

Protection and Advocacy

1 The Protection and Advocacy System



Introduction

These slides contain content adapted from the Administration for Community Living's Person Centered Counseling Training Program. The content includes text and narration from online courses. To view original content or for more information, please visit nwd.acl.gov or contact NoWrongDoor@acl.hhs.gov.

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Welcome! (1/3)

In this lesson Person-Centered Counseling (PCC) professionals will learn about the Protection and Advocacy System, Protection and Advocacy agencies, and the programs and services they provide. The Protection and Advocacy System is a federally mandated network of agencies that provide protection and advocacy services for people with disabilities of all ages, including older adults. There is one Protection and Advocacy agency in every state and territory in the US, including a Native American Protection and Advocacy agency.

Welcome! (2/3)

As a PCC professional, you might already engage in some protection and advocacy duties, but keep in mind that for this lesson the term ‘Protection and Advocacy’ refers to this formal and specific system of agencies. Also keep in mind that this system and the agencies that are part of it are different from Adult Protective Services, although you might work with both Adult Protective Services and Protection and Advocacy agencies in your role as a PCC professional. You will learn more about Adult Protective Services in Lesson 5 of this course.

Welcome! (3/3)

Learning Objective

After completing this lesson: You will be able to describe the Protection and Advocacy system and how Protection and Advocacy agencies protect and help people served by the No Wrong Door system. You will also be able to name three types of services Protection and Advocacy agencies provide and three advocacy issues they work on.

The Protection and Advocacy and No Wrong Door Systems (1/5)

As a Person-Centered Counseling (PCC) professional, it is useful for you to be familiar with the Protection and Advocacy System and to understand what your local Protection and Advocacy agency does. Among other responsibilities, they help advocate for disability rights and community living, so the people you serve may benefit from their services.

The Protection and Advocacy and No Wrong Door Systems (2/5)

According to the National Disability Rights Network, a nonprofit membership organization for Protection and Advocacy agencies: “Protection and Advocacy agencies have the authority to provide legal representation and other advocacy services, under all federal and state laws, to all people with disabilities (based on a system of priorities for services). All Protection and Advocacy agencies maintain a presence in facilities that care for people with disabilities, where they monitor, investigate, and attempt to remedy adverse conditions. These agencies also devote considerable resources to ensuring full access to inclusive educational programs, financial entitlements, health care, accessible housing, and productive employment opportunities.”

The Protection and Advocacy and No Wrong Door Systems (3/5)

There are many programs in the Protection and Advocacy System that may administer services. As a PCC professional, you should familiarize yourself with each of them so that you can coordinate appropriate services as needed. Other agencies include one for people seeking vocational rehabilitation services called Client Assistance Program (CAP).

The Protection and Advocacy and No Wrong Door Systems (4/5)

There are also separate protection and advocacy programs for the following:

- Protection and Advocacy for Individuals with Developmental Disabilities (PADD)
- Protection and Advocacy for Individuals with Mental Illness (PAIMI)
- Protection and Advocacy for Individual Rights (PAIR)
- Protection and Advocacy for Assistive Technology (PAAT)
- Protection and Advocacy for Beneficiaries of Social Security (PABSS)
- Protection and Advocacy for Individuals with Traumatic Brain Injury (PATBI)
- Protection and Advocacy for Voting Accessibility (PAVA)

The Protection and Advocacy and No Wrong Door Systems (5/5)

To learn more about the specific programs in the Protection and Advocacy System visit the National Disability Rights Network:

<http://www.ndrn.org/en/about/paacap-network.html>

If you are interested in finding a list of the programs and agencies under the Protection and Advocacy System in your state, the National Disability Rights Network has a link where you can locate them by state:

<http://www.ndrn.org/en/ndrn-member-agencies.html>

Protection and Advocacy Services (1/4)

Protection and Advocacy agencies serve people with disabilities of all ages, including veterans, children, older adults, and people who experience trauma. They believe that each person should have the same choices, rights, and opportunities as everyone else. This philosophy mirrors the values of the person-centered approach: choice, direction, and control.

Protection and Advocacy Services (2/4)

In addition to agencies and programs that are a part of the Protection and Advocacy System, there are also other agencies and resources that work to protect and advocate for people with disabilities, older adults, veterans, children and other vulnerable populations. Depending on the state in which you work, this might include your State's Long-Term Care Ombudsman, transition staff within an agency or Center for Independent Living, or State Survey Agencies.

Protection and Advocacy Services (3/4)

Each Protection and Advocacy System is unique and the services they provide vary depending on the state. However, many of these agencies provide the following services to people with disabilities of all ages:

- Education, outreach, and training on the rights of people with disabilities
- Monitoring and investigation of facilities that serve people with disabilities, such as mental health facilities and other institutions
- Individual and class-action litigation
- Information and referral services
- Advocacy on local and state laws that affect people with disabilities

— Protection and Advocacy Services (4/4)

Be sure to check the privacy policies of your organization, as well as those of the Protection and Advocacy agencies and programs in your area, before sharing any identifiable information about someone you serve. You will learn more about privacy concerns as it relates to documentation and reporting in Lesson 5: Reporting Abuse and other Legal Requirements for Mandated Reporters.

