

# **DISABILITY RIGHTS LOUISIANA**

## **COMMUNITY ADVOCACY BOARD REPORT**

**June 2022**

### **1. CLIENT ASSISTANCE PROGRAM (CAP)**

CAP provides information and referrals as well as general advocacy to help LRS eligible clients through the Vocational Rehabilitation process; this includes eligibility determination, employment services, and transition services offered by LRS.

#### **PROGRAM UPDATES:**

Between February 1 and June 1, 2022, the CAP program opened 13 new cases during this period and closed 13 cases. On April 28, 2022, the program manager of CAP attended the LRC Quarterly meeting to offer insight about common issues seen with incoming CAP cases, ways to partner with LRS to resolve some policy concerns, and making key connections to programs servicing people with disabilities in Louisiana (e.g. Statewide Independent Living Council, Association of People Supporting Employment, and Dept. of Education). Also, CAP made a presentation to Families Helping Families in Monroe, LA on May 25, 2022; and from June 6–June 9, and CAP staff attended the in-person National Disability Rights Network (NDRN) conference attending trainings on Vocational Rehabilitation services and employment practice trainings.

#### **PROGRAM SUCCESSES:**

1. Ms. MC reached out for CAP services nearly four years ago due to two primary issues with the vocational rehabilitation process. The client was having communication issues with her LRS counselor and she needed additional training to reach her initial employment outcome. The client received services for more educational supports to prepare her for secretarial positions that may be available to her. Ms. MC, the LRS regional manager serving her area, as well as DRLA staff had numerous meetings to discuss her concerns with the counselor – and to potentially find a new LRS counselor to work with. This past April it was identified that she would not be working closely with her counselor any longer as she was in the job placement phase with TEEM Academy, the vendor providing her direct employment supports. The client agreed to do limited work with her LRS counselor, signing paperwork when she needs to, while doing job placement with her case manager at TEEM Academy. She attended the first job fair with the employment vendor on May 10, 2022, and decided it was appropriate at that time – as she was happy working with her TEEM Academy job specialist – to close her CAP case.

2. Mr. ME reached out to CAP to get appropriate vehicle modifications made, so that he may return to work. He was frustrated with the Vocational Rehabilitation process initially because he did not feel like he possessed the knowledge to be self-advocate for his needs. The client's CAP advocate provided him information about VR services and other needed assistance to get assistive tech installed in his vehicle. The client was granted the modifications to his vehicle in the summer of 2021, with some parts remaining to be applied due to shipping difficulties. LRS has allowed the client to use the vehicle while waiting on the remaining parts. This is allowed the client to return to work. LRS will complete pay for the modifications was the vendor receive the appropriate parts.

## **2. COMMUNITY LIVING OMBUDSMAN PROGRAM (CLOP)**

In this program, trained advocates, known as Ombudsmen, advocate for the people with developmental disabilities who live in the over 500 state-licensed, privately run group homes across the state to ensure their rights are protected and they are free from abuse or neglect.

### **COVID UPDATE:**

CLOP staff returned to limited in person visits in April. CLOP staff only conducted emergency, case by case visits until then. Extensive safety protocols remain in place to ensure staff/resident safety. At their discretion, CLOP Ombudsmen can also remotely monitor community homes and perform driveway visits when possible to actually visually view the residents.

### **PROGRAM UPDATES:**

CLOP continues to expand investigations collaboratively with the Attorney General's Medicaid Fraud unit. Several CLOP staff sent complaints to agents of the Medicaid Fraud unit. CLOP continues recording resident complaints in monthly Complaint Requests/Resolutions with the new LDH reporting protocols (CRRs).

Between February 1 and June 1, 2022, the CLOP Ombudsmen filed 11 complaints with LDH's Health Standards Section, who are in charge of licensing and compliance, about the conditions in these facilities. These complaints included the following reports and observations regarding the ICFs/DD during this period:

- 2 allegations of possible physical assault by staff
- 4 allegations of severe understaffing
- 4 allegations of neglect of resident health
- 1 allegation of lack of access to medical care

- 1 allegation of lack of access to dental care
- 1 allegation of disclosing resident medical information
- 2 allegations of improper behavior planning
- 1 allegation of not providing medication as prescribed
- 1 allegation of unsanitary building conditions
- 1 allegation of abuse by staff

Complaints were also sent to the Medicaid Fraud Unit of the Attorney General's office. Ombudsmen continue to engage professional development and trainings including, Community Advocacy weekly meetings and non- mandatory weekly trainings and weekly CLOP staff meetings. Many CLOP staff attended the virtual NDRN conference.

