

AGENCY ANNUAL PROGRAM PERFORMANCE REPORT FOR PATBI

REPORTING PERIOD FROM 10/1/10 TO 9/30/11

STATE: West Virginia

AGENCY NAME: West Virginia Advocates, Inc.

DATE SUBMITTED: December 21, 2011

AGENCY INFORMATION

Address of Agency:

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PART I: NON-CASE SERVICES

A. INFORMATION AND REFERRAL SERVICES (I&R)

1. Total Individuals Receiving I&R Services	19
2. Total Number of I&R requests during the Fiscal Year	24

B. TRAINING ACTIVITIES

1. Number of Trainings Presented by Staff	17
2. Number of Individuals Who Attended These Trainings	427

3. Describe at least two (2) trainings presented by the staff. Be sure to include information about the topics covered, the purpose of the training, and a description of the attendees.

WVA provided training regarding Special Education Procedural Safeguards/parental responsibilities and filing State Complaints. 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. Attendees were primarily parents and other family members of children with disabilities.

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

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) again sponsored a booth to offer information about organizations that help people with disabilities and invited WVA to participate. WVA staffed the booth and handed out the

fans which included WVA's logo and contact information. 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

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	349,623
5. Publications/Booklets/Brochures Disseminated by the Agency	11,088

WVA produced and distributed one (1) 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>.

6. Other

Number	Description (use separate sheets if necessary)
7,577	WVA outreach materials distributed during events using all or part PATBI funds.
129	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.

7. External Media Coverage of Agency Activities

Radio/TV Coverage	Newspaper/ Magazines/Journal	PSAs/Videos	Publications/ Booklets/Brochures
2	2	0	1

WVA did pay for advertisements on several radio stations throughout the state for the Wrightslaw special education law boot camp described in Priority 1 as well as an announcement soliciting public input for our FY 2012 Priorities and Objectives planning and public comment period.

The event described in number 4 above included fans handed out to attendees. These fans included WVA's logo.

PART II: CASE-SERVICES

A. INDIVIDUALS SERVED

1. Individuals	
a. Individuals Served Receiving Advocacy at Start of Fiscal Year (carryover from prior)	1
b. Additional Individuals Served During Fiscal Year (new for fiscal year)	7
c. Total Number of Individuals Served During Fiscal Year (a + b)	8
d. Total Number of Individuals with Cases that Were Closed During Fiscal Year	5
e. Total Individuals Still Being Served at the End of the Fiscal Year	4

2. Services	
a. Number of Cases/Service Requests Open at Start of Fiscal Year (carryover from prior)	2
b. Additional Cases/Service Requests Opened During Fiscal Year (new for fiscal year)	8
c. Total Number of Cases/Service Requests During Fiscal Year (a + b)	10
d. Total Number of Cases/Service Requests that Were Closed During Fiscal Year	6
e. Total Number of Cases/Service Requests Open at the End of the Fiscal Year	4

B. PROBLEM AREAS/COMPLAINTS OF INDIVIDUALS SERVED

Complaint	
1. Abuse (total)	0
a. Inappropriate Use of Restraint & Seclusion	0
b. Involuntary Treatment	0
c. Physical, Verbal, & Sexual Assault	0
d. Other	0
2. Access to Records	0
3. Advance Directives	0
4. Architectural Accessibility	0
5. Assistive Technology (total)	0
a. Augmentative Comm. Devices	0
b. Durable Medical Equipment	0
c. Vehicle Modification/Transportation	0
d. Other	0
6. Civil Commitment	0
7. Custody/Parental Rights	0
8. Education (total)	1
a. FAPE: IEP/IFSP Planning/Development/Implementation	0
b. FAPE: Discipline/Procedural Safeguards	1
c. FAPE: Eligibility	0
d. FAPE: Least Restrictive Environ.	0
e. FAPE: Multi-disciplinary Evaluation/Assessments	0
f. FAPE: Transition Services	0
g. Other	0

