



Advocacy Services Plan 2022

Disability Rights Maryland (DRM) strives to create a just and inclusive society by advancing the human and legal rights of people with disabilities, securing their opportunities to participate fully in community life, and defending their rights to self-determination, dignity, equality, choice and safety.

In determining the focus of its advocacy work, DRM seeks to engage the community and solicit ideas and opinions from people with disabilities, their families, other advocates and members of the disability community and various other stakeholders about the matters that are most essential for a legal organization with limited resources to address.

DRM's Advocacy Services Plan is the product of this community input coupled with DRM's extensive expertise in providing legal advocacy services to Marylanders with disabilities, and its responsibilities as Maryland's designated Protection & Advocacy organization. The Plan delineates the advocacy services that will take precedence in the allocation of DRM's resources. DRM will advocate for people with disabilities within this scope of work as our resources permit. The decisions to accept individual cases for representation are informed by the Plan and DRM's commitment to producing broad-based, systemic change, within our resource limitations.

For 2022, DRM will flexibly respond across our work teams to pandemic-related changes and impacts on people with disabilities in all areas of DRM work including special education, healthcare, mental health, housing, transportation, voting, and access to services.

Mental Health

Individuals who are diagnosed with psychiatric disabilities and receive services from state hospitals, prisons or jails, and residential treatment facilities should receive services that are free from harm, abuse or coercion and are trauma informed and recovery oriented. Access to support services and equal opportunities in the community should promote recovery, self-direction, and offer alternatives to hospitalization, congregate care settings, emergency departments, and jails or prison. Individuals with disabilities must have access to information and resources to exercise their rights.

Advocacy Services

1. Protect individuals in psychiatric facilities or residential treatment centers from abuse and neglect. DRM will focus on advocating for reform in sexual abuse response, prevention and treatment in state operated or licensed programs for persons with psychiatric disabilities; protection from illegal or excessive restraint, seclusion or coercion; and provision of trauma informed and appropriate services.
2. Advocate for limited use of segregation or cell confinement for incarcerated persons with psychiatric disabilities and for provision of appropriate care and access to services.
3. Advocate to enforce the rights of people diagnosed with psychiatric disabilities to receive supports needed to move toward independence and recovery, as set forth by the U.S. Supreme Court in *Olmstead v. L.C.* by focusing on reducing barriers to discharge in state psychiatric facilities and increasing community supports such as crisis services.
4. Advocate for the rights of children and adults who are found incompetent to stand trial to receive fair treatment and appropriate supports.
5. Provide rights information to individuals with psychiatric disabilities, especially those in facilities or at risk of admissions.
6. Increase access to appropriate community mental health services including patient education and informed consent.

Intellectual and Developmental Disabilities

People with intellectual and developmental disabilities (I/DD) must have access to quality services in the community as needed and desired, and be free from abuse and neglect, with appropriate safeguards to ensure their legal and human rights.

Advocacy Services

1. Advocate to prevent institutionalization of persons with disabilities consistent with their desires.
2. Advocate for systems that ensure people receive services in the most integrated settings, which support their full inclusion in our communities.
3. Investigate incidents of abuse, neglect, exploitation and/or death, including people who are victims of crime, in order to provide remedy or prevent such incidents, and to improve service delivery and oversight.
4. Advance the rights of people to make their own decisions and lead lives of their own choosing.

Healthcare

Maryland's Medicaid and health care services should be consumer-based, consumer-centered and reduce health care discrimination and inequities.

Advocacy Services

1. Educate individuals with disabilities and those working on their behalf about access to community-based Medicaid services, including rights upon denial, termination, or reduction of services.
2. Advocate for non-discriminatory and equitable health care services for people with disabilities.
3. Identify pro bono attorneys to represent people with disabilities in Medicaid cases.

Assistive Technology

People with disabilities must have access to assistive technology devices and services that increases their independence and ability to communicate with others.

Advocacy Services

1. Advocate for the acquisition, utilization and maintenance of assistive technology devices that are needed to support persons with disabilities to participate in daily life with dignity and independence.
2. Advocate for assistive technology devices or services that provide effective communications.

Access to Community-Based Services for People with Traumatic Brain Injury (TBI)

Individuals with traumatic brain injury (TBI) must have access to high quality, community-based services that will enable them to participate fully in community life. Through outreach, training, participation on the Maryland TBI Board and the TBI Waiver Advisory Committee, and legal representation of individuals in select cases, DRM works to ensure that children and adults with TBI are free from discrimination and can access the accommodations they need to participate in their communities.

