

## Data Entry

### **RSA-661: Protection and Advocacy For Assistive Technology (PAAT) Annual Program Performance Report West Virginia for FY 2011**

#### **Cover Page**

Agency

Name:

West Virginia Advocates Inc.

Address:

a. Main Office:

1207 Quarrier St.

Litton Building, 4th Floor

Charleston, WV 25301-1842

b. Satellite Office(s) (if applicable):

Colonial Gateway Office Park

403 Bridgeport Hill Road

Suite 122 and 123

Clarksburg, WV 26301

c. Contract Office(s) (if applicable):

Telephone Number:

304-346-0847

Toll-Free Telephone Number:

800-950-5250

TTY Number:

304-346-0847

Toll-Free TTY Number:

800-950-5250

Fax Number:

304-346-0867

E-Mail Address:

Contact@wvadvocates.org

Web Address:

<http://wvadvocates.org/>

Executive Director

Executive Director Name:

Clarice Hausch

Executive Director Email:

Chausch@wvadvocates.org

Staff Preparing Report

Name:

Jodi Calissie

Email:

Jcalissie@wvadvocates.org

Office Location:

Main Office

## Part I - Non-Case Services

1. Total Number of Individuals Receiving I&R Services during the Fiscal Year

24

2. Total Number of Requests for I&R Services during the Fiscal Year

27

### B. Training Activities

1. Number of Training Sessions Presented by Staff

13

2. Number of Individuals Who Attended These Training Sessions

333

3. Describe two training events presented by the staff.

Training Event 1

(a) topics covered

WVA provided training regarding Special Education Procedural Safeguards/parental responsibilities and filing State Complaints.

(b) the purpose of the training

The training was sponsored by the Fair Shake Network (of whom WVA is a member), along with The Arc of the Mid-Ohio Valley, the WV Developmental Disabilities Council, the West Virginia University Center for Excellence in Disabilities (CED) and the WV Division of Rehabilitation Services. The purpose of the event was to educate parents of their child's right to a Free and Appropriate Public Education (FAPE). WVA's role was to strengthen the advocacy skills of the attendees.

(c) a description of the attendees

Attendees were primarily parents and other family members of children with disabilities.

Training Event 2

(a) topics covered

A WVA attorney provided "An Overview of Special Education Advocacy for Children with Disabilities" for the 2011 Celebrating Connections conference. Topics included referral, eligibility, and evaluation for special education services, IEP meeting and IEP development, and procedural safeguards.

(b) the purpose of the training

The purpose of WVA's presentation was to train participants of this conference to become better informed about the rights of children with disabilities to get a Free and Appropriate Public Education (FAPE). This training focused on how to be an effective special education advocate for children with disabilities. Participants received practical advocacy advice and learned about the legal protections, advocacy tools and skills that enable parents to navigate the special education arena. The session also included a discussion of the federal and state laws and policies that impact the education programs and services that children with disabilities receive.

(c) a description of the attendees

The Celebrating Connections conference was "designed to provide relevant information about practices, policies, planning and research that enhances community partnerships and quality in early care and education". It is primarily geared toward early childhood educators and other types of early childhood service providers.

4. Agency Outreach

Describe the agency's outreach efforts to previously unserved or underserved individuals including minority communities.

The Multi-Cultural Festival of West Virginia, Inc. is a non-profit organization whose mission is to promote diversity in a positive environment enhancing tolerance and promoting goodwill. West Virginia Division of Rehabilitation Services (WVDRS) sponsored a booth to offer information about organizations that help people with disabilities and invited WVA to participate. WVA staffed the booth and assisted in distributing fans which included WVA's logo. Other organizations who participated in the Multi-Cultural Festival were: People First; Appalachian Center for Independent Living; Fair Shake Network; Mountain State Center for Independent Living; ADA Coalition; West Virginia University Center for Excellence in Disabilities (WVUCED); Statewide Independent Living Council; Northern West Virginia Center for Independent Living; WV Commission for the Deaf and Hard of Hearing; Developmental Disabilities Council; and the State Rehabilitation Council. The event served to increase visibility for WVA among an underserved population.

In an effort to reach out to underserved populations, WVA partnered with Kroger Pharmacy to have WVA's logo, services and contact information printed on their pharmacy bags. At each location, 24,000 bags will be circulated until the supply is depleted. The bags are currently being distributed in the following locations in West Virginia: Charleston (west side), Danville, Princeton, Bluefield, Lewisburg and Hinton. Most of these locations are in areas known as the "southern coal fields" which are considered to be rural and economically disadvantaged areas of the state.

### C. Information Disseminated to the Public by Your Agency

For each method of dissemination, enter the total number of each method used by your agency during the reporting period to distribute information to the public. For publications/booklets/brochures (item 5), enter the total number of documents produced. See instruction manual for details.

