

RSA-509 - Protection & Advocacy of Individual Rights (PAIR) Program Performance Report

Arkansas (Disability Rights Arkansas, Inc) - H240A170004 - FY2017

General Information

Designated Agency Identification

Name	Disability Rights Arkansas, Inc.
Address	400 West Capitol Avenue
Address Line 2	Suite 1200
City	Little Rock
State	Arkansas
Zip Code	72201
E-mail Address	spierce@disabilityrightsar.org
Website Address	http://disabilityrightsar.org
Phone	501-296-1775
TTY	501-296-1775
Toll-free Phone	800-482-1774
Toll-free TTY	800-482-1774
Fax	501-296-1779
Name of P&A Executive Director	Tom Masseau
Name of PAIR Director/Coordinator	Tom Masseau
Person to contact regarding report	Susan Pierce
Contact Person phone	501-492-5760
Ext.	102

Part I. Non-Case Services

A. Individual Information and Referral Services (I&R)

Multiple responses are not permitted.

1. Individuals receiving I&R within PAIR priority areas 128
2. Individuals receiving I&R outside PAIR priority areas 123
3. Total individuals receiving I&R (lines A1 + A2) 251

B. Training Activities

1. Number of trainings presented by PAIR staff 9
2. Number of individuals who attended training (approximate) 168

DRA staff participated on a panel at the annual Arkansas NAACP Conference, addressing issues impacting African-Americans with disabilities in the state, for approximately 40 delegates. The DRA Legal Director traveled to Dallas to provide training to an audience of 25 parents, attorneys, and advocates on the rights of students with disabilities to access Medicaid services and supports to enhance quality of life, educational services, and transition services at the annual Council of Parent Attorneys and Advocates (COPAA) conference. DRA provided training regarding DRA services and how they can assist children for a group of 15 Department of Human Services (DHS) Division of Childcare Services workers, and trained approximately 12 attendees of the Low-Income Advocates Leadership and Community Development Conference on how DRA can assist their clients. A DRA attorney provided information to 25 parents of children with disabilities about special education rights, including rights regarding least restrictive environment (LRE), discipline, and restraint and seclusion at the Parent Advisory Council (PAC) Family Bistro, and twice presented to law students at the University of Arkansas at Little Rock Bowen School of Law, once about DRA and the P&A system (to educate and raise awareness of the agency's work and to pique their interest in areas of disability law), and another time to present on restraint and seclusion of students receiving special education services. Finally, DRA presented to families at a workshop for the Exceptional Family Members Program at the Little Rock Air Force Base. Several military families now have more knowledge about DRA, the P&A system, and basic educational rights under the IDEA. The presentation was recorded and will be posted on their Facebook page for others to watch who were unable to attend the event.

C. Information Disseminated to the Public

1. Radio and TV appearances by PAIR staff	5
2. Newspaper/magazine/journal articles	11
3. PSAs/videos aired	0
4. Hits on the PAIR/P&A website	27,000
5. Publications/booklets/brochures disseminated	3,166
6. Other (specify separately)	0

Narrative

Facebook: 2,597 followers, as of 9/30/17 Twitter: 731 followers, as of 9/30/17 Website hits (27,000) number is approximate; DRA could not obtain analytics for the first couple of months of FY2017, so total was based on an extrapolation of the months data was captured. DRA does not have a PAIR-specific brochure; 3,166 general DRA brochures were distributed in FY2017.

Part II. Individuals Served

A. Individuals Served

Count individual once per FY. Multiple counts not permitted for lines A1 through A3.

1. Individuals still served as of October 1 (carryover from prior FY)	24
2. Additional individuals served during the year	93
3. Total individuals served (lines A1 + A2)	117
4. Individuals w. more than 1 case opened/closed during the FY. (Do not add this number to total on line A3 above.)	7

B. Individuals served as of September 30

Carryover to next FY may not exceed total on line II. A.3 above 20

C. Problem Areas/Complaints of Individuals Served

1. Architectural accessibility	19
2. Employment	16
3. Program access	10
4. Housing	6
5. Government benefits/services	7
6. Transportation	3
7. Education	30
8. Assistive technology	1
9. Voting	0
10. Health care	7
11. Insurance	0
12. Non-government services	0
13. Privacy rights	0
14. Access to records	0
15. Abuse	11
16. Neglect	12
17. Other	3

D. Reasons for Closing Individual Case Files

1. Issues resolved partially or completely in individual favor	62
2. Other representation found	1
3. Individual withdrew complaint	15
4. Appeals unsuccessful	2
5. PAIR Services not needed due to individual's death, relocation etc.	3
6. PAIR withdrew from case	6
7. PAIR unable to take case because of lack of resources	2
8. Individual case lacks legal merit	13
9. Other	0

Please explain

N/A

E. Intervention Strategies Used in Serving Individuals

List the highest level of intervention used by PAIR prior to closing each case file.

1. Technical assistance in self-advocacy	20
2. Short-term assistance	53
3. Investigation/monitoring	11
4. Negotiation	9
5. Mediation/alternative dispute resolution	2
6. Administrative hearings	8
7. Litigation (including class actions)	1
8. Systemic/policy activities	0

Part III. Statistical Information on Individuals Served

A. Age of Individuals Served as of October 1

Multiple responses not permitted.

1. 0 - 4	0
2. 5 - 22	34
3. 23 - 59	58
4. 60 - 64	9
5. 65 and over	16

B. Gender of Individuals Served

Multiple responses not permitted.

1. Females 47
2. Males 70

C. Race/Ethnicity of Individuals Served

For individuals who are non-Hispanic/Latino only

1. Hispanic/Latino of any race	0
2. American Indian or Alaskan Native	0
3. Asian	0
4. Black or African American	39
5. Native Hawaiian or Other Pacific Islander	0
6. White	77
7. Two or more races	1
8. Race/ethnicity unknown	0

D. Living Arrangements of Individuals Served

Multiple responses not permitted.

1. Independent	55
2. Parental or other family home	31
3. Community residential home	1
4. Foster care	0
5. Nursing home	5
6. Public institutional living arrangement	0
7. Private institutional living arrangement	1
8. Jail/prison/detention center	24
9. Homeless	0
10. Other living arrangements	0
11. Living arrangements not known	0

E. Primary Disability of Individuals Served

Identify the individual's primary disability, namely the one directly related to the issues/complaints

1. Blind/visual impairment	3
2. Deaf/hard of hearing	10
3. Deaf-blind	0
4. Orthopedic impairment	39
5. Mental illness	7
6. Substance abuse	0
7. Mental retardation	0
8. Learning disability	6
9. Neurological impairment	9
10. Respiratory impairment	5
11. Heart/other circulatory impairment	3
12. Muscular/skeletal impairment	13
13. Speech impairment	1
14. AIDS/HIV	2
15. Traumatic brain injury	0
16. Other disability	19

Part IV. Systemic Activities and Litigation

A. Systemic Activities

1. Number of policies/practices changed as a result of non-litigation systemic activities 4
2. Number of individuals potentially impacted by policy changes 6,000

Describe your systemic activities. Be sure to include information about the policies that were changed and how these changes benefit individuals with disabilities. Include case examples of how your systemic activities impacted individuals served.

DRA addressed accessibility issues involving a central Arkansas restaurant's