9. Employment Discrimination (total)	0
a. Benefits	0
b. Hiring/Termination	0
c. Reasonable Accommodations	0
d. Service Provider Issues	0
e. Supported Employment	0
f. Wage and Hour Issues	0
g. Other	0
10. Employment Preparation	0
11. Financial Benefits (total)	0
a. SSDI Work Incentives	0
b. SSI Eligibility	0
c. SSI Work Incentives	0
d. Social Security Benefits Cessation	0
e. Welfare Reform	0
f. Work Related Overpayments	0
g. Other Financial Entitlements	0
12. Forensic Commitment	0
13. Government Benefits/Services	0
14. Guardianship/Conservatorship	0
15. Healthcare (total)	2
a. General Healthcare	0
b. Medicaid	2
c. Medicare	0
d. Private Medical Insurance	0
e. Other	0
16. Housing (total)	0
a. Accommodations	0
b. Architectural Barriers	0
c. Landlord/Tenant	0
d. Modifications	0
e. Rental Denial/Termination	0
f. Sales/Contracts/Ownership	0
g. Subsidized Housing/Section 8	0
h. Zoning/Restrictive Covenants	0

i. Other	0
17. Immigration	0
18. Neglect (total)	5
a. Failure to Provide Necessary or Appropriate Medical Treatment	1
b. Failure to Provide Necessary or Appropriate Mental Health Treatment	0
c. Failure to Provide Necessary or Appropriate Personal Care & Safety	1
d. Other	3
19. Post-Secondary Education	0
20. Non-Medical Insurance	0
21. Privacy Rights	0
22. Rehabilitation Services (total)	0
a. Communications Problems (Individuals/Counselor)	0
b. Conflict About Services To Be Provided	0
c. Individual Requests Information	0
d. Non-Rehabilitation Act	0
e. Private Providers	0
f. Related to Application/Eligibility Process	0
g. Related to IWRP Development/Implementation	0
h. Related to Title I of ADA	0
i. Other Rehabilitation Act-related problems	0
23. Suspicious Death	1
24. Transportation (total)	0
a. Air Carrier	0
b. Paratransit	0
c. Public Transportation	0
d. Other	0
25. Unnecessary Institutionalization	1
26. Voting (total)	0
a. Accessible Polling Place / Equipment	0
b. Registration	0
c. Other	0
27. Other*	0

*For any cases listed under "27. Other," describe the specific problem area or complaint and the number of cases covered under each problem area or complaint listed. Use separate sheets if necessary.

C. REASONS FOR CLOSING CASE FILES

1. Reason for Closing Case Files

Reason	
a. All Issues Resolved in Client's Favor	2
b. Some Issues Resolved in Client's Favor	1
c. Other Representation Obtained	1
d. Individual Withdrew Complaint	0
e. Services Not Needed Due to Death, Relocation, etc.	1
f. Individual Not Responsive to Agency	0
g. Case Lacked Legal Merit	0
h. Conflict of Interest	0
i. Agency Withdrew from Case	1
j. Lack of Resources	0
k. Not Within Priorities	0
l. Issue Not Resolved in Client's Favor	0
m. Other*	0
n. Total	6

*For any cases listed under "Other," describe the reason for closing the case and the number of cases covered under each reason listed. Use separate sheets if necessary.

D. HIGHEST INTERVENTION STRATEGY

Interventions	
1. Short Term Assistance	4
2. Systemic/Policy Activities	0
3. Investigation/Monitoring	0
4. Negotiation	2
5. Mediation/Alternative Dispute Resolution	0
6. Administrative Hearing	0
7. Legal Remedy/Litigation	0
8. Class Action Suits	0

PART III: STATISTICAL INFORMATION FOR INDIVIDUALS SERVED

A. AGE OF INDIVIDUALS SERVED

Age	
0 to 12	1
13 to 18	0
19 to 25	0
26 to 64	7
65 and over	0
Total	8

B. GENDER OF INDIVIDUALS SERVED

Male	7
Female	1
Total	8

C. RACE/ETHNICITY OF INDIVIDUALS SERVED

Race/Ethnicity	
1. American Indian/Alaskan Native	0
2. Arab American	0
3. Asian	0
4. Black/African American	1
5. Hispanic/ Latino	0
6. Native Hawaiian/Other Pacific Islander	0
7. White/Caucasian	7
8. Multiracial/Multiethnic	0
9. Race/Ethnicity Unknown	0
10. Other Than Above*	0
11. Total	8

*For any individuals listed under "Other Than Above," describe the race/ethnicity of the individual and the number of cases covered under each description listed. Use separate sheets if necessary.