Method of dissemination

1. Radio and TV Appearances by Agency Staff

0

2. Newspaper/Magazine/Journal Articles Prepared by Agency Staff

0

3. PSAs/Videos Aired by the Agency

0

4. Website Hits

349623

5. Publications/Booklets/Brochures Disseminated by the Agency

21

5a. Number of individuals/agencies receiving documents produced in item 5

3200

6. Other (specify below)

9559

WVA produced and distributed an edition of our newsletter called the Advocare in FY 11. WVA also produced and distributed an annual report covering FY 10 in FY 11. Both of these publications were sent to our mailing list of approximately 3,200 people. The Advocare and annual report can be viewed on our website at: <http://wvadvocates.org>.

WVA launched a Facebook page in early FY 2011. We often include information about upcoming events and training available to people with disabilities that are sponsored by WVA as well as other organizations who serve people with disabilities. There are currently one hundred twenty-nine (129) "Fans" of our Facebook page.

Publications: (All distributed during outreach events funded all or partially by PAAT dollars as well as PAAT cases/I&Rs) WVA 1:1 paraprofessional/aide tips; WVA A Guide to Your Treatment Plan, Brochure; WVA Advocare; WVA Annual Report; WVA Brochure; WVA CAP Brochure; WVA CAP Flyer; WVA CAP/PABSS Poster; WVA DME Tips; WVA EPSDT booklet; WVA Fact Sheet on TBI; WVA Help! For Parents; WVA PAAT Flyer; WVA PABSS Brochure; WVA PABSS fact sheet; WVA PAVA Brochure; WVA People with Disabilities Work brochure; WVA Self-Advocacy, MR/DD Waiver Hearing; WVA Voting Newsletter; WVA Work Folder; WVA Your Guide to Services from WVDRS.

Outreach items distributed (not included in count above) during outreach events funded all or partially by PAAT dollars: WVA Baseball Stress Balls; WVA Bendzee Sticks; WVA Business Card; WVA Fans; WVA Finger Print Kits; WVA Frisbees; WVA Highlighters; WVA Magnet; WVA Magnetic Clip; WVA Note Pad; WVA PAVA Bags; WVA Pen; WVA Pencil; WVA Stadium Cup.

## **D. Information Disseminated About Your Agency by External Media Coverage**

Describe information about your agency produced and disseminated by external media or other agencies/entities for each of the relevant categories below. Enter 'N/A' for each field not applicable for your agency.

### **1. Radio/TV coverage**

WVA purchased advertising on the radio for the Wrightslaw boot camp described elsewhere in this report. We also purchased radio advertising to air the announcement for our FY 2012 Priority and Objective (P&O) planning and public comment period.

### **2. Newspapers/Magazines/Journals**

WVA purchased advertisements in newspapers throughout the state regarding our P&O comment period and public forum.

WVA's Wrightslaw boot camp was advertised in newspaper articles as well.

### **3. PSAs/Videos**

N/A

### **4. Publications/Booklets/Brochures**

WVA was identified in printed materials for the following events/organizations: MultiFest, Appalachian Power Park Fan Night; and the Parenting Perspectives Newsletter. The West Virginia Assistive Technology System (WVATS) advertised the Wrightslaw boot camp in the spring 2011 edition of their newsletter. The National Disability Rights Network (NDRN) included details about the event in the TASC newsletter. eHow Parenting, Relationships and Family website also included details about the event on their website.

## Part II

### A. Individuals Served

Report information on the individuals served during the fiscal year and the number of closed cases. Refer to the instruction manual for details on completing items 4 and 4a.

1. Individuals Served Receiving Advocacy at Start of Fiscal Year (carryover from prior)

9

2. Additional Individuals Served During Fiscal Year (new for fiscal year)

14

3. Total Number of Individuals Served During Fiscal Year

23

4a. Total Number of Cases Closed During the Fiscal Year

17

4b. Total Number of Individuals with All Their Cases Closed During the Fiscal Year

14

5. Total Individuals Still Being Served at the End of the Fiscal Year (3 minus 4b)

9

*[Item II.A.3 is a checkpoint reference. Several subsequent tables will require that their totals match the number reported for the total number of individuals served during the fiscal year.]*

## B. Problem Areas/Complaints

Identify the problem areas or complaints of each case served by your PAAT program during the fiscal year (include new cases and carry-over cases). More than one problem area/complaint may be identified in a single case.

