



NEVADA DISABILITY ADVOCACY & LAW CENTER



NEVADA'S PROTECTION & ADVOCACY SYSTEM FOR INDIVIDUALS WITH DISABILITIES

ABOUT US

The Nevada Disability Advocacy & Law Center (NDALC) is a private, statewide non-profit organization that serves as Nevada's federally-mandated protection and advocacy system for human, legal, and service rights for individuals with disabilities. NDALC has served as Nevada's protection and advocacy system since March 1995.

Services provided by NDALC include, but are not limited to: information and referral services, education, training, negotiation, mediation, investigation of reported or suspected abuse or neglect, legal counsel, technical assistance, and public policy work.

NDALC has offices in Las Vegas, Reno, and Elko with services provided statewide. All services are offered at no cost to eligible individuals in accordance with NDALC's available resources and service priorities.

MISSION STATEMENT

Protect and advocate for human and legal rights, interests, and welfare of Nevadans with disabilities.

Promote, support, and assist Nevadans with disabilities in understanding and controlling those systems and processes which directly affect their lives.

Foster the development, availability, and accessibility of services which increase the opportunities available to Nevadans with disabilities to live their lives as fully, independently, and productively as possible.

PROTECTION & ADVOCACY SYSTEMS (P&A)

P&A systems throughout the United States were established as a result of public concern and outcry regarding abuse, neglect, and denial of rights of individuals with disabilities.

Since 1978, Congress has established several protection and advocacy programs to address the needs of different populations of individuals with disabilities. Under these programs P&A systems are authorized to:

- Pursue legal, administrative, and other appropriate remedies in order to enforce and uphold the rights of eligible individuals with disabilities.
- Investigate reported or suspected incidents of abuse and neglect of eligible individuals with disabilities.

FISCAL YEAR 2016 CLIENT DEMOGRAPHICS



TOTAL CLIENTS	1468	TOTAL SERVICE REQUESTS	1625
----------------------	-------------	-------------------------------	-------------

GENDER	Clients	S/R
Male	859	973
Female	609	652

AGE	Clients	S/R
0-5	39	47
6-11	101	116
12-18	102	112
19-25	109	123
26-35	174	194
36-45	203	224
46-55	312	348
56-65	227	252
66-75	81	87
76+	28	28
Unknown	92	94

PRIMARY DISABILITY	Clients	S/R
Absence of Extremities	5	5
ADD/ADHD	16	20
AIDS/HIV	34	39
Arthritis	4	4
Autism Spectrum Disorder	128	150
Auto-immune (non-AIDS/HIV)	5	5
Autoimmune Disease	7	7
Blindness (both eyes)	19	20
Cancer	15	16
Cerebral Palsy	32	34
Deafness	37	37
Diabetes	8	8
Digestive Disorders	3	3
Down Syndrome	11	13
Epilepsy	13	13
Genitourinary Conditions	13	16
Hard of Hearing (not deaf)	21	22
Heart & Other Circulatory Conditions	21	23
Intellectual Disabilities	63	67
Learning Disabilities	18	20
Mental Illness	498	563
Multiple Sclerosis	18	19
Muscular Dystrophy	4	5
Muscular/Skeletal Impairment	5	5
Neurological Disorders	81	96
Orthopedic/Physical Impairments	236	243
Other Emotional/Behavioral	2	2
Respiratory Disorders	9	12
Specific Learning Disabilities (SLD)	18	18
Speech Impairments	7	8
Spina Bifida	2	5
Substance Abuse	2	2
Traumatic Brain Injury (TBI)	50	54
Visual Impairment (Not Blind)	14	19
Not Stated	49	52

ETHNICITY	Clients	S/R
American Indian / Alaskan Native	22	22
Asian	24	28
Asian (H/L)	3	3
Black	197	230
Black (H/L)	7	8
Hispanic/Latino	142	164
Multiracial	58	61
Multiracial (H/L)	8	8
Native Hawaiian / Pacific Islander	7	7
Not Stated	9	10
Unknown	61	61
White	790	856
White (H/L)	140	167

