

## 2020 Successful Client Resolutions



*Pictured: Alan Elkins wears facemask while working at Boone Memorial Hospital Central Supply.*

We at Disability Rights of West Virginia believe in our mission to protect and advocate for the human and legal rights of people with disabilities.

We strive to listen and understand the unique needs of each client. Our staff works collectively and supports one another as we all work toward common goals. It is especially rewarding when the outcome is positive.

This month we are proud to highlight and share some successful cases from the past year.

## Accessibility

- The client requested assistance in making sure the public river access points on the New River and all facilities associated with it are accessible. DRWV met with invested entities, including the New River Gorge National River, rafting agencies, WV Department of Natural Resources and WV Department of Environmental Protection. DRWV completed multiple site surveys of the river access point. DRWV provided information on accessibility regulations. Due to DRWV's advocacy, the river access site now has: an accessible parking space; a ramp to the changing station; and an accessible changing station.
- The client requested assistance with gaining access to a local business. DRWV visited the site on several occasions and conducted accessibility studies. DRWV communicated with the business owner to inform them of ADA violations. The business owner utilized a

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## Accessibility<sub>(cont'd)</sub>

contractor to build an accessible ramp to the building. Appropriate signage was also placed on the bathrooms. The client and others with limited mobility now have access to the building.



## Assistive Technology

- The client needed to be in a room with generator access at the state psychiatric hospital due to having a CPAP. DRWV communicated with maintenance to find out which rooms had generator access. After speaking with maintenance, the client was moved to a room with generator access.
- A client's Legal Guardian requested DRWV's assistance with getting the client eyeglasses while he was in a state psychiatric hospital. DRWV contacted the social worker and patient advocate at the hospital and filed a grievance on behalf of the client. As a result of DRWV's intervention, the client received prescription eyeglasses.

*Services and supports should be shaped by the unique needs and preferences of each individual and should assure and enhance opportunities for integration in all aspects of life. Advocacy should reflect equal access, peer support and self-determination. Service delivery should maximize leadership, independence, productivity and integration.*



## Housing

- The client who was a veteran requested representation with an eviction. He wanted to be able to stay at his current home and felt that he was being discriminated against due to his disability. DRWV provided representation to the client for an informal eviction hearing. As a result, the client was granted permission to remain in his current living environment. DRWV was also able to link the client's Veterans Administration case manager with his daughter to assist the client with his finances.

## Employment

- The client requested assistance with an ongoing dispute with his employer, specifically he had requested a certified ASL interpreter several times and the employer has refused to provide it. DRWV filed a complaint with the WV Human Rights Commission and negotiated with the employer to get appropriate ASL services for the client so he can fully participate in work meetings and one-on-one meetings with his superiors. DRWV was able to arrange for the use of an iPad linked to a certified ASL service provider for meetings so the client could fully participate.

# Voting

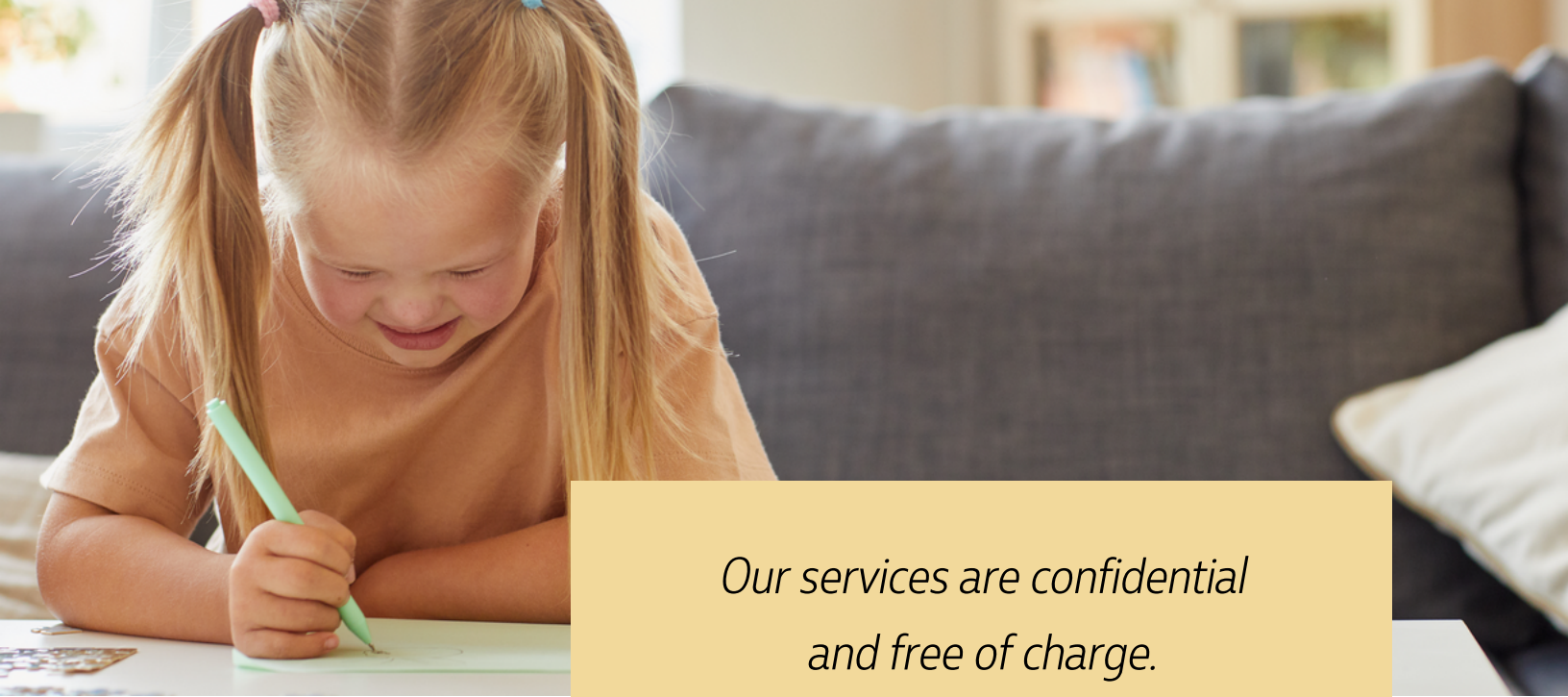
- A client in a state psychiatric hospital requested assistance with filling out an absentee ballot request. DRWV provided technical assistance to the client on filling out the absentee ballot request form. DRWV then monitored the absentee ballot tracking website to assure he was sent a ballot. The client returned his absentee ballot request form which DRWV confirmed was received by the County Clerk's office. As a result, the client was able to exercise his right to vote.
- A client asked for assistance with registering to vote and understanding her rights. DRWV assisted the client with filling out the voter registration form and mailing it to the County Clerk. DRWV trained her on voting rights. Due to assistance provided by DRWV, the client is now registered to vote and has been trained about her rights.