1. Architectural Accessibility

0

2. Education

3

3. Employment Discrimination

0

4. SSI/SSDI Work Incentives

0

5. Healthcare (total)

22

a. Medicaid

8

b. Medicare

1

c. Private Medical Insurance

0

d. Other specify below

13

9 were related to access to AT in prison; 1 wheelchair repair; 1 state psychiatric hospital patient access to AT; 1 feeding tube funding from Family Support; 1 related to doctor being contacted about ordering a power chair

6. Housing

0

7. Post-Secondary Education

0

8. Rehabilitation Services

0

9. Transportation

0

10. Voting (total)

0

a. Accessible Polling Place / Equipment

0

b. Registration

0

c. Other

0

11. Other - specify

1

access to client's own computer

12. Other - specify

0

13. Total

26

### C. Problem Areas/Complaints

Identify the problem areas or complaints of each case served by your PAAT program during the fiscal year (include new cases Report (1) the total number of individuals who received one or more AT devices or services as a result of casework during the fiscal year. For item (2), report by type, the total number of AT devices and services received by those individuals reported in item (1).

1. Number of individuals that received one or more AT devices or services as a result of casework (unduplicated count)

13

2. Type of AT device or AT service received as a result of casework

a. Devices for communication

0

b. Devices for mobility

9

c. Devices for hearing or seeing

0

d. Devices for reading or writing

0

e. Devices to assist with household activities

1

f. Devices to assist with participation in play or recreation

0

g. Devices to assist with personal care

1

h. Devices to aid in therapy or medical treatment

3

i. Devices to assist with the use of public/private transportation

0

j. Devices to assist with employment

0

k. Devices to aid with school/learning

1

l. AT services

0

m. Other - specify below

0

n. Total number of devices and services received as a result of casework (a-m)

15

#### **D. Primary Reason for Closing a Case File**

Identify the primary reason for closing a case file. Select the best reason if more than one reason applies.

1. All Issues Resolved in Client's Favor

11

2. Some Issues Resolved in Client's Favor

2

3. Other Representation Obtained

0

4. Individual Withdrew Complaint

1

5. Services Not Needed Due to Death, Relocation, etc.

0

6. Individual Not Responsive to Agency

1

7. Case Lacked Legal Merit

0

8. Conflict of Interest

0

9. Lack of Resources

0

10. Not Within Priorities

0

11. Issue Not Resolved in Client's Favor

2

12. Other - specify

0

13. Total (number must match Part II A4a)

17

## **E. Intervention Strategies for Closed Cases**

Report the highest intervention strategy used for each case closed during the fiscal year, considering the lowest form of intervention to be 'Short Term Assistance', and the highest to be 'Class Action Suits.' See instruction manual for an example. Each closed case should be counted only once -do not include any open cases in this count. the total reported on line 9 should match the total in II.D.13 above (primary reason for closing a case during the fiscal year).

1. Short Term Assistance  
16
2. Systemic/Policy Activities  
0
3. Investigation/Monitoring  
0
4. Negotiation  
1
5. Mediation/Alternative Dispute Resolution  
0
6. Administrative Hearing  
0
7. Legal Remedy/Litigation  
0
8. Class Action Suits  
0
9. Total (this should match the total in Part II.A.4.a above)  
17

### Part III - Statistical Information For Individuals Served

#### A. Age of Individuals Served

Report the age of the individuals served during the reporting period (unduplicated count). The total reported should match the total in II.A.3 above (total number of individuals served during fiscal year).

|             |    |
|-------------|----|
| Age         |    |
| 0 to 4      | 0  |
| 5 to 13     | 5  |
| 14 to 18    | 2  |
| 19 to 21    | 0  |
| 22 to 40    | 5  |
| 41 to 64    | 9  |
| 65 and over | 2  |
| Age Unknown | 0  |
| Total       | 23 |

## B. Gender of Individuals Served

Report the gender of the individuals served during the reporting period. The total reported should match the total in II.A.3 above (total number of individuals served during fiscal year).

Gender

Male

15

Female

8

Total

23

## C. Race/Ethnicity of Individuals Served

Race of individuals served

1. Hispanic/Latino of any race

1

*For individuals who are non-Hispanic/Latino only*

2. American Indian or Alaskan Native

1

3. Asian

0

4. Black or African American

0

5. Native Hawaiian or Other Pacific Islander

0

6. White

21

7. Two or more races

0

8. Race/ethnicity unknown

0

#### D. Living Arrangements of Individuals Served

Identify the primary living arrangement of each individual served by the PAAT program during the fiscal year. For individuals who had more than one living arrangement while receiving services, please report the living arrangement when the case was opened (if theirs was a new case; report the arrangement at the beginning of the fiscal year if the case continued from the previous year). The total reported on line 15 should match the total in II.A.3 above (total number of individuals served during fiscal year).