(H/L - Hispanic/Latino)

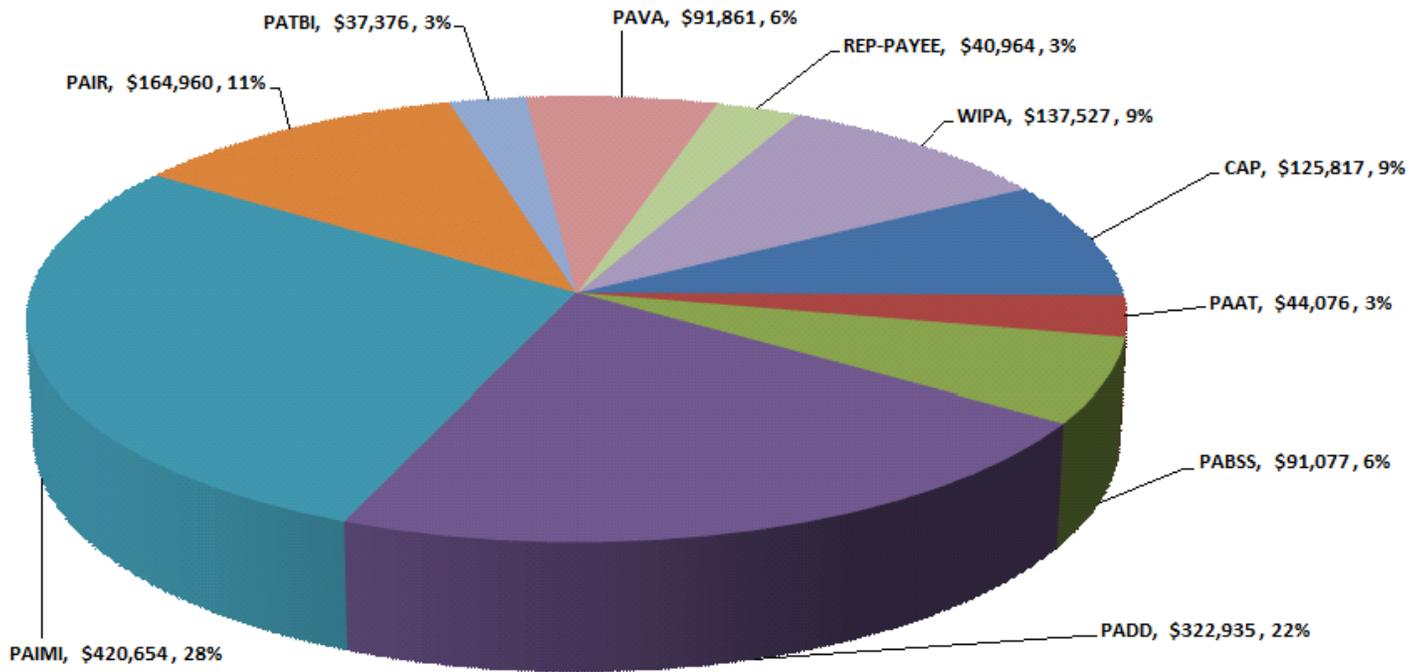
REGION	Clients	S/R
Northern	337	353
Southern	1041	1173
Rural	90	99