## Access to Services

- The client wanted to receive her services with the same Medicaid Personal Care provider but she wanted caregivers to actually take care of her. DRWV provided the client with information on the agencies that provide these services where she lives. The client chose a new provider. DRWV then made an online referral to the agency. Due to assistance provided by DRWV, the client will be receiving Personal Care services from a new provider of her choice.
- The Legal Guardian requested assistance with changing the I/DD waiver budget to reflect the needs of the client. The client was scheduled to lose all nurse's care services. DRWV coordinated with the client's service coordinator, service providers, and WV Bureau of Medical Services to create a budget that provides in-home medically necessary services after her 21st birthday when she is no longer eligible for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) funding. Through July 2021, the client's budget provides for in-home nursing services that are necessary to prevent transfer from her home to a nursing facility.
- A client needed assistance with getting out of an unsafe living environment that was owned and staffed by her I/DD Waiver provider. DRWV made reports to state agencies which resulted in the I/DD waiver agency closing. Referrals were made to other providers. As a result of DRWV's intervention, the client is now being served by a different I/DD Waiver provider of her choosing and living in a safe new home.
- As a result of DRWV's work, ten (10) individuals with intellectual/developmental disabilities were found eligible to become Medley Class Members and are now provided with lifetime advocacy services.







*Our services are confidential  
and free of charge.*

## Education

- The child's legal guardian requested assistance/information on how to obtain 1:1 tutoring services for reading and writing. DRWV provided representation at an eligibility committee and Individualized Education Program (IEP) meeting to advocate in favor of targeted services and to maintain the child's percentage of time in the mainstream classroom. An evaluation was completed. As a result, the child began to make progress in both reading and math.
- The parent requested assistance with getting her son's IEP fully implemented. DRWV provided representation at IEP meetings. As a result of DRWV's advocacy, the child has an appropriate IEP, including moving to a less restrictive environment for some classes as well as an appropriate transition plan to high school with an aide.

## Discharge from a Facility to the Community

- The client requested assistance with discharge planning from a children's residential facility. DRWV communicated with the client's Legal Guardian and service providers about the client's need for discharge to a more appropriate and less restrictive placement. As a result of DRWV's advocacy, the client was discharged to a less restrictive community placement, started back to school, and began community service. The new provider focused on transition to the adult world.
- The client requested assistance getting appropriate services at home so she could be discharged from a nursing home with services in place. DRWV communicated with the nursing home social worker and business office. DRWV also assisted with a referral to the Take Me Home program. As a result, the client was approved for home and community-based services. She is now at home with appropriate staffing services.

# Financial Exploitation

■ The client requested assistance with a complaint about missing money while she was a patient at a private psychiatric hospital. DRWV communicated with the Director of Quality & Risk Management, Case Manager, Chief Financial Officer and reviewed inventory records. A thorough review of the documentation determined that the client was owed \$537 and the client agreed that this amount was correct. The hospital agreed to pay this amount and issued the client a check.

■ The client requested representation for a hearing to dissolve his conservatorship and address the conservator's failure to carry out his legally obligated duties. DRWV requested and reviewed all of the client's financial records and assisted the client with finding a representative payee. DRWV also represented the client for a hearing on the petition to terminate conservatorship. As a result, an order was signed terminating the conservatorship and restoring the client's rights to control his own finances.



## Client Comments

*Why we do what we do*

"This is the 2nd time Disability Rights of West Virginia has helped me. They did an excellent service for me and my son! I would recommend them to anyone that is having problems, or anything like that for anyone that is disabled or has a loved one that is! They are a wonderful business. EXCELLENT! AMAZING!."

"Thank you so very much! The advocate really helped me resolve my issues and was very courteous."



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