##### Living Arrangements of Individuals Served

|   |    |
|---|----|
| 1. Community Residential Home                     | 0  |
| 2. Foster Care                                    | 0  |
| 3. Homeless/Shelter                               | 0  |
| 4. Legal Detention/Jail/Prison                    | 7  |
| 5. Nursing Facility                               | 0  |
| 6. Parental/Guardian or Other Family Home         | 9  |
| 7. Independent                                    | 6  |
| 8. Private Institutional Setting                  | 0  |
| 9. Public (State Operated) Institutional Setting  | 1  |
| 10. Public Housing                                | 0  |
| 11. VA Hospital                                   | 0  |
| 12. Other - describe the living arrangement       | 0  |
| 13. Other - describe the living arrangement       | 0  |
| 14. Unknown/Not Provided                          | 0  |
| 15. Total (this should match the total in II.A.3) | 23 |

## E. Primary Disability of Individuals Served

Identify the primary disability of each individual served by the PAAT program during the fiscal year. For individuals with multiple disabilities, please select the one disabling condition deemed to be most important in the context of their case. The total reported on line 34 should match the total in II.A.3 above (total number of individuals served during fiscal year).

### Primary Disability

|  |   |
|--|---|
| 1. ADD/ADHD                                      | 0 |
| 2. AIDS/HIV Positive                             | 0 |
| 3. Absence of Extremities                        | 2 |
| 4. Auto-immune (non-AIDS/HIV)                    | 0 |
| 5. Autism  | 0 |
| 6. Blindness (Both Eyes)                         | 0 |
| 7. Other Visual Impairments (Not Blind)          | 0 |
| 8. Cancer  | 0 |
| 9. Cerebral Palsy                                | 5 |
| 10. Deafness                                     | 0 |
| 11. Hard of Hearing/ Hearing Impaired (Not Deaf) | 0 |
| 12. Deaf-Blind                                   | 0 |
| 13. Diabetes                                     | 1 |
| 14. Digestive Disorders                          | 0 |
| 15. Epilepsy                                     | 0 |
| 16. Genitourinary Conditions                     | 0 |
| 17. Heart & Other Circulatory Conditions         | 0 |
| 18. Mental Illness                               | 1 |
| 19. Mental Retardation                           | 2 |
| 20. Multiple Sclerosis                           | 0 |
| 21. Muscular Dystrophy                           | 1 |
| 22. Muscular/Skeletal Impairment                 | 1 |

|   |    |
|---|----|
| 23. Orthopedic Impairments                        | 0  |
| 24. Neurological Disorders/Impairment             | 6  |
| 25. Respiratory Disorders/Impairment              | 0  |
| 26. Skin Conditions                               | 2  |
| 27. Specific Learning Disabilities (SLD)          | 0  |
| 28. Speech Impairments                            | 1  |
| 29. Spina bifida                                  | 1  |
| 30. Substance Abuse (Alcohol or Drugs)            | 0  |
| 31. Tourette Syndrome                             | 0  |
| 32. Traumatic Brain Injury (TBI)                  | 0  |
| 33. Other Disability - specify                    | 1  |
| 34. Total (this should match the total in II.A.3) | 0  |
|   | 23 |

## F. Geographic Location of Individuals Served

Report the geographic location of the individuals served by the PAAT program during the fiscal year. The total reported on line 5 should match the total in II.A.3 above (total number of individuals served during fiscal year).

### Geographic Location

|  |    |
|--|----|
| 1. Urban/Suburban (50k population)               | 1  |
| 2. Rural (<50k population)                       | 22 |
| 3. Other - specify                               | 0  |
| 4. Unknown                                       | 0  |
| 5. Total (this should match the total in II.A.3) | 23 |

## Part IV - Systemic Activities And Litigation

### A. Non-Litigation Systemic Activities

1. Number of Policies/Practices Changed as a Result of Non-Litigation Systemic Activities

1

2. Describe the agency's systemic activity completed during the fiscal year.

Policy/Practice Changed 1

(a) The policy or practice that was changed, as a result of your agency's non-litigation systemic activity, along with a description of the negative impact upon individuals with disabilities

N/A

(b) The manner in which this change benefited individuals with disabilities

N/A

(c) Estimate the number of individuals potentially affected by the policy/practice change (or enter N/A)

0

(d) The method used to determine this estimate (or enter N/A)

N/A

(e) Include one case example of the agency's systemic activity related to this policy/practice change.

N/A

3. Number of On-going Non-Litigation Systemic Activities

1

4. Describe the agency's systemic activity completed during the fiscal year.

On-going Systemic Activities row 1

(a) How these activities may benefit individuals with disabilities

N/A

(b) Estimate the number of individuals potentially affected by such activities (or leave blank if N/A)

0

(c) The method used to determine this estimate (or enter N/A)

N/A

(d) Describe the potential policy/practice change that may result from this activity.

N/A

## B. Litigation/Class Actions

Report information on the PAAT-related litigation for your agency.