Protection and Advocacy Issues (1/3)

While Protection and Advocacy agencies may vary from state to state, they focus on many similar advocacy issues. You already learned a little bit about advocacy and levels of change in Lesson 4: Supporting Positive Change in Service Delivery and Systems in the Person-Centered Thinking and Practice course. Along with organizational and systems advocacy, there are other specific issues that Protection and Advocacy agencies work on (keep in mind that you will learn more about advocacy and disability organizations in Lesson 7).

Protection and Advocacy Issues (2/3)

The following are some examples of Protection and Advocacy agency advocacy issues:

- Reducing the likelihood of abuse and neglect of people with disabilities, in both institutions and the community.
- Making sure people with disabilities have the right to live and participate in the community.
- Making sure people with disabilities receive access to assistive technology.
- Making sure people with disabilities have voting rights and the ability to cast their votes privately, independently, and in an accessible manner.

Protection and Advocacy Issues (3/3)

- Changing the criminal and juvenile justice system to meet the needs of people with disabilities.
- Helping people with disabilities receive an appropriate education.
- Ending housing, transportation, healthcare, and employment discrimination of people with disabilities.
- Helping people who receive Medicare, Medicaid, Social Security, or Vocational Rehabilitation services.

For more information on these issues, go to: <http://www.ndrn.org/en/issues.html>

Contacting a Protection and Advocacy Agency

A Person-Centered Counseling (PCC) professional may find the need to talk to someone at a Protection and Advocacy agency about a person they're working with. But before making any referrals or discussing someone's concerns outside of your agency, it is important to first talk about potential next steps with the person seeking services. Also, review your organization's privacy and confidentiality policies before seeking additional resources.

Community Integration (1/2)

Many Protection and Advocacy agencies focus on the community integration of people with disabilities. Community integration is something many advocates strive for. This is also the goal of many of the people who may seek services through the No Wrong Door (NWD) system.

Community Integration (2/2)

Here are some features of community integration:

- Presence
- Choice
- Control
- Competence
- Respected and Valued Roles
- Participation
- Belonging

This is not a complete list, but it broadly describes the major aspects of community integration.

Community Living and Choice (1/2)

Accessible and affordable housing and transportation are related to community integration. People with disabilities continue to fight for the right to receive long-term services and supports (LTSS) and with the passage of the Americans with Disabilities Act, the Supreme Court's Olmstead Decision, and various laws in states and municipalities, people also continue to fight for their right to live in the community. You will learn more about the Olmstead Decision in Lesson 6: Disability-Related Laws and Policies.

Community Living and Choice (2/2)

People who live in institutions are entitled by law to appropriate services and the option to transition into the community if they choose. There will be more support and resources for them to live independently in the community if appropriate services, an adequate personal assistance workforce, and accessible housing are available. Protection and Advocacy staff and people working in the NWD system play an important role in helping people get the services they need so they can live in the community independently and be in control of their daily lives.

Accessible Housing in the Community (1/2)

The Fair Housing Act says that housing providers should make reasonable accommodations for people with disabilities to have full access to community housing. These reasonable accommodations are usually made at the expense of the person. The act also says that people with disabilities cannot be denied housing because of their disability.

Accessible Housing in the Community (2/2)

Many people with disabilities still struggle to find an accessible place to live in the community. This can be even more difficult for someone who is moving out of a nursing home and is not aware of community housing services that might be available to them. Making a home accessible can also cost a lot for someone with limited finances and resources. You will learn more about the Fair Housing Act and other resources in Lesson 6.

Accessible Public Transportation and Paratransit (1/2)

Being integrated in the community means being able to get around and participate in community life. The Americans with Disabilities Act (ADA) requires all public transit services to be accessible for people with different kinds of disabilities, such as people with invisible disabilities and chronic conditions, and people who use wheelchairs or other mobility devices. Most public transportation systems also have reduced-cost fares for older adults and people with disabilities. Accessible public transportation systems are essential for full community integration. They help people do all the things they need to do in life, such as running errands, socializing, volunteering, working, and going to appointments.

Accessible Public Transportation and Paratransit (2/2)

Many larger and more urban cities might also have paratransit services in addition to public transportation. Unfortunately, smaller towns and rural areas may lack one or both of these types of transportation, which can present a barrier to community integration. Most paratransit services offer on-demand and door-to-door services, unlike public transportation, which has fixed-routes. Generally, a person who needs paratransit services will need to make reservations in advance. The pickup place is a specific location, such as a home or doctor's office. The bus or van will come directly to that location. This is another way to get around, but there are eligibility requirements for paratransit services.

To learn more about accessible transportation guidelines and standards under the ADA, visit the U.S. Access Board:

<http://www.access-board.gov/guidelines-and-standards/transportation>

Conclusion and Lesson Review (1/2)

- There is a Protection and Advocacy agency in every state and territory in the United States.
- There are Protection and Advocacy agencies and programs specifically for services related to employment, assistive technology, and voting accessibility, among others.
- Protection and Advocacy agencies advocate for and protect the rights of people with disabilities of all ages around issues such as community integration, accessible housing, transportation, and healthcare.

Conclusion and Lesson Review (2/2)

Learning Objective

After completing this lesson: You will be able to describe the Protection and Advocacy system and how Protection and Advocacy agencies protect and help people served by the No Wrong Door system. You will also be able to name three types of services Protection and Advocacy agencies provide and three advocacy issues they work on.

Reflection on Learning Objective

Directions: Review the objective(s) on this page. Write down your answers to the following questions.

1. What did you learn in this lesson that you felt was important?
2. What will you do differently because of the content in this lesson?