D. LIVING ARRANGEMENTS OF INDIVIDUALS SERVED

Arrangement	
1. Community Residential Home	1
2. Foster Care	0
3. Homeless/Shelter	0
4. Legal Detention/Jail/Prison	1
5. Nursing Facility	0
6. Parental/Guardian or Other Family Home	3
7. Independent	0
8. Private Institutional Setting	1
9. Public (State Operated) Institutional Setting	2
10. Public Housing	0
11. VA Hospital	0
12. Other*	0
13. Unknown/Not Provided	0

*For any cases listed under "Other," describe the living arrangement of the individual and the number of cases covered under each description listed.

E. GEOGRAPHIC LOCATION

Geographic Location	
1. Urban/Suburban	1
2. Rural	7
3. Total	8

PART IV: SYSTEMIC ACTIVITIES AND LITIGATION

A. SYSTEMIC ACTIVITIES

1. Number of Policies/Practices Changed as a Result of Non-Litigation Systemic Activities	0
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2. Describe the agency's systemic activities. Be sure to include information about the policies that were changed and how these changes benefit individuals with disabilities. If possible, estimate the number of individuals potentially impacted by such policy changes. Also include at least three case examples of how the agency's systemic activities impacted individuals served.

Ohio Valley Center for Brain Injury Prevention & Rehabilitation Advisory Council

This is a multi-disciplinary advisory group made up of TBI survivors and their families, researchers, service providers, advocates, and policy makers that encompasses membership from WV, Ohio, Indiana, Michigan, Washington, DC and Kentucky. WV Advocates is the only Protection and Advocacy System member. WV University Center for Excellence in Disabilities and WV Brain Injury Association are also members so it is a good collaboration opportunity for WV agencies as well as the broader opportunities for sharing information and networking. It functions in an advisory role to the Ohio Valley Center for Brain Injury Prevention & Rehabilitation at Ohio State University in Columbus, OH. The OVC provides research and inpatient TBI Programs that serve the area from which membership is drawn. The Council focuses specifically on, research, public policy and clinical services. One meeting focused on reviewing the program progress on grants and new grant applications and made recommendations for program adjustments and advised on what the focus should be for the future, especially given the rampant issues in maintaining funding and getting new funding. One very useful function of the two day meetings is that much information is exchanged around the table across membership addressing how each state and regional area represented are innovating and maintaining their TBI programs. The second meeting is a two day training event with presentations of latest research findings and programmatic presentations addressing current issues. The Brain Injury Association of America is invited to present at both meetings regarding their current challenges, initiatives, and accomplishment. Every 5 years the council joins with Ohio Valley Center staff to do an Envisioning (5 year plan to determine the focus of the OVC for the next 5 years). This year the final draft recommendations highest priority was focusing on the needs of individuals who have progressed beyond the acute, inpatient phase of treatment and need access to

continued services over time. The research focus addressed the need for more research to determine the efficacy and cost efficiency of various community based supports. The clinical focus addressed how to apply the research data bases available to short and long term service provision. The public policy area focused on the need for action to preserve existing funding for TBI services as well as assuring that the Affordable Care Act includes access to funding for long term rehabilitation services for individuals with brain injuries.

West Virginia University Center for Excellence in Disabilities Advisory Council

This Advisory Council meets twice a year and provides advisement to the administration and program staff at the Center for Excellence in Disabilities (UCED). The group is made up of individuals with developmental disabilities and their family members as well as individuals providing services to people with developmental disabilities and public policy makers. In FY 2011, The Director of the UCED presented to the Council on the various programs offered, the budget, including all sources of funding and the number of people with disabilities served statewide and the number of service providers trained statewide during 2010. The Council also gave input into the upcoming application for the 5 year renewal of ADD funding for the CED. The Communications Director at UCED reviews new publications with the Council. The Director reviewed the outcomes from the Peer Review Site Visit by ADD with the Council.

B. LITIGATION/CLASS ACTIONS

1. Total Number of Non-Class Action Lawsuits Filed	0
a. Number of Non-Class Action Lawsuits Filed During Fiscal Year (new for fiscal year)	0
b. Number of Non-Class Action Lawsuits Filed at Start of Fiscal Year (carryover from prior fiscal year)	0

2. Total Number of Class Action Lawsuits Filed	1
a. Number of Class Action Lawsuits Filed During Fiscal Year (new for fiscal year)	0
b. Number of Class Action Lawsuits Filed at Start of Fiscal Year (carryover from prior fiscal year)	1

3. Describe the agency's litigation/class action activities. Explain how individuals with disabilities benefited from such litigation. If possible, estimate the number of individuals potentially impacted by changes resulting from the litigation. Be sure to include at least three case examples that demonstrate the impact of the agency's litigation.