1. Total Number of Non-Class Action Lawsuits, resulting in, or with the potential for, systemic change, pending during the fiscal year

0

a. Number of Non-Class Action Lawsuits Newly Filed During Fiscal Year

0

b. Number of Non-Class Action Lawsuits That were Pending at Start of Fiscal Year (carryover from prior fiscal year)

0

c. Number of Non-Class Action Lawsuits Closed During Fiscal Year

0

If the total for question 1 is zero, skip to Question 3.

2. Describe the agency's on-going systemic non-class action litigation activities.

Using a case example that demonstrates the potential impact of the agency's class action activities, explain the following.

(a) Explain the issue that prompted the litigation

N/A

(b) Explain the negative impact upon individuals with disabilities

N/A

(c) Explain the potential benefit to individuals with disabilities

N/A

(d) If possible, estimate the number of individuals potentially affected by changes resulting from the litigation

0

(e) The method used to determine this estimate.

N/A

If the total for question 1.c is zero, skip to Question 4.

3. Describe the agency's completed systemic non-class action litigation activities.

Using a case example that demonstrates the potential impact of the agency's completed non-class action activities, explain the following.

(a) Explain the issue that prompted the litigation

N/A

(b) Explain the manner in which individuals with disabilities were being negatively affected

N/A

(c) Explain the benefit to individuals with disabilities

N/A

(d) If possible, estimate the number of individuals affected by changes resulting from the litigation

0

(e) The method used to determine this estimate

N/A

Report information on the PAAT-related class action lawsuits for your agency.

4. Total Number of Class Action Lawsuits Filed and/or Pending (during fiscal year)

0

a. Number of Class Action Lawsuits Newly Filed During Fiscal Year

0

b. Number of Class Action Lawsuits Pending at Start of Fiscal Year (carryover from prior fiscal year)

0

c. Number of Class Action Lawsuits Closed During Fiscal Year.

0

If the total for question 4 is zero, skip to Question 6.

5. Describe the agency's on-going systemic class action litigation activities.

Using a case example that demonstrates the potential impact of the agency's class action activities, explain the following

(a) Explain the issue that prompted the litigation

N/A

(b) Explain the negative impact upon individuals with disabilities

N/A

(c) Explain the potential benefit to individuals with disabilities

N/A

(d) If possible, estimate the number of individuals potentially affected by changes resulting from the litigation

0

(e) The method used to determine this estimate

N/A

If the total for question 4.c is zero, skip to Section C.

6. Describe the agency's completed systemic class action activities.

Using a case example that demonstrates the impact of the agency's class action activities, explain the following.

(a) Explain the issue that prompted the litigation

N/A

(b) Explain the negative impact upon individuals with disabilities

N/A

(c) Explain the benefit to individuals with disabilities

N/A

(d) If possible, estimate the number of individuals potentially affected by changes resulting from the litigation

0

(e) Explain the method used to determine this estimate

N/A

### **C. Litigation-Related Monitoring**

Did the agency conduct any litigation-related monitoring under the PAAT program during the fiscal year?

No

If yes, describe any monitoring conducted by the agency related to court orders or case settlements by providing the following.

(1) Describe the major areas of monitoring

N/A

(2) Describe the groups likely to be affected

N/A

(3) Address the major outcomes of the litigation-related monitoring during the fiscal year

N/A

(4) Include at least one case example that demonstrates the impact of the agency's litigation-related monitoring

N/A

## Part V

### A. Priorities

#### 1. Number of Priorities

4

#### 2. Describe the agency's systemic activity completed during the fiscal year.

##### Priority 1

##### 1. Describe the priority

#### **Children and Youth with Disabilities Receive a Free and Appropriate Public Education in the Least Restrictive Environment.**

##### 2. Describe the Need, Issue, or Barrier Addressed

WVA will provide five (5) trainings to students, parents, and other interested parties to increase their knowledge of self-advocacy related to student's rights under WV Department of Education Policy 2419.

WVA staff will provide two (2) trainings to students, parents, and other interested parties to increase their knowledge of student's rights under IDEA with a focus on transition services.

WVA will maintain and facilitate a special education electronic communication network to ensure that parents and students have access to up to date information and technical assistance regarding special education issues.

WVA will sponsor a Wrightslaw Boot Camp training related to student's rights under IDEA.

##### 3. Indicate the Outcome of the priority

Met

(a) Describe any external or internal implementation problems for outcomes marked not met or partially met.

N/A

#### 4. Total Number of Cases Handled Related to the Priority (enter zero if needed)

0

#### 5. Illustrative Cases/Activities (at least one specific case/activity description showing the success)

Again in FY 2011 WVA provided training to parents of children with disabilities as well as other interested parties specific to special education and related services under West Virginia Department of Education's Special Education Policy 2419. Although we had planned five (5) trainings, due to demand WVA conducted six (6) of these trainings and presented to individuals from thirty-seven (37) of the fifty five (55) counties in the state. Sixty-five (65) individuals received training. All participants were provided with a special education packet with a wealth of parent friendly resources as well as a copy of Policy 2419. In combination with two (2) of these trainings, WVA provided training about the Individuals with Disabilities Education Act (IDEA) with a focus on transition planning. A total of nine (9) people were trained.

