



Disability Rights Iowa

LEGAL PROTECTION AND ADVOCACY

Presentation for the Iowa Developmental Disabilities Council

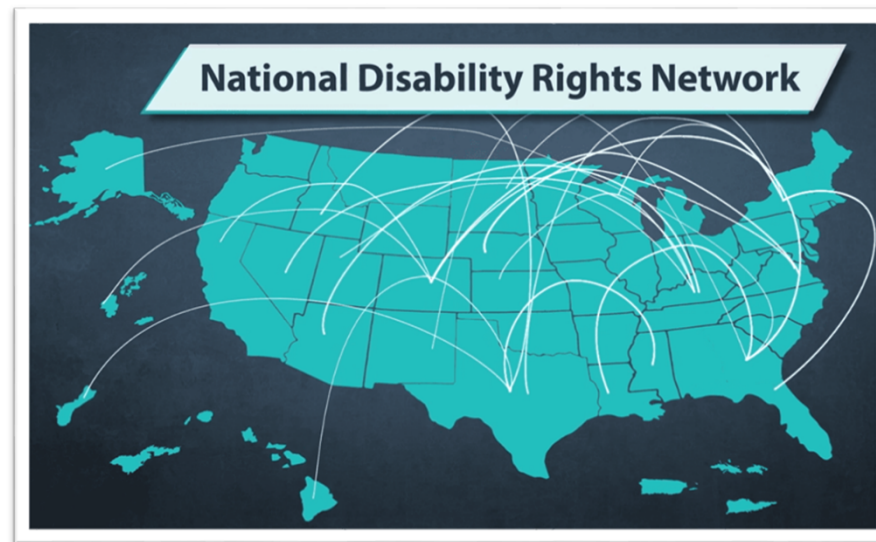
666 Walnut Street, Ste 1440

Des Moines, Iowa 50309

515-278-2502; www.driowa.org; Info@driowa.org

What is Disability Rights Iowa?

Protection and Advocacy (P&A) System for Individuals with Disabilities and Mental Illness



DRI is...

Independent Non-Profit

Civil rights law firm, NOT government agency

20 employees (8 attorneys)

Statewide services

Located in Financial Center in downtown Des Moines

Who Can We Serve?

- 1) Resident of Iowa
- 2) Have a disability
- 3) Have a **disability-related issue**, rights violation, legal problem, etc.
- 4) Issue falls under an *Area of Focus*

****No Age, Income, or Immigration Status Requirements***

Disability-related issue = An individual discloses to their employer that they have a disability and that they need reasonable accommodations to do the essential functions of their job. The employer responds by firing the employee without giving the situation adequate processing. This person has an issue because of their disability.

Not a disability-related issue = An individual is blind and is getting a divorce. Yes, the individual has a disability, but they are not getting a divorce because of their disability. This person does not have an issue because of their disability. They are a person who has a disability and an issue, not a disability-related issue.

Current Areas of Focus

Abuse and Neglect

Accessibility

Assistive Technology

Benefits Planning for SSA beneficiaries to work

Community Living

Education

Employment

Guardianship Alternatives

Healthcare

Housing

Juvenile Justice

Prisons and Jails

Representative Payee Review

Voting

Who Decides?

Board of Directors

And

Mental Health Advisory Council

- Using public surveys, input from other agencies, family members and individuals with disabilities

What Do We Do?

Mission: Defend and Promote the Rights of Iowans with disabilities

Activities related to Abuse and Neglect:

- 1) Investigating & Monitoring Facilities – Investigate institutions with residents with disabilities for instances of abuse and neglect
Examples: Prisons, juvenile detention centers, mental health residential facilities, etc.


Services:

- 1) “Professional Inquiries” – Provide guidance to & assist other service providers with disability related problem solving
- 2) Direct Legal Advocacy – Provide advice, advocacy and legal services for individuals with disabilities

We do not have social workers/case coordinators on staff.

Abuse and Neglect

Federal statutes grant authority to:

- Conduct investigations of abuse and neglect in facilities
 - Monitor facilities—compliance of rights and to provide information and training
 - Training and education in collaboration with other agencies
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Where does DRI monitor?

Public and Private residential settings, including

- General and psychiatric hospitals
- Nursing homes and Board and Care Homes,
- Juvenile detention facilities, prisons and jails
- Homeless shelters

Community Settings

- Day habilitation services
- Home and Community Based Services
- Work programs

What does monitoring involve?

Announced or unannounced

Reasonable unaccompanied access at reasonable times to facility and areas used by residents, including adults with guardians and minors

Opportunity to interview individual without staff or chaperone

Types of Services

Direct Representation

Short Term Assistance

Self- Advocacy Assistance

Professional Inquiry

Information and Referral

Types of individual cases

- Education
- Housing
- Healthcare
- Accessibility
- Employment
- Assistive technology
- Guardianship/conservatorship

Current Systemic Work

- 1) Medicaid and Managed Care for individuals with disabilities
- 2) Abuse and Neglect of Residents at Facilities
- 3) Reforming the Juvenile Justice System
- 4) Arrests, Suspensions and Exclusion of students with disabilities

Requests for DRI Services

- 1) Call 515-278-2502 extension 212 OR email vsantosnila@driowa.org
- 2) Make request online on DRI website <https://disabilityrightsiowa.org/contact-disability-rights-iowa/let-us-help/>

Professional Inquiries (contact Vanessa @ 515-278-2502
OR vsantosnila@driowa.org)

Factors in Deciding Whether to Take a Case

Type of Disability (intellectual, developmental, physical, brain injury, other)

Legal Issue is Within Board-Approved Areas of Focus

Severity of Harm

Imminence of Risk

Potential to Create Systemic Change



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Thank You

Questions?