

# Overview of Protection and Advocacy (P&A) Systems

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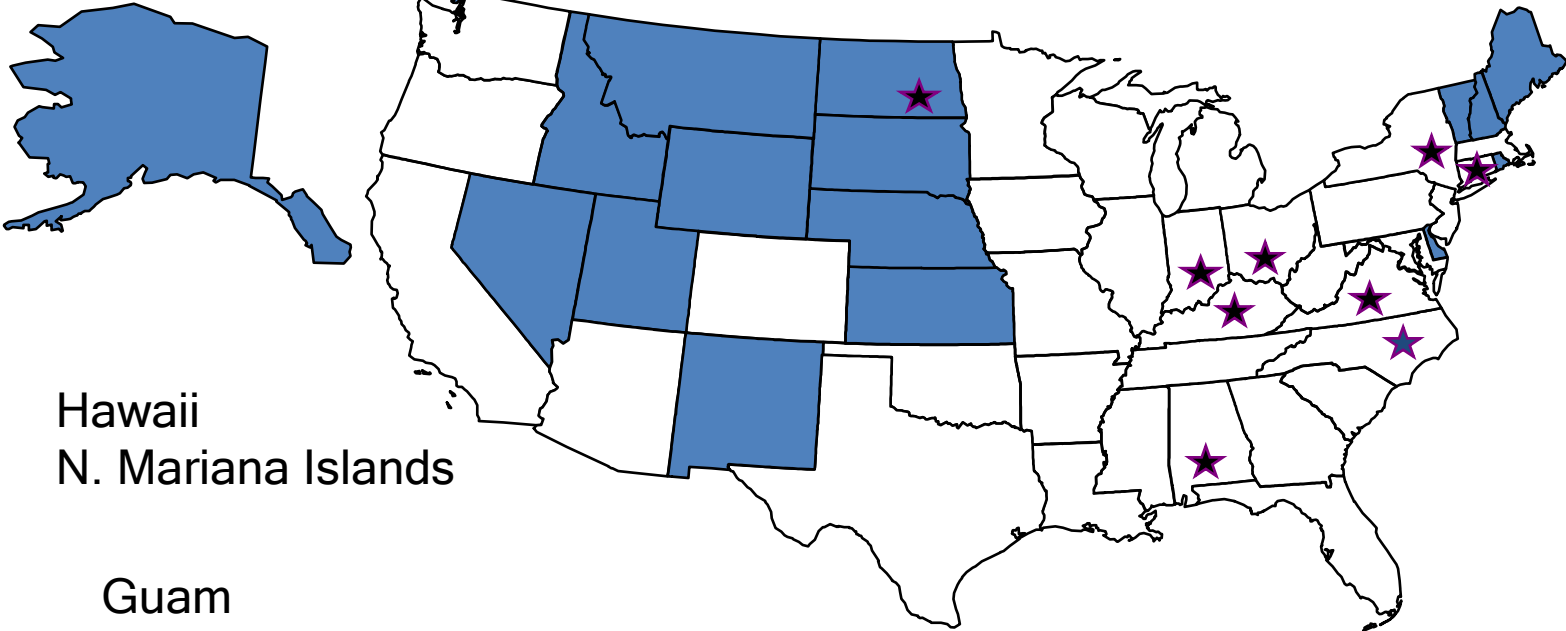
New UCEDD Director Orientation

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# P&As

- Protection and Advocacy for Individuals with Developmental Disabilities (PADD) program
- Funded under Part C of the DD Act
- 57 P&As:
  - In each State, Territory & District of Columbia
  - There is a Native American Consortium P&A located in New Mexico that serves the Hopi and Navajo Nations in New Mexico, Arizona and Utah.