Education

Children and youth with disabilities, from birth through age 21, must receive a free and appropriate public education in compliance with federal and state special education laws. Families of children and youth with disabilities must have access to information and resources to exercise their rights under these laws. Implementation of these principles is guided by DRM's focus on individual and family empowerment, systemic change through individual case representation, class representation, systemic legal advocacy, and coalition work.

Advocacy Services

1. Advocate to eliminate systemic barriers that prevent students with disabilities from being educated in the least restrictive environment, as required by federal and state special education laws.
2. Protect the rights of students with disabilities who are subjected to inappropriate school exclusion, restraint, seclusion, other forms of discipline, and the use of arrests for school-related behavior; and advocate for the use of positive behavior interventions and evidence-based alternatives.
3. Advocate to eliminate barriers that prevent students with disabilities from graduating with a high school diploma.
4. Advocate for the rights of students with disabilities who have been, or who are at risk of being, subjected to abuse or neglect in school.
5. Provide training and technical assistance and disseminate information on special education and school discipline rights and advocacy skills to families, other advocates and professionals so they can effectively advocate for students and ensure appropriate accommodations, special education and related services.
6. Continue DRM's pro bono referral program for indigent families needing access to representation by trained attorneys in special education cases.

Civil Rights and Community Inclusion

DRM challenges discrimination that impedes access and equal opportunities of people with disabilities. DRM prioritizes access to affordable and accessible housing, and transportation services.

Advocacy Services

1. Secure enforcement of the multi-year obligations of Baltimore City and the Housing Authority to provide accessible and affordable housing to persons with disabilities as set forth in the federal court consent decree in *Bailey et al. v. Housing Authority of Baltimore City*.
2. Secure enforcement of the multi-year obligations of Baltimore County to provide accessible and affordable housing to persons with disabilities as set forth in the Conciliation Agreement signed with the U.S. Department of Housing and Urban Development.
3. Secure enforcement of the multi-year obligations of Prince George's County to provide accessible and affordable housing to persons with disabilities as set forth in the federal court settlement in *Ripley et al. v. Housing Authority of Prince George's County*.
4. Provide representation in disability-related eviction proceedings and advocate for the fair housing rights of people with disabilities.
5. Advocate for increased accessible and affordable housing for people with disabilities.
6. Advocate for the effective enforcement of civil rights of people with disabilities living in the community.

7. Advocate for the decriminalization of disability by eliminating unnecessary encounters between people with disabilities and law enforcement representatives resulting in incarceration, institutionalization, civil rights violations, serious injury or death.
8. Continue to secure improvements in MTA paratransit services, and work with community members to improve transportation access for individuals with disabilities.

Voting Rights

Individuals with disabilities who are of voting age must have the opportunity to participate fully in the voting process, including registering to vote and voting privately and independently.

Advocacy Services

1. Provide voter information, registration and advocacy to encourage the full participation of people with disabilities in the electoral process.
2. Increase access for voters with disabilities to the electoral process and polling places, to include accessible voting systems.
3. Assist the state and local boards of elections in meeting the disability-related requirements of the Help America Vote Act and other relevant laws.
4. Provide individual and systemic advocacy to protect the rights of voters with disabilities.

Advocacy for Social Security Beneficiaries

Recipients of Social Security Administration (SSA) benefits must be aware of work incentives available to them under current law. SSA beneficiaries need access to appropriate services and assistance, including access to reliable public transportation, transition planning from school to work, and continuing Medicaid/Medicare services to support them in meeting employment goals.

Advocacy Services

1. Within the limits and restrictions of SSA grant funding, provide information and referral, advice, short term assistance legal representation and systemic advocacy to SSA beneficiaries regarding issues that result in barriers to employment.
2. Pursuant to the Strengthening Protections for Social Security Beneficiaries Act of 2018, review, investigate and if necessary, correct the practices of individuals and agencies acting as representative payees, ensuring Social Security funds are spent on behalf of the beneficiary and in their best interests.

3. Advocate for SSA-eligible youth with disabilities aged 14-21 to ensure appropriate transition planning to reduce barriers to employment upon their exit from school.

Public Policy

DRM engages in public policy advocacy on key issues affecting people with disabilities, consistent with our Advocacy Services Plan, to the extent permitted by our funding sources and federal law. DRM advocates in a cross-disability manner to strengthen and expand legal protections; eliminate discrimination, abuse and neglect; improve community-based programs, services and supports for people with disabilities; and facilitate the movement of people with disabilities out of institutional settings.