Update of the Hartley Class Action Litigation:

In 2010, the West Virginia Department of Health and Human Resources (DHHR) appealed the TBI portion of Judge Bloom's order dated August 7, 2009, which required the State to secure funding for a TBI Trust Fund and to apply for a TBI Medicaid Waiver. The West Virginia State Supreme Court of Appeals heard oral argument in the matter on January 11, 2011. During the pendency of this appeal, the State was ordered to proceed to make application for a TBI Medicaid Waiver and establish a TBI Trust Fund.

Proposed TBI funding legislation did not pass during the 2011 session of the West Virginia Legislature. However, the Governor subsequently modified his original budget request and included \$800,000.00 for the TBI Waiver. With a federal match, that provided approximately \$2.4 million for the TBI waiver program.

On April 8, 2011, the West Virginia State Supreme Court issued a Memorandum Opinion upholding Judge Bloom's Order regarding the TBI issues.

At an evidentiary hearing on July 19, 2011, Judge Bloom heard testimony from DHHR regarding the status of the TBI waiver and delays in implementation. The Court concluded that DHHR had violated the Court's Orders and had given no justification for doing so and advised that a hearing on contempt and sanctions may be necessary. The Court ordered DHHR to complete the full procurement process and any other work necessary for getting waiver approval from the Centers for Medicaid and Medicare Services (CMS) and to make its final submissions regarding the TBI waiver program to CMS by November 1, 2011. DHHR was ordered to begin enrollment in the TBI waiver program within thirty days after receiving approval from CMS and to expedite any activities necessary to comply with this date.

C. MONITORING

Describe any monitoring conducted by the agency by providing the major areas of non-litigation-related monitoring activities and the groups likely to be affected. Address the major outcomes of the monitoring activities during the fiscal year. Be sure to include at least three case examples that demonstrate the impact of the agency's monitoring activities.

N/A

D. LITIGATION-RELATED MONITORING

Describe any monitoring conducted by the agency related to court orders or case settlements by providing the major areas of monitoring and the groups likely to be affected. Address the major outcomes of the litigation-related monitoring during the fiscal year. Be sure to include at least three case examples that demonstrate the impact of the agency's litigation-related monitoring.

N/A

E. FULL OR PRELIMINARY INVESTIGATIONS

Describe any full investigations conducted by the agency by providing the major areas of investigation and the groups likely to be affected. Address the major outcomes of the investigations during the fiscal year. Be sure to include at least three case examples that demonstrate the impact of the agency's investigations. Use separate sheets if necessary.

N/A

F. DEATH INVESTIGATIONS

1. Number of Formal Death Reports Received	0
2. Number of Informal/External Death Reports Received	1
3. Number of Death Investigations	1

4. Describe any death investigations conducted by the agency during the fiscal year and any subsequent activities resulting from these investigations. Also include the major outcomes of the death investigations. Use separate sheets if necessary.

WVA had been working with a client with a TBI who was committed to a state psychiatric hospital when we were informed he had passed away. It was discovered that the on site patient advocate from Legal Aid of West Virginia was investigating this death. WVA has been following up with that advocate to obtain the outcome of the investigation. At the end of FY 2011, that investigation had not yet been completed. WVA filed a complaint with the WV Department of Health and Human Resources Office of Health Facility Licensure and Certification (OHFLAC). OHFLAC completed an investigation and found no violations of their regulations. WVA also filed a complaint with The Joint Commission. It is unknown if they have or will conduct an investigation.

PART V: PRIORITIES AND OBJECTIVES

A. CURRENT PRIORITIES AND OBJECTIVES

Use the format below to describe the program priorities and objectives toward which the prior fiscal year's activities were targeted.

Priority #1:

Children and Youth with Disabilities Receive a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE).

Description of Need, Issue, or Barrier Addressed:

FAPE in the LRE for children with traumatic brain injury

Indicators:

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 provide direct advocacy services on behalf of students with disabilities relative to suspensions, expulsions, out-of-school environment and alternative education placements for up to fifteen (15) individuals. (target was 1 for PATBI eligible student)

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 provide three (3) Individualized Education Plan (IEP) clinics.