# P&As



Hawaii  
N. Mariana Islands

Guam  
★ American Samoa

★ Puerto Rico  
Virgin Islands

■ Minimum allotment States

★ State P&A agencies



# Purpose of a Protection and Advocacy System

- P&As help individuals with developmental disabilities secure their human and civil rights.
- P&As help people with developmental disabilities who have been:
  - Neglected or abused
  - Denied access to a service
  - Denied control or choice of a service to which they have a right
  - Denied the opportunity to participate in an activity

# PADD is the keystone of the P&A System

- The Protection and Advocacy for Individuals with Developmental Disabilities began in 1975.
- Overtime, P&A Systems have been designated to administer other programs:
  - *PAIMI*: Protection and Advocacy for Individuals with Mental Illness
  - *PAIR*: Protection and Advocacy for Individual Rights
  - *PAAT*: Protection and Advocacy for Assistive Technology
  - *PABSS*: Protection and Advocacy for Beneficiaries of Social Security
  - *PATBI*: Protection and Advocacy for Traumatic Brain Injury
  - *PAVA*: Protection and Advocacy of Voting Act
  - *Client Assistance Program*: Half are located with the P&A and the others are their own separate agency.

# Designated by the Governor

- Designated by the Governor to be the P&A system for the state. The Governor is the responsible official.
- The Governor can only re-designate the P&A if there is 'good cause'.



# Areas of Emphasis

- P&As identify goals and priorities in the areas of emphasis in the DD Act based on public input
- Each P&A is different and their expertise is diverse
- The Statement of Goals and Priorities drive the work that is done



# How P&As Do Their Job

- Train people about their civil and human rights
- Educate others about the rights of individuals with developmental disabilities
- Investigate complaints of violations of rights
- Information and referral
- Work to resolve complaints through discussion, mediation, alternative dispute resolution and litigation
- Referrals to other agencies (State, Federal, local)





# How P&As Do Their Job

- P&As will exhaust all of their remedies before going to court.
- Litigation is the smallest percentage of work that the P&As carry out.



# Examples of P&A Accomplishments

- Through various intervention strategies, individuals:
  - Received job training, gained employment, or maintained employment
  - Secured and maintained an appropriate education
  - Gained equal access to housing
  - Had greater access to transportation
  - Enjoyed a higher quality of life free of abuse and neglect
  - Achieved systems change



# Selected Highlights of P&A Requirements

- Authority and independence
- P&A Governing Board
- Planning responsibilities
- Reporting responsibilities
- Obligation to collaborate

# Authority & Independence

- The P&A System must have independence to pursue legal and other appropriate measures on behalf of clients with developmental disabilities without state or other interference
  - Access to people, access to records, access to institutions for monitoring
  - Authority to pursue legal remedies
- The System must have the ability to investigate incidents of abuse & neglect of individuals with developmental disabilities.

# P&A Governing Board

- Membership
  - Majority must be individuals with disabilities, including individuals with developmental disabilities (51%)
  - Family members and Guardians
  - Advocates or Authorized representatives
  - May include a representative from the State Council, UCEDD and Self-advocacy organizations
- The Board is important because they:
  - Hire and fire the Executive Director
  - Set policy
  - Make certain the P&A is fiscally sound
  - Set the direction of the agency.



# P&A Governing Board

- The Board must have and implement a rotation policy
- The Board must have a shared commitment to the protection of the rights of all individuals eligible for the program



# Planning Responsibilities

- Goals and Priorities Setting
  - The Goals and Priorities of each P&A are based on data driven strategic planning... multi-year cycle with annual updates
  - The P&A provides an annual opportunity for the public to comment on Goals & Priorities and activities of the System, including comments by the Council and UCEDDs
  - Goals and Priorities are submitted to ADD annually

# Reporting Responsibilities

- Program Performance Report
  - Data Collection (on individual advocacy, types of cases, resolution of cases, systems change and group advocacy, and information and referral)
  - Outcomes of Goals
  - Reporting on Collaborative Activities
  - Program Evaluation... outcome measures and procedures for evaluating the impact of its advocacy activities



# Collaboration

- The P&A must collaborate with other organizations including the State Council on Developmental Disabilities and the University Centers for Excellence
- Examples include collaborating on
  - legal research
  - legal advocacy
  - training in rights issues



# Funding

- FY 2013 Funding: \$37.7 million
- Funds distributed based on a formula
- Minimum Allotment States

# Administration on Intellectual and Developmental Disabilities

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