Clients self-identify for Ethnicity & Disability

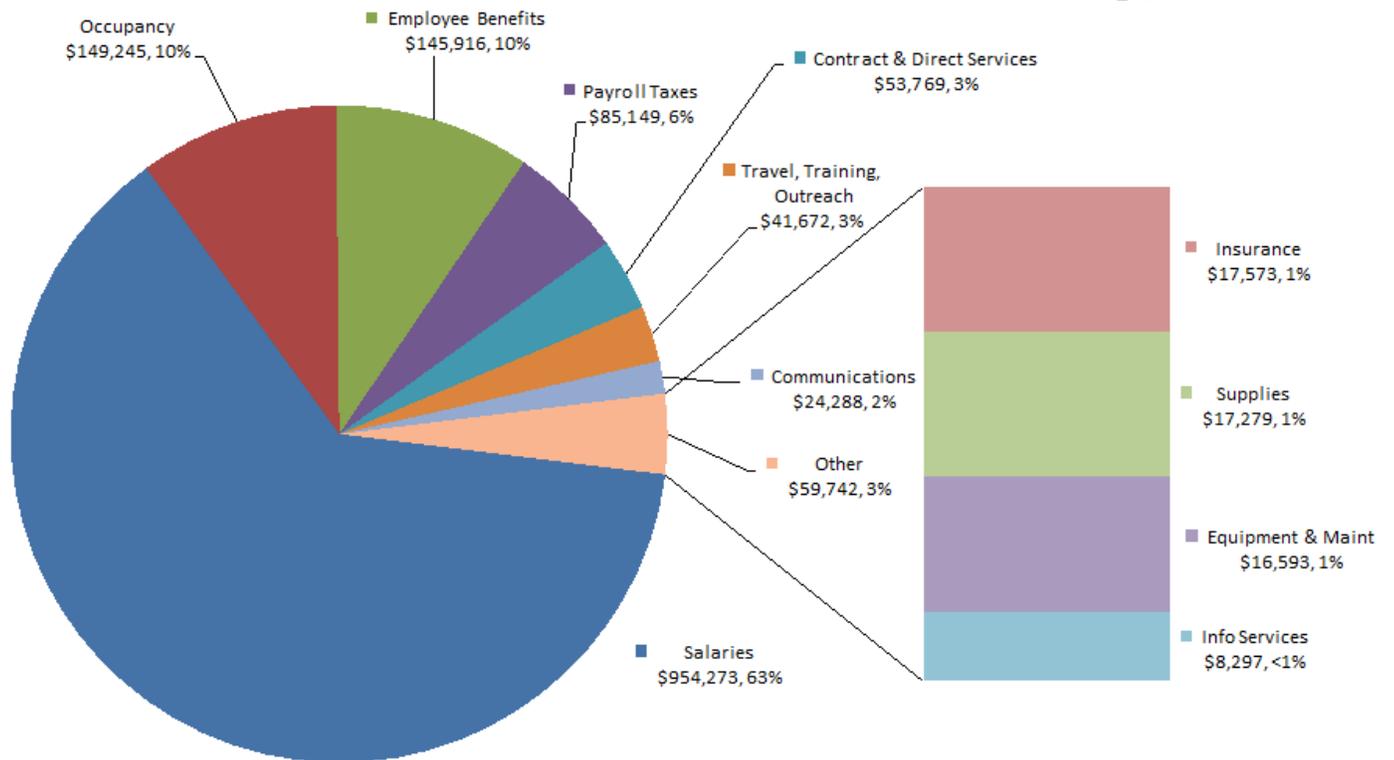
Northern Counties: Carson City, Douglas, Lyon, Storey, Washoe
 Southern Counties: Clark, Lincoln, Nye
 Rural Counties: Churchill, Elko, Esmeralda, Eureka, Humboldt, Lander, Out of State, Mineral, Pershing, White Pine



FY16 Grant Funds Received: \$1,477,247



FY16 Disbursements totaling \$1,514,055



PROTECTION & ADVOCACY FOR INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES (PADD)

Services for individuals who have a developmental disability. A developmental disability is defined as a disability manifested before the age of 22, is chronic in nature, and results in substantial functional limitations in three or more major life activities.



NDALC provided advocacy services for 36 individuals during this reporting period. One abuse/neglect investigation was completed and information & referral was provided to 292 people.

NDALC attorneys and advocates worked on 11 systemic group advocacy projects resulting in 7100 people with disabilities whose rights were enforced, protected or restored.