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

Outcome: Met <u>X</u> Partially Met/Continuing ___ Not Met ___
Total Number of Cases Handled 1

Illustrative Cases (at least one specific case 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. A total of seventeen (17) people were trained at three (3) IEP development trainings which were held in combination with the 2419 and transition trainings described previously.

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 disabilities.

In FY 2011, WVA had four (4) new membership requests for our electronic communication network bringing the total membership number to thirty-four (34). In FY 2011 there were five (5) questions posted and responded to, bringing the total number to eight (8) since the forum was started. Given the lack of activity with this electronic forum, WVA made the decision to discontinue it for FY 2012. We now have an objective to post information about issues related to education of students with disabilities via our website and Facebook page on a regular basis.

A parent requested WVA's assistance when her child with a TBI was suspended from school. She wanted information for the future in order to affectively advocate for her child. WVA provided the client's mother with technical assistance in drafting a letter to the school system regarding how the school system addressed the client's behaviors. WVA also provided information regarding Policy 2419, one-to-one paraprofessionals/aides, and discipline issues. As a result, the client's mother was better prepared for advocating for her child.

Priority #2:

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.

Description of Need, Issue, or Barrier Addressed:

Compliance with Olmstead

Indicators:

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.

WVA will systemically monitor and advocate for West Virginia Bureau of Medical Services' (BMS) compliance with the Centers for Medicare and Medicaid Services (CMS) assurances for the Title XIX MR/DD Home and Community Based Waiver program in West Virginia.

WVA will provide statewide outreach regarding services for veterans with Traumatic Brain Injuries (TBI) and Post Traumatic Stress Disorder.

Outcome: Met <input type="checkbox"/> Partially Met/Continuing <input checked="" type="checkbox"/> Not Met <input type="checkbox"/>	
Total Number of Cases Handled	N/A

Illustrative Cases (at least one specific case description showing the success)

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.

We found that it is most difficult to obtain information ourselves about all of the services available to veterans. What we do manage to find out about, we add web links (if they have one) to our website in the resource area. We also keep files of paper resources to send upon request. The next obstacle is locating and reaching out to veterans with TBI. When planning the FY 2012 Priorities and Objectives, we received input and guidance about coordinating with groups of veterans who serve other veterans to reach this population.

Priority #3:

People with Disabilities are Free From Abuse and Neglect.

Description of Need, Issue, or Barrier Addressed:

People with Disabilities are Free From Abuse and Neglect.

Indicators:

WVA will advocate for disability related medical/psychiatric treatment, including properly prescribed and administered medication to be available to incarcerated individuals of all ages that come to the attention of WVA.

WVA will provide direct advocacy services to individuals who meet WVA's case selection criteria and are at risk of abuse, neglect, or financial exploitation when requested by the individual or their legal representative.

WVA will collaborate to provide public education about the prevalence and prevention of abuse of individuals with disabilities.

Outcome: Met ___ Partially Met/Continuing <u>X</u> Not Met ___	
Total Number of Cases Handled	0

Illustrative Cases (at least one specific case description showing the success)

WVA had only one request for service from an individual with a TBI under this priority. The Service Request was not yet closed at the end of FY 2011.

WVA researched the use of different media including: WV Power Park; taxi cabs; billboards; public transportation; and public service announcements to make the public more aware of the prevalence and prevention of abuse of people with disabilities. In the process of conducting this research, we had some staff changes and the next phase of the project did not move forward as planned. Additionally, WVA is involved with the WV Financial Exploitation Task Force and staff have been instrumental in producing a brochure about financial exploitation that is planned for final approval and distribution in FY 2012.

Priority #4:

People with Disabilities Have Equal Access to Programs, Services and the Physical Environment as Required by the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, as Amended, and the Fair Housing Act.

Description of Need, Issue, or Barrier Addressed:

Physical and program access

Indicators:

WVA will advocate for up to twenty-five (25) people with disabilities who meet WVA's case selection criteria. (Target was 1 for PATBI)

WVA will coordinate with the West Virginia Fair Housing Initiatives Program (FHIP) to conduct education and outreach throughout the state on housing rights issues.