WVA once again planned and sponsored a special education training by Wrightslaw for parents of children with disabilities in the school system and other interested parties. Attendees were trained by experienced special education law attorney Pete Wright and psychotherapist Pam Wright in the rights of students with disabilities. One hundred fifty-seven (157) individuals received training and related materials at this two (2) day event. Social work and educator Continuing Education Units as well as attorney Continuing Legal Education hours were available. WVA collaborated with the Developmental Disabilities Council, who provided stipends for families of children with developmental disabilities. In addition, the Rehabilitation Services Administration (RSA) approved WVA to offer stipends to families of PAIR eligible children.

Priority 2

1. Describe the priority

**People with Disabilities are Able to Live in the Community Setting of Their Choice with Individualized Supports, Services, and Protections as Ordered in the Olmstead Decision.**

2. Describe the Need, Issue, or Barrier Addressed

WVA will advocate systemically for citizens of West Virginia to access ventilator care services within West Virginia by educating the Legislature on the fiscal impact of the current legislation.

3. Indicate the Outcome of the priority

Partially Met

(a) Describe any external or internal implementation problems for outcomes marked not met or partially met.

WVA completed a collection of data and acquired the information we need for a fiscal impact statement and have a delegate in state legislature willing to consider resubmitting a bill in next legislative session with the fiscal note attached.

4. Total Number of Cases Handled Related to the Priority (enter zero if needed)

0

5. Illustrative Cases/Activities (at least one specific case/activity description showing the success)

N/A

Priority 3

1. Describe the priority

**People with Disabilities Who Require Assistive Technology Have Access to It.**

2. Describe the Need, Issue, or Barrier Addressed

WVA will provide advocacy for up to twenty-five (25) people with disabilities to gain or maintain access to assistive technology and related supports.

WVA will provide training and outreach to increase awareness of the right to access assistive technology.

3. Indicate the Outcome of the priority

Met

(a) Describe any external or internal implementation problems for outcomes marked not met or partially met.

N/A

4. Total Number of Cases Handled Related to the Priority (enter zero if needed)

10

5. Illustrative Cases/Activities (at least one specific case/activity description showing the success)

A client residing in a state prison requested WVA's assistance with getting his C-PAP machine repaired or replaced and to have use of it as medically ordered. WVA contacted the prison's medical director to request that the client be evaluated for appropriate medical equipment. WVA filed a complaint with the prison's medical director and requested that they replace the inadequate equipment. Due to WVA advocacy the client received a new C-PAP machine.

A parent contacted WVA to inquire as to what options she has to get the client's service provider to use Family Support money to help the family obtain a life sustaining feeding tube pump for the client. WVA corresponded with the client's mother, the client's waiver service provider, and the Family Support coordinator. WVA advocated for the feeding pump to be approved for funding through the Family Support program. The Family Support coordinator informed WVA that the local Family Support Council wanted a letter from the client's doctor to document why this specific feeding pump was needed. This information was not initially communicated to the client's mother. WVA gave suggestions to the client's mother for requesting the letter from the client's doctor. WVA advocated for the approval process to be completed as quickly as possible. The client's doctor provided the letter that the client's mother had requested. The local Family Support council approved the request for funding after receiving the letter. The client received the specific feeding pump that she needed with the funding received through the Family Support Program.

Camp Gizmo is a week-long hands-on camp where parents, professionals and students learn how assistive technology can help young children with significant as well as multiple developmental needs in everyday activities. The children are from birth-to-nine (9) years of age. It is funded by the West Virginia Department of Education and West Virginia Birth to Three program. WVA set up an outreach display for this event. Twenty-five (25) people stopped by the display and received materials about WVA. WVA staff gave a verbal presentation. Six (6) people attended this session. WVA also participated in a resource panel to share information about WVA and accessing assistive technology. Thirty-five (35) people attended the panel session.

Priority 4

1. Describe the priority

**WVA Will Collaborate With Existing Grassroots Networks in Conducting Education and Outreach on Disability Related Self-Advocacy.**

2. Describe the Need, Issue, or Barrier Addressed

WVA will actively participate on various committees, coalitions, and other types of groups with grassroots advocacy missions.

3. Indicate the Outcome of the priority

Met

(a) Describe any external or internal implementation problems for outcomes marked not met or partially met.