NDALC's Executive Director continued participation on the Nevada Commission on Services for Persons with Disabilities (CSPD) Taskforce on Integrated Employment Subcommittee regarding implementation on the recommendations of the Governor's Task Force on Integrated Employment. Nevada's Strategic Plan for Integrated Employment Implementation Plan was completed and approved during 2016. A copy of this document is available on NDALC's webpage.

In 2016, NDALC, the American Civil Liberties Union of Nevada, and Solitary Watch continued working on their joint project to investigate and report on the discriminatory and abusive

use of solitary confinement of prisoners with disabilities; including prisoners with intellectual and other developmental disabilities in Nevada.

NDALC and the other organizations are concerned that Nevada inmates are placed in solitary confinement for months or even years.

The agencies received approximately 200 completed inmate surveys. NDALC conducted follow-up interviews with inmates with disabilities; including inmates with developmental disabilities during this reporting period.

The final report on the use of solitary confinement was released in early 2017.

During this grant period, NDALC also partnered with five service provider agencies in the Las Vegas area to facilitate a nine-part training series on children with special health care needs; inclusive of children with developmental disabilities.

This training series was targeted to Hispanic families who are primarily Spanish speaking although the trainings were open to anyone wanting to attend.

Topics represented included Medicaid, transition services, and self-advocacy.

Participants also discovered ways to overcome gaps in bilingual services in the Las Vegas area and how to play an active role in their child's services and treatment without discrimination.

NDALC hosted 12 additional trainings on topics such as IDEA and special education services, guardianship, and alternatives to guardianship. In total, 510 people were trained.

NDALC participated in 31 community events reaching out to approximately 4,727 individuals statewide including people with developmental disabilities, their families, and service providers. The majority of the outreach events occurred at Southern Nevada schools and community support groups serving the Hispanic community.

NDALC has developed many valuable training and navigational documents for parents which can all be found on our webpage at: www.ndalc.org/publications/



PROTECTION AND ADVOCACY FOR INDIVIDUALS WITH MENTAL ILLNESS (PAIMI)

Services for individuals who have significant mental illness or emotional impairment.

In Nevada, the state's intensive community based services for persons with mental illness are generally provided in small group homes of 2 - 5 persons, called 'supportive living arrangements' (SLAs). Currently, SLA providers are not licensed and are not subject to the regulatory scrutiny that is required for group homes consisting of six or more persons. As such, in FY 2016 (Oct 2015 - Sept 2016), NDALC conducted intensive monitoring of these group residences. NDALC contacted the state housing coordinators in both Northern and Southern Nevada and obtained the most current lists of all SLAs. NDALC gained access into more than 50 SLAs statewide during FY 2016. The following are some examples of NDALC's monitoring activities in Southern Nevada and the issues of concern identified and remedied through advocacy.

NDALC monitored five group residences operated by provider "MM". Initially, MM questioned NDALC's monitoring authority and was reluctant to allow NDALC staff access to the group residences for monitoring purposes or to post the NDALC "Rights Poster". NDALC educated the provider on the role and authority of a Protection and Advocacy Agency and provided the owner with NDALC's access authority through the *Protection and Advocacy for Individuals with Mental Illness (PAIMI) Act*, codified at 42 Code of Federal Regulations § 51.42. Once the director understood NDALC's access authority under

federal law, the advocate was allowed to monitor all five MM properties, interview residents, and post the NDALC "Rights Poster". During the monitoring of MM's group residences, NDALC discovered the front access to one residence was blocked by overgrown plants, there were no working fire extinguishers or first aid kits at a second residence, and the backyard in a third residence was in poor condition and posed a safety risk. NDALC worked with the owner of MM and all issues of concern were remedied.

NDALC also monitored 21 group residences of another provider, "MJ". During this monitoring effort, NDALC found the refrigerators at four of the residences to be secured by a chain and padlock. Residents at these properties were unable to freely access beverages or food. The residents, when interviewed, expressed frustration at not being able to access their food that was purchased with their personal Nevada Welfare Supplemental Nutrition Assistance Program (SNAP) benefits or with funds available through their SLA contract funded through the state of Nevada. NDALC worked with the provider and the Outpatient Administrator at Southern Nevada Adult Mental Health Services (SNAMHS) to rectify these rights violations. NDALC was also able to help the provider change their policies regarding skill-building activities to include budgeting and nutrition. MJ staff now work with SNAMHS treatment

staff to identify SLA program goals for budgeting and nutrition. The refrigerators are currently unlocked at all MJ properties.

At two of MJ's group residences, NDALC found padlocks on the outside of two bedrooms. At the time of the monitoring visit, the bedrooms at both locations were vacant. However, the MJ director disclosed to NDALC that individuals with an elopement history were placed in those rooms to "keep the individual safe at night." NDALC immediately contacted the SNAMHS Outpatient Administrator who immediately stopped the practice when it was brought to her attention. Subsequently, NDALC conducted additional unannounced monitoring visits to both properties to confirm the padlocks were removed.

NDALC's monitoring project is ongoing and issues of concern are addressed in conjunction with the state housing coordinators. However, as a result of the monitoring and distribution of informational posters and brochure materials, clients and their families are made aware of their rights, NDALC, and the services and support we can provide.

NDALC continues to monitor the Assisted Out-Patient Treatment (AOT) program in Southern and Northern Nevada and randomly selects clients to monitor their progress.

PROTECTION AND ADVOCACY FOR ASSISTIVE TECHNOLOGY (PAAT)

Services for individuals with disabilities who need assistance obtaining assistive technology devices and services.



NDALC continues to provide individual case advocacy to children and adults with disabilities who are in need of assistive technology (AT) devices and services.

With systemic issues in mind, NDALC's Executive Director and a staff member attend all meetings of the Nevada Assistive Technology Council (Council).

The Council serves in an advisory capacity to the Office of Disability Services to provide consumer driven and responsive advice for the planning, implementation, and evaluation of assistive technology programs.

Some of this year's projects include the drafting of a matrix for AT providers improving the accessibility of state websites, and working to re-utilize, recycle, clean, and refurbish AT devices for wider consumer use.

The Council routinely calls upon NDALC's Executive Director to apprise its members of legislative updates and the changes/challenges facing state and community programs.

More recently, the Executive Director informed the Council regarding organizational changes to the Administration on Community Living and urged members to meet with the

new administration to work toward common goals. NDALC also collaborated with the Nevada Governor's Council on Developmental Disabilities (NGCDD) and with the University Center for Excellence in Disabilities (UCED) at the University of Nevada, Reno to create a workshop on the development of accessible documents.

Additionally, NDALC hosted the first workshop training that included staff from NDALC, UCED and the NGCDD. At the workshop, UCED presented a training document it had developed entitled '*Producing Inclusive Text Documents*'.

PROTECTION AND ADVOCACY FOR VOTER ACCESS (PAVA)

Services for individuals with disabilities to provide education and advocacy to ensure full participation in the electoral process.



During the Oct 2015 - Sept 2016 grant year, NDALC's PAVA staff trained 590 individuals at 17 voter rights education events. The focus was on individuals with developmental disabilities attending community training centers in both Southern and Northern Nevada.

KTVN 2 News in Reno ran a story on a training NDALC presented at High Sierra Industries - WARC. To view

the story, go to: www.ktvn.com/story/31320502/voting-with-disabilities

NDALC's Executive Director and a Rights Attorney also presented information regarding NDALC's PAVA program and voter rights at the Secretary of State and County Clerks/Registrar of Voters' 2016 Elections Meeting. The meeting was coordinated by the Secretary of State's office and was

attended by the Secretary of State's staff, county clerks, and registrars representing all counties in Nevada.

An NDALC staff member visited a polling site with multiple accessibility issues in 2015 resulting in the location being moved to a different room within the same building. Although this resolved previous accessibility issues NDALC will continue to monitor the location.

LAWYER REFERRAL AND INFORMATION SERVICE (LRIS)

Nevada Bar Association

NDALC was awarded \$2,000 in 2016 to fund printing of training materials for the “*Disability Rights Workshops - Access Justice*”.

Disability Rights Workshops - Access Justice provided consumers with knowledge and skills to instill the necessary confidence to empower consumers and their families to advocate for the services needed to allow them to live their lives as independently, productively, and fully as possible.

NDALC conducted 6 trainings; 3 in English, 2 in Spanish and 1 English/Spanish real-time translation. One of the 6 trainings was a 3-part special education series focusing on special education plan fundamentals, individual education

plans, behavior plans, and the basic rules regarding restraint and seclusion.

The special education series was presented to 10 parents of children with disabilities in the Elko area, conducted through video conference. The participant group size was kept small to encourage one to one interaction, ample opportunity for role-playing, and time for questions and answers. This was a collaborative effort between NDALC and the Northern Nevada Autism Network.

NDALC plans to provide ongoing special education trainings to the rural areas where it is often the case that parents cannot access other statewide trainings due to

travel and childcare issues.

A restraint and seclusion handout provided at the trainings was also printed with the support of LRIS funds.

A total of 111 individuals were trained at 6 workshops where 281 sets of materials were distributed. An additional 311 sets of materials were distributed at 4 outreach events for a total of 592 materials printed and distributed utilizing LRIS grant funds.

NDALC is grateful for the ongoing support provided by the Lawyer Referral & Information Service.

PROTECTION AND ADVOCACY FOR INDIVIDUAL RIGHTS (PAIR)

Services for all other individuals with physical and/or mental disabilities who are not eligible for services under the PADD and PAIMI programs, or the Client Assistance Program (CAP).

NDALC served 40 individuals under the PAIR grant during the Oct 2015 - Sept 2016 fiscal year.

Additionally, information and referral services were provided to 471 persons with disabilities. Approximately 126 people received rights training at NDALC’s Las Vegas office, and other outreach opportunities were provided to 898 individuals at nine different community events.

The State of Nevada has been evaluating whether or not to move all Medicaid Long Term Services and Supports (MLTSS) to a managed care model. As a part of that evaluation process, it conducted town hall meetings to receive input from

stakeholders about concerns with moving MLTSS to a managed care model.

NDALC attended these meetings and provided comments regarding its concerns about moving to a managed care model as some of these concerns have to do with how the managed care companies are currently providing services to individuals.

Under the Affordable Care Act, Nevada had expanded its Medicaid program to cover low income individuals with the coverage of these services provided through the managed care model. As such, NDALC and other disability advocates are concerned that the

services provided by the managed care organizations are inadequate.

In March 2016, NDALC was also invited by a state legislative committee to provide comments regarding moving all MLTSS into managed care. A copy of our comments can be found on our webpage at www.ndalc.org.

NDALC established a monthly legal clinic at Northern Nevada HOPES, a nonprofit, community health center in downtown Reno that offers integrated medical care and wellness services. An NDALC attorney is available to provide legal advice and assistance to persons with disabilities for two hours, one day a month.

PROTECTION AND ADVOCACY FOR TRAUMATIC BRAIN INJURY (PATBI)

Services for individuals living with traumatic brain injuries and their families.

The Centers for Disease Control (CDC) identifies traumatic brain injury (TBI) as a serious public health problem in the United States. Every year, at least 1.7 million TBIs occur, either as an isolated injury, or along with other injuries. The 2007 Nevada Center for Health Statistics and Informatics (latest available data) reported a total of 12,222 cases of TBI/spinal cord injuries (SCI) from 2000 - 2005 in Nevada; of which 47.2% were sustained by Clark County residents.