#### PROGRAM SUCCESSES:

1. A group home resident in the New Orleans Area went home with his parents during the COVID paramedic for and extended visit. While there, his parents witnessed that he had matured a lot and his behavior had changed. The CLOP staff supported him in this transition. He now has OCDD in home services that assist him with daily chores, finding a job and job coaching. He is doing well working at the job of his choice and living in his own place. His parents built a suite on their property for him. He will not return to the community home and is doing great.
2. Several years ago, a group home resident had a job he enjoyed but was let go after having issues with co-workers. The manager, at that time, explained to him and the group home manager that he was not at fault and the manager did not want to fire him; however, McDonald's has a zero tolerance policy if co-workers fight. Losing that job took a toll on his confidence, mental health and he really had a rough time getting past getting fired. His IDT, together with his Ombudsman, supported him and followed through with his requests. The resident is now working through waiver transition and earlier in the year he got a new job at his "favorite" restaurant, Burger King. His confidence has returned, he is in a good place with his mental health and he is encouraging other residents to get a job.

### **3. SUPPORTED INDEPENDENT LIVING ADVOCACY PROGRAM (SILAP)**

The Supported Independent Living Advocacy Program (SILAP) serves individuals with developmental disabilities who are receiving OCDD waiver services and supports in order to live in their homes in the community. SILAP provides free services to persons residing in supported independent living environments in the State of Louisiana Human Services Districts I, II, and X, which encompass the greater New Orleans and Baton Rouge areas.

#### PROGRAM UPDATES:

SILAP advocates attended 10 outreach and training events.

SILAP received 11 new clients.

SILAP currently advocates for 20-25 clients consistently each month.

SILAP conducted a Lunch and Learn outreach in June that brought in new referrals, several participants asked questions and more follow up will happen from that outreach. SILAP will be conducting outreaches to local LGE staff, provider agencies during quarterly provider meetings and Support Coordination agencies in the next quarter.

#### PROGRAM SUCCESSES:

The work of a SILAP advocate lead to a big success for a long time SILAP client. He has been cleared of all his legal charges, now has consistent support staff, and he can finally move forward with his life. The SILAP advocate developed a strong and trusting relationship with the client which contributed to this success. SILAP provided resources, a referral to DRLA legal team, stayed in constant contact with the client and his support team, attended numerous meetings and court appearance advocating on his behalf. SILAP encouraged the changes needed for his daily support through advocating for a new provider, more support hours and maintained all necessary updates. The outcome could have been drastically different had the support coordinator and client sought assistance from SILAP.

### **4. NOLA SEA PROJECT (OVW)**

In 2020 DRLA, entered a close collaboration with the Family Justice Center, Metro Centers, and Lighthouse Louisiana on a project to evaluate and make recommendations regarding the intersection of services for individuals with disabilities and survivors of domestic violence through this program supported by the Vera Institute, and funded by the federal Department of Justice- Office of Violence against Women.

#### Program Updates:

This program was paused due to staffing issues with our partner agencies. It has just been restarted.

### **5. WORK INCENTIVES PLANNING AND ASSISTANCE (WIPA)**

WIPA helps Social Security disability beneficiaries understand how earnings from work can affect their benefits, including healthcare and all other public benefit programs. WIPA assists beneficiaries in accessing employment supports, ABLE accounts, and community resources. WIPA also provides technical assistance to other DRLA programs regarding Social Security, Medicaid, and other public benefit program policies.

#### COVID UPDATE:

WIPA continues to monitor for all updates to COVID relief programs, Social Security policies and information on SSA office openings and disseminate information through the agency as it becomes available. COVID continues to play a significant role in program participant's decision to maintain employment or to actively pursue employment. Community outbreaks, workplace closures, caring for a family member who has COVID or testing positive themselves add to the barriers to employment already faced by individuals living with disabilities.

#### PROGRAM UPDATES:

On April 30, 2022, DRLA submitted the non-competing annual reapplication for continued WIPA funding as required by Social Security.

An employee of DRLA's Representative Payee program joined the WIPA team, and began the Community Work Incentives Coordinator (CWIC) certification process. The certification process lasts 6-8 months and consists of an intensive 2 week online initial training followed by a series of 11 assessments. Upon completion of the assessment phase, the employee will begin working with beneficiaries under close supervision by the program manager and Virginia Commonwealth University training staff before becoming a fully certified CWIC.

The WIPA program has also entered into a secure email partnership with the Social Security Administration allowing for a more efficient data exchange and record collection process.

During the third quarter, WIPA received 103 referrals from the Social Security Ticket to Work Helpline (TTW). WIPA now has 329 beneficiaries enrolled this fiscal year and 58% of all referrals have completed initial services and are either working or actively pursuing employment. WIPA also assisted 34% of program participants with wage reporting to Social Security and assisted 24% apply for vocational rehabilitation (VR) services with the state VR agency or employment networks.

#### PROGRAM SUCCESSES:

A client, who is a Social Security Disability Insurance (SSDI) beneficiary and Medicare recipient, contacted DRLA's WIPA program for help understanding how returning to work would impact his benefits. He is also a single parent with two minor children, one of which is living with a disability.

He was interested in returning to work as a self-employed barber and eventually transitioning off benefits. His CWIC was able to show him how through the use of Social Security work incentives and through working with a tax professional to identify allowable business expenses, he would be able to maintain his cash benefits and healthcare while growing his business. This would also allow his minor children's cash benefits to continue since their continued eligibility is tied to his. Although he would now be responsible for paying his monthly Medicare part b premium and his housing and food benefits would immediately be reduced, we estimate that the family's total household income will increase by 85% once he is working at a full-time level.

And finally, his CWIC was able to show him how his minor child living with a disability will likely qualify for additional Social Security benefits based on their own disability which would further increase the family's total income.

He is now on his way to leading a more financially secure and independent life.

## **6. STRENGTHENING PROTECTIONS FOR SOCIAL SECURITY BENEFICIARIES (REPRESENTATIVE PAYEE PROGRAM)**

This program provides oversight to representative payees and their services to beneficiaries as well as giving them support to better understand their role and responsibilities

### **COVID UPDATE:**

The Representative Payee program has continued to work under specific guidance provided by the Social Security Administration (SSA) and the National Disability Rights Network (NDRN). During this period, our staff conducted reviews both in person and remotely. SSA has indicated they want all reviews to be conducted in person beginning 8/1/2022. NDRN is negotiating for flexibility on a case-by-case basis based upon the need for reasonable accommodations.

### **PROGRAM UPDATES:**

Our program staff consisted of one (1) Scheduling Advocate, four (5) Investigative Advocates, and one (1) Program Director during this reporting period. One (1) Investigative Advocate left the program in December 2021. We have been fortunate to hire two (2) new Investigative Advocates, and all program staff have obtained Social Security Suitability.

Our program staff consisted of one (1) Scheduling Advocate, five (5) Investigative Advocates, and one (1) Program Director during this reporting period. The three (3) newest Investigative Advocates have been granted Suitability by SSA.

#### PROGRAM SUCCESSES:

The biggest accomplishment our Team has achieved during this reporting period is being able to go back out into the field where we can conduct comprehensive reviews in person. The reviews we have conducted have identified many instances where Representative Payees are unaware of the guidelines they should be following to ensure that beneficiaries have access to funds to be able to live and enjoy their lives in their communities. Many Representative Payees were never trained and did not have access to materials that provide this much needed guidance. We have been able to write numerous Corrective Action Plans which give them specific tasks to remedy and a timeline to submit those remedies. In most cases, Payees were anxious to "do the right thing" - they just didn't know what they needed to do or how to do it. We believe by educating the Payees, the Beneficiaries will enjoy greater financial freedoms.

### **7. FINANCIAL ACCESS INCLUSION & RESOURCES (FAIR)**

FAIR provides financial coaching and case management services to formerly incarcerated people with disabilities in Orleans and Jefferson Parishes, in order to improve their employment and financial outcomes and to reduce their recidivism rates.

#### PROGRAM UPDATES:

FAIR has hired an additional 2 case managers (one full-time and one part-time) to handle increasing interest in the program.

On May 26, 2022, the FAIR program had a site visit from Baptist Community Ministries, the primary funder for the program. We had an in-depth conversation about what services we provide to formerly incarcerated people with disabilities, key partners in the community we work with, and methods we use to collect client activities and other data we report on. Currently, the two new staff hired this past April are undergoing the following trainings: SSI/SSDI, Outreach, Access, and Recovery (SOAR), Change-Machine Financial Coaching Core trainings, and as well as organization-wide training to familiarize themselves with the work we do at DRLA.

#### PROGRAM SUCCESS:

Mr. RB joined the FAIR program on October 22, 2021. He initially expressed interest in employment and social security benefits. At the time he joined our program, he did not have any income and need help with getting some financial support to gain access to food– the FAIR case manager was able to help him apply for SNAP benefits immediately after identifying this need. He was able to secure \$204 monthly in SNAP benefits within a month of receiving services. The client then needed help securing a part-time job to have some income flow while being assisted with the Social Security benefits application. After two-months of active engagement with FAIR services, the client found employment at a grocery store’s earning \$190, pre-tax income, weekly.

Mr. RB is continuing to follow-up with his case manager about his social security application. Early in 2022, his housing situation became uncertain so he was connected to an emergency shelter where he found some peace and stability. At the current moment, the client is involved with vocational rehabilitation services to receive more training and job placement services to find more gainful employment. He is still employed at the grocery store.