N/A

4. Total Number of Cases Handled Related to the Priority (enter zero if needed)

0

5. Illustrative Cases/Activities (at least one specific case/activity description showing the success)

West Virginia Advocates, Inc. (WVA) continues to be a member of the Fair Shake Network (FSN). FSN is a grass roots organization of people with disabilities and other interested parties who are concerned with systems change to ensure people with disabilities get a "fair shake". The activities of the organization include education on disability issues and various legislative activities. In FY 2011, WVA worked extensively with the FSN during the West Virginia State Legislative Session. WVA met with members of the FSN three to four times weekly as they monitored and advocated for various bills by educating members of the legislature on issues that pertained to disability related legislation and resolutions. WVA participated in the annual FSN Training Day in January which served to educate and advise individuals with disabilities to self-advocate regarding issues that pertained to legislation and other forms of policy making. WVA attended the FSN's board training and acted as a facilitator in several other brief trainings that the FSN held in FY 11.

## **B. Priorities for the Current Fiscal Year**

### 1. Number of Priorities

3

#### Current Year Priority 1

##### 1. Describe the priority

**Children and Youth with Disabilities Receive a Free and Appropriate Public Education in the Least Restrictive Environment.**

##### 2. Describe the Need, Issue, or Barrier Addressed

WVA will provide at least five (5) trainings to students, parents, and other interested parties to increase their knowledge of self-advocacy related to student's rights under WV Department of Education Policy 2419.

WVA staff will provide four (4) trainings to students, parents, and other interested parties to increase their knowledge of student's rights under IDEA with a focus on transition services.

WVA will use social media to post information about special education at least one (1) time per quarter.

WVA will develop a training about Section 504 of the Rehabilitation Act for parents and other interested parties.

Current Year Priority 2

1. Describe the priority

**People with Disabilities are Able to Live in the Community Setting of Their Choice with Individualized Supports, Services, and Protections as Ordered in the Olmstead Decision.**

2. Describe the Need, Issue, or Barrier Addressed

WVA will advocate systemically for citizens of West Virginia to access ventilator care services within West Virginia.

Current Year Priority 3

1. Describe the priority

**People with Disabilities Who Require Assistive Technology Have Access to It.**

2. Describe the Need, Issue, or Barrier Addressed

WVA will provide advocacy for up to fifteen (15) people with disabilities to gain or maintain access to assistive technology and related supports.

WVA will provide training and outreach to increase awareness of the right to access assistive technology.

### **C. Agency Accomplishments**

Describe the most significant accomplishments of the agency during the fiscal year.

For the first time in many years, WVA had a regular presence at the West Virginia Legislature during the legislative session. WVA provided education and information to legislators not just about WVA, but about the issues important to people with disabilities in WV. WVA collaborated closely with the Developmental Disabilities Council and the West Virginia Mental Health Consumers Association to provide education to legislators throughout the legislative session.

WVA collaborated with the Fair Shake Network and twelve other disability related agencies and organizations to create, sponsor and promote a Gubernatorial Debate among candidates who were running for the office of Governor in the special gubernatorial election that was held in FY 11. This function was held prior to the primary election. A total of six (6) candidates spoke and answered questions about disability related issues. There were also five (5) representatives from candidates' campaigns present.

WVA was able to assist clients in obtaining numerous types of assistive technology. As a result of WVA's advocacy and/or technical assistance, clients received: one (1) power wheelchair; repairs to a wheelchair; two (2) C-PAP machines; one (1) prosthetic leg; one (1) four-point cane; two (2) orthotic insoles; one (1) leg brace; one (1) feeding pump; items needed for a prosthetic leg; and access to an assistive technology device and related services in an educational setting.



## B. Description of PAAT Program Staff

1. Provide a brief description of the agency's staffing plan for carrying out PAAT activities.

West Virginia Advocates employs a program director, data report specialist, advocates and attorneys who are trained to assist individuals who are experiencing problems with getting medically necessary and other recommended/prescribed assistive technology including evaluations for assistive technology as well as durable medical equipment. The services available range from information and referral to litigation. All calls for assistance go through a central intake process.

### 2. PAAT Staff

Report on the number of persons and the number of full time equivalent (FTE) staff performing PAAT activities. As applicable, include (a) staff supported in full or in part by PAAT grant funds during the current reporting year, (b) subcontractor staff supported by PAAT funds and (c) P&A management staff to the extent that their duties included oversight of the PAAT program (and salaries were paid out of PAAT funds). Do not include P&A staff who did not work on PAAT cases during the fiscal year. Report actual, not budgeted, FTE totals. See the instruction manual for an example and further details on the type of staff to include in each position.

| Type of Position         | Number of persons | Number of FTEs |
|--------------------------|-------------------|----------------|
| Professional Full-time   | 9                 | 0.40           |
| Professional Part-time   | 13                | 0.45           |
| Administrative Full-time | 3                 | 0.09           |
| Administrative Part-time | 0                 | 0.00           |
| Totals                   | 25                | 0.94           |