To address the growing concern regarding trauma-related injuries, an NDALC advocate was appointed as a member-at-large to the Southern Nevada Regional Trauma Advisory Board (RTAB) and the Trauma Procedure/Protocol Review Committee (TPPRC). These two oversight bodies set

regulations and are coordinated by the Southern Nevada Health District's Office of Emergency Medical Services and Trauma System (SNHD EMSTS).

Our advocate's primary role is to ensure there is a system of quality patient care for victims of trauma. The advocate promoted the quality of care agenda by voting to ensure the public hospital, University Medical Center (UMC), a Level One Trauma facility, retains its certification in the face of a proposed move to change the catchment areas, which promoted other for-profit hospitals and could diminish the care given at UMC.

The advocate was instrumental in making recommendations and assisting in the ongoing design, operation, evaluation, and revision of the system from initial

patient access to definitive patient care; including needs associated with aftercare. The RTAB and TPPRC are addressing Nevada's lack of a statewide trauma registry.

In 2000, Congress passed the TBI Act Amendments, which required the CDC to make grants available to states for operating the state's traumatic brain injury registry and collecting data, such as: demographics, circumstances of injury, and information characterizing clinical aspects of the injury, including types of treatment and services used.

The advocate will continue promoting the development of a trauma registry at the State level and helping SNHD EMSTS staff write grant applications to CDC.

WORK INCENTIVES PLANNING & ASSISTANCE PROGRAM (WIPA)

Assists Social Security beneficiaries with disabilities in making informed choices about returning to work, or entering the workforce for the first time.

NDALC has three fully certified Community Work Incentives Coordinators (CWIC) on staff providing clients with personalized benefits planning services statewide.

Benefits planning services include:

- Advice on working and earning potential while receiving SSA cash benefits
- Benefits analysis: summary of current benefits with an analysis of how benefits may be impacted by employment; including

Medicare/Medicaid

- Evaluation of available options and development of a work incentives plan
- A Plan to Achieve Self Support (PASS) - assists in the development of the PASS and ensures it is properly submitted to Social Security
- Information, referral and problem solving
- Ongoing assistance during the transition to employment

Persons eligible to receive services are working age Nevadans with disabilities (including transition aged youth aged 14 - 22), who receive Social Security Disability Insurance (SSDI) or Supplemental Security Income (SSI), are working, have a job offer, or are actively seeking work and are interested in receiving benefits' planning and assistance services.

PROTECTION AND ADVOCACY FOR BENEFICIARIES OF SOCIAL SECURITY (PABSS)

Services for individuals who receive Social Security disability benefits and need assistance with the removal of barriers preventing them from returning to work.

NDALC provided advocacy services to 15 individuals under the PABSS grant; 38 individuals received information and referral services and 201 people received training/education at 8 NDALC training events.

On May 18, 2016, NDALC's PABSS program received a site visit from the Social Security Administration (SSA). SSA Program Officer Djuna Mitchell, SSA Grants Officer Dionne Mitchell, and SSA Division Director of Program Contracts Kevin Muniz visited NDALC's Las Vegas office. Northern NDALC staff from the Reno and Elko offices participated in the site review via video conferencing.

NDALC was pleased with the opportunity to meet personally with, and to provide SSA representatives with information on the agency and NDALC's PABSS services.

Several times during the year, NDALC staff also met with the Bureau of Vocational Rehabilitation (BVR) program administrators to discuss issues facing BVR clients as they work toward their employment goals.

Additionally, NDALC partnered with community agencies in Las Vegas to develop training materials and a multi-part, bi-lingual training program for families of transition-age students to assist with accessing

employment services.

NDALC PABSS staff also participated in several webinars to learn about the new Workforce Innovation and Opportunities Act (WIOA) and attended the Nevada Disabilities Conference in Reno, which included sessions on transition and employment for individuals with disabilities.



CLIENT ASSISTANCE PROGRAM (CAP)

Assists Individuals who may be having issues with vocational rehabilitation services.

NDALC staff provided advocacy services for 32 individuals under the CAP program. In addition, 124 individuals received information and referral services and 80 received training/education at two training sessions.

The CAP advocate from Las Vegas provided education to vocational rehabilitation counselors in Southern Nevada on the CAP program and the Work Incentives Planning and Assistance (WIPA) program. She explained how the two programs will interact and how to make appropriate referrals to each program.

A Grant Administrator from Workforce Connections, Southern

Nevada's workforce-development board, contacted NDALC requesting that NDALC provide a training on the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. NDALC agreed to provide a training presentation for approximately 40 individuals who are employees of agencies that receive funding from Workforce Connections. The presentation was held in October, 2016.

An NDALC advocate wrote a series of six articles on disability issues, including 'Returning to Work' for The Challenger newspaper. The Challenger is a monthly newspaper targeted to people with disabilities in the Las Vegas area. The Challenger is available in print and

online with monthly readership of approximately 31,000.

In December 2015, NDALC received a complaint regarding a bus stop across from one of the Reno vocational rehabilitation offices that had accessibility issues. NDALC contacted the Director of Public Transportation and Operations at the Regional Transportation Commission to discuss the accessibility concern.

As a result of NDALC's advocacy, the Regional Transportation Commission completed upgrades to the bus stop to improve access to the rehabilitation agency office.

SYSTEMIC ADVOCACY

Systemic Advocacy is often completed through participation on Boards, Commissions, Committees or Special Projects.

NDALC staff participate on the following Boards, Commissions, Committees, or Special Projects:

National Disability Rights Network • Brain Injury Association of America • Federation for the Blind • Desert Regional Center - Human Rights Commission • Elko Transportation Committee • Medicaid Managed Care & Home & Community Based Services - Town Hall Meetings • Nevada Supported Decision-Making Agreement Committee - Legal Research Subcommittee • Nevada Commission on Services for Persons with Disabilities (CSPD) • Governor's Taskforce on Integrated Employment Subcommittee • Nevada - Special Education Advisory Committee • Nevada Assistive Technology Council • Governor's Council on Developmental Disabilities • Nevada State Rehabilitation Council • Southern Nevada Adult Mental Health Coalition • Southern Nevada Injury Prevention Committee • Southern Nevada Trauma Advisory Board • Virginia Street RAPID Transit Extension Project

NDALC SERVICE PRIORITIES

In August of every year, NDALC collects input and public comments about our current and future service priorities through the distribution of our Annual Advocacy Survey. In 2016, the survey along with a self-addressed, stamped envelope was sent to 758 individuals on NDALC's mailing list. This list is made up of current and former clients, family members, disability service providers, educators and legal/judicial individuals. In addition to direct mail, the survey can be completed in person at any one of our three offices, through Survey Monkey, NDALC's web page, or requested and completed electronically. The survey was provided to NDALC staff and Board members so they could distribute to additional individuals on their email lists, or at any training or community events they may be attending.

The survey seeks input/comments on what the most important disability related issues are within the state, and then it asks the respondent to rank those issues by level of importance. The survey also asks whether the respondent has a disability, if they have been denied services, had services reduced or terminated, or are currently on a waiting list for services and if so, for which services are they waiting. Please email survey@ndalc.org to be added to the list for future surveys.

CONTACT US

SOUTHERN OFFICE

2820 W. Charleston, Suite 11
Las Vegas, NV 89102
Phone: 702-257-8150
Toll Free: 1-888-349-3843
Nevada Relay: 711
Fax: 702-257-8170
lasvegas@ndalc.org
Se Habla Español

NORTHERN OFFICE

1875 Plumas Street, Suite 1
Reno, NV 89509
Phone: 775-333-7878
Toll Free: 1-800-992-5715
Nevada Relay: 711
Fax: 775-786-2520
reno@ndalc.org
Se Habla Español

ELKO OFFICE

905 Railroad Street, Suite 104B
Elko, NV 89801
Phone: 775-777-1590
Toll Free: 1-800-992-5715
Nevada Relay: 711
Fax: 775-753-1690
elko@ndalc.org