Outcome: Met ___ Partially Met/Continuing <u>X</u> Not Met ___	
Total Number of Cases Handled	0

Illustrative Cases (at least one specific case description showing the success)

WVA participated in events/trainings with the WV Fair Housing Initiatives Program (FHIP). WVA attended events in Beckley and Charleston, WV. Workshops focused on Fair Housing Rights and Responsibilities and one event included a training called "Design and Construction and Reasonable Modifications". WVA set up our outreach display as well as answered questions about disability related housing rights issues. WVA received brochures and other housing information from the FHIP and agreed to distribute it to callers as applicable. WVA posted the training schedule on both our website and Facebook page.

WVA was invited to participate in the Morgantown Analysis of Impediments to Fair Housing Study Community and Housing Stakeholder Focus Group. Members of FHIP were involved in that group as well. Additionally, WVA was invited to participate in the City of Huntington Development Office meeting regarding housing concerns. The group discussed the housing problems and lack of collaboration in the city of Huntington. The goals were to improve housing concerns involving homeless shelters, landlord power, and long and short term assistance in housing. WVA also took the opportunity during other housing related events and trainings to network with other professionals regarding fair housing for people with disabilities.

Priority #5:

People with Disabilities Have Equal Access to Employment and Employment-Related Services.

Description of Need, Issue, or Barrier Addressed:

Employment for individuals with TBI

Indicator:

WVA will offer a continuing education training for attorneys in the area of disability employment law.

Outcome: Met <u> X </u> Partially Met/Continuing ___ Not Met ___
Total Number of Cases Handled N/A

Illustrative Cases (at least one specific case description showing the success)

Forty-eight (48) participants attended the seminar. Participants were mostly attorneys, but also included WVA staff, WVA PAIMI Advisory Council members, WVA Board members, and WV Division of Rehabilitation employees. Participants received information about the rights of people with disabilities in the workplace and remedies available when discrimination occurs. The presenters provided legal perspectives from individuals with disabilities, employers, and the Office of the Attorney General. Participants also received information about WVA.

Priority #6:

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

Description of Need, Issue, or Barrier Addressed:

Supporting self-advocacy

Indicators:

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

WVA will develop and conduct outreach to educate underserved populations, including people who are homeless, people who are deaf/hard of hearing, and members of other protected classes, about their disability rights.

WVA will develop and conduct outreach to increase public awareness of Traumatic Brain Injury (TBI) in at-risk populations.

Outcome: Met <u>X</u> Partially Met/Continuing ___ Not Met ___	
Total Number of Cases Handled	N/A

Illustrative Cases (at least one specific case 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 and helped fund 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.

WVA focused this year's TBI outreach on educating aging West Virginians and their caregivers about the risk of traumatic brain injury associated with falls and the steps that can be taken to prevent falls. The outreach items were ordered from the Centers for Disease Control (CDC) website and then distributed by mail to senior centers, residential care communities, assisted living facilities, and nursing homes throughout the state. The packets included a letter from WVA's Executive Director. An estimated 15,280 people could potentially be impacted by this information.

B. 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.

C. IMPLEMENTATION PROBLEMS

Describe any external or internal implementation problems for priorities marked "not met" or "partially met."

N/A

PART VI: AGENCY ADMINISTRATION

A. GRIEVANCES FILED

PATBI grievances filed against the agency during the fiscal year	0
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B. COLLABORATIVE EFFORTS

1. NETWORK COLLABORATION

Identify issues selected for network collaboration.

With the exception of the individual service request work we do directly with TBI survivors all of our work in area of TBI involves collaboration.

2. ALL OTHER COLLABORATION

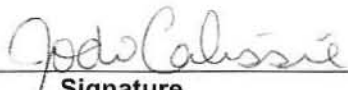
Describe any coordination with programs that are not part of the agency (e.g. state long-term care programs, etc.). Use separate sheets if necessary.

WVA receives referrals from and sends referrals to the Long Term Care Ombudsman program. See narratives throughout this report that highlight the collaboration between WVA and many other agency's, groups and organizations.

WVA again provided funding for the West Virginia Brain Injury Association's annual educational conference.

WVA collaborates with West Virginia University Center for Excellence in Disabilities (WVUCED). WVUCED has two TBI grants. The first is a HRSA grant to work on systemic issues. The other is a WVDHHR grant called "Funds for You" related to the Hartley TBI class action litigation to fund services for people with TBI who do not have other resources to meet their needs. WVA receives referrals from and sends referral to the Funds for You Program and collaborates on systemic issues with the staff from the HRSA grant.

PART VII: END OF FORM



Signature

Jodi Calissie

Name (printed)

12/21/11

Date

Data Report Specialist

Title