### C. Consumer Involvement

1. Briefly describe any consumer-responsive activities not reported elsewhere in this report (e.g., PAAT Advisory Board, forums to obtain input into planning and priorities). If not applicable, enter N/A

WVA again held a public forum in Bridgeport, a centrally located area in West Virginia, to solicit input into the FY 12 Priorities and Objectives (P&O's). Members of WVA's Board of Directors (BOD) participated in this as well as members of the agency's management team and staff. The announcement for the forum and the comment period appeared as paid advertisements in newspapers throughout the state. A radio announcement was aired for one month in areas of the state with the largest populations. WVA staff also forwarded the announcement to all list serves and organizations, in which they participate, to be sent out to their members. The public comment period ran from April 10, 2011 through May 21, 2011. In addition to the forum people could call, respond by e-mail from the web site or send written comments. The WVA BOD invited a group of stakeholders as well as WVA's management team and staff to participate on the P&O Development Committee. Comments received were distributed to the Committee for review. Meetings were held with the stakeholders to discuss the comments and finalize the P&Os. WVA and other stakeholders considered all comments received in finalizing the FY 12 P&Os. The P&Os were approved by the WVA BOD July 2011. They were then posted to our website at the start of FY 2012.

#### 2. Consumer Involvement in P&A Agency Staff and Board

| Type   | Agency staff | Agency board |
|--|--------------|--------------|
| Person with a disability                     | 1.00         | 5.00         |
| Family members of a person with a disability | 7.00         | 6.00         |
| Total  | 8.00         | 11.00        |

## **D. Grievances Filed**

Number of PAAT grievances filed against the agency during the fiscal year

1

## **E. Collaborative Efforts**

### **1. Collaboration with Other P&A Programs and Activities**

Briefly describe your work on AT issues funded by other P&A programs (do not include activities carried out with PAAT funds).

If the assistive technology need is something that can be addressed through either the Client Assistance Program (CAP) or Protection and Advocacy for Beneficiaries of Social Security (PABSS) program, we fund the service request by that program rather than PAAT. In June, 2011, WVA's management team recognized that the remaining PAAT funds would not support handling more Service Requests than we had already accepted. At that time, we began to handle all Assistive Technology related requests under the other programs for which an individual was eligible.

WVA is an active member of the WV Developmental Disabilities Council (WVDDC) Advisory Council and partners with WVDDC on multiple projects during the year. WVDDC provides support to individuals with developmental disabilities and their supports systems in many areas including access to and use of Assistive Technology.

WVA is a member of the Ohio Valley Center (OVC) Traumatic Brain Injury Program Advisory council. This is a consortium of agencies and consumers from WV, Ohio, Michigan, Kentucky, Indiana and Virginia who act in an advisory capacity to the staff at OVC in managing their research and treatment at Ohio State University's TBI inpatient and community based programs. Use of AT is an important issue for TBI survivors.

WVA is a member of the Center for Medicaid and Medicare Services (CMS) mandated QA/QI Advisory Council. This group provides advisement to the WV Title XIX Medicaid Home and Community Based MR/DD Waiver program on an ongoing basis. Many of the almost five thousand (5,000) individuals who receive services from this program also use assistive technology and get those services funded whether directly through the Waiver or through their basic Medicaid Card.

WVA is a member of and participated in two meetings of the State Family Support Council in FY 2011. The Family Support program receives many requests for assistive technology devices for individuals with developmental disabilities. WVA's participation on the state council consisted of discussion of common requests, decisions on application requirements, and decisions on common problems experienced by the local councils.

### **2. All Other Collaboration**

Describe any coordination with programs that are not part of the agency (e.g. state Tech Act projects, state long-term care programs, etc.).

West Virginia Advocates is an active member of the West Virginia University Center for Excellence in Disabilities (WVUCED) Advisory Council. WVUCED is the contractor with WV Division of Vocational Rehabilitation Services (WVDRS), the lead agency for WVATS grant. WVA continues to submit the quarterly PAAT report to WVATS. WVATS provides an annual presentation to the Council about the services they provide and the people they serve. WVATS also presents details about the newsletters they produce throughout the year. The director of the WVUCED shares information about the WVUCED's budget and priorities for services related to assistive technology for the fiscal year.

WVA continues to be a member of the Parent Partnership Workgroup. This group evaluates the availability of information and resources for both families of students with special education needs and the agencies that serve them. The group helps the West Virginia Department of Education (WVDE) Office of Special Programs, Extended and Early Learning to determine what additional resources are needed, how to help families become aware of these resources, and provides input into the development of future resources.

## **System Information**

### System information

This form has been approved for use by OMB through July 31, 2012.

Last updated on:

05-Dec-11

Last updated by:

pawvcalissiej

Completed on:

05-Dec-11

Completed by:

pawvcalissiej

Approved on:

Approved by: