Disability Rights Louisiana Report to the Louisiana Developmental Disabilities Council for October 2023

Program Updates

On July 31, 2023, DRLA completed the initial 5-year program period of the Representative Payee program, which provides benefit payment management for beneficiaries who require assistance with managing their Social Security or Supplemental Security Income (SSI) payments, and we have entered our second 5-year contract with The Social Security Administration (SSA). Over the past five years, we have completed 1,382 appointments, identified 1,418 deficiencies, made 153 referrals, and submitted 376 corrective action plans to representative payees.

Between July 1, 2022 and June 30, 2023, DRLA's Work Incentives Planning and Assistance Program (WIPA) program's three Community Work Incentives Coordinators (CWICs) received 532 referrals for assistance. The WIPA program serves people who are already working, or who are about to start work. It helps beneficiaries by providing information about the availability of work supports. It also provides accurate and individualized information about the effect of work on benefits and health insurance. WIPA's CWICs verify a person's benefits to make sure they give information about the right programs, and they provide in-depth counseling about benefits and discuss the effect of work on those benefits.

Between March 1, 2023 and August 31, 2023, ombudsmen with DRLA's Community Living Ombudsmen Program (CLOP) filed 13 complaints with LDH's Health Standards Section about the conditions in group homes (ICFs/DD). In this program, trained advocates, who are 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. The complaints that were filed include reports of sudden or questionable deaths of residents, allegations of neglect of resident health, lack of medical care, possible fraud, and unsafe building conditions.

DRLA's Client Assistance Program (CAP) helps people with disabilities who are receiving or applying for services from Louisiana Rehabilitation Services (LRS) and American Indian

Rehabilitation Services (AIRS) to understand all their benefits and rights under the Rehabilitation Act of 1973. CAP may assist consumers and applicants in pursuing legal, administrative or other appropriate avenues to protect their rights. During the summer of 2023, the CAP program visited and presented on CAP services to New Horizons Independent Living Center in Shreveport and the Tunica-Biloxi Tribe in Marksville. CAP also met with the Rehabilitation Services Administration during its audit of Louisiana Rehabilitation Services.

DRLA's Financial Access Inclusion and Resources program (FAIR) provides financial coaching and case management services to assist formerly incarcerated people with disabilities in combating employment and resource barriers, in order to achieve long term financial security. Our services are holistic and are centered around the individual needs of people with disabilities who may require additional supports and services to successfully reenter their communities after incarceration. Between April 1, 2023 and June 30, 2023, 18 of FAIR's 64 clients were employed and another 18 were connected to vocational programs for job counseling, guidance and furthering education. 56% of the employed clients were working full-time, while 44% were working part-time. The average hourly wage for our active clients during this period was $13.20/hour, and 100% of the clients served during this period, who were employed, have maintained their jobs for 90+ days.

Examples of Recent Client Successes:

A CLOP Ombudsman investigated concerns that a larger group home provider had switched to a meal planning system where meals were no longer being prepared in the group homes, were not eaten family style, no choices or snacks were provided, and individual medical needs, caloric requirements and allergies were not being taken into account. After speaking with program residents and staff, and reporting the concerns to the licensing agency, the new meal planning system was abandoned. Recently the Ombudsman revisited these group homes. In every home the Ombudsman visited, she found residents sitting at the dining room table with a place setting in front of them and a staff member in the kitchen preparing lunch. The food was fresh in each home and most homes had a fresh fruit bowl on the table. Staff and residents were overjoyed with the changes. One resident said, "it feels like home again!"

A SILAP advocate intervened on behalf of a client who was unable to move from his bed without assistance, and had little control over his supports and services. His family wanted to change his waiver services to self-direction, however the family was unable to effectively deliver self-directed services. With SILAP advocacy, the local LGE and Support Coordinator secured a provider who is able to provide the necessary supports and services for the client. He now has consistent care and his healthcare needs are being fulfilled.

A FAIR advocate recently assisted a formerly incarcerated woman with a disability, who wants to use her experience to help others. The FAIR advocate supported her while she was meeting reporting and licensing requirements, and helped her push through doubt and periods of wanting to give up. We are happy to report that she is now employed as a Peer Support Specialist, helping those who are going through the same challenges she encountered.

Legal Work

Along with our partners at the MacArthur Justice Center in the ongoing *Cooper* matter, we are taking part in a stakeholder group that has been created as part of the settlement, so that discussions may take place to address the ongoing delays in people transferring from jails into ELMHS. DRLA is part of the group both because we are counsel for the case and because it concerns our client base. Additionally, a member of DRLA's PAIMI Advisory Council and Board of Directors is a member of this group.

We have seen a recent increase in the requests for assistance from our Protection and Advocacy for Beneficiaries of Social Security (PABSS) program. These include issues with overpayments, issues with employment discrimination, and issues with obtaining reasonable accommodations. Four of our attorneys have recently completed the 2-week, virtual PABSS training provided by the National Disability Rights Network (NDRN) to permit them to work on these cases.

Pursuant to our statutory mandate to investigate potential cases of abuse and neglect of people with disabilities housed in congregate settings, we recently received complaints and began an investigation regarding the treatment of individuals who are housed in a group home facility. The investigation is ongoing.