goal H: Ensure that individuals with intellectual and developmental disabilities are not discriminated against in hiring, employment and advancement</p>	<p>Priority H1: Provide individual advocacy in response to client allegations of disability-based discrimination in employment, including discrimination related to Covid-19 status. Provide ongoing advice and individual case representation where client needs assistance due to disability in Attorney General’s or Human Right’s Commission’s investigation and mediation</p>	<p>Narrative Quarterly and Annual Reports</p>

	processes.	
Goal I: Ensure that individuals with intellectual and developmental disabilities are not discriminated against in businesses open to the public under Title III of the ADA, and not subject to discrimination in housing.	Priority I1: Provide individual advocacy in response to client allegations of disability-based discrimination in businesses open to the public, including health care and in housing.	Narrative Quarterly and Annual Reports
Goal J: Ensure that adults and children with intellectual and developmental disabilities living independently, in institutions, juvenile treatment programs, or in parental, family, group or developmental homes, are free from abuse, neglect or rights violations.	Priority J1: Where appropriate, conduct investigations of allegations of abuse, neglect or exploitation of adults or children with intellectual and developmental disabilities. Make referrals to Adult Protective Services (APS) where appropriate.	Narrative Quarterly and Annual Reports.
	Priority J2: Working with the Mental Health Law Project of VLA, DRVT and the DLP will provide outreach, advocacy and legal assistance to children with intellectual and developmental disabilities at the Brattleboro Retreat and in other institutional, residential, mainstream and alternative educational settings (DRVT) .	Narrative Quarterly and Annual Reports.
Goal K: Increase knowledge and awareness of the civil and legal rights of people with disabilities.	Priority L1: Provide at least 3 trainings to consumers, families, advocates, service providers & the general public on the civil and legal rights of individuals with	Narrative Quarterly and Annual Reports.

	disabilities.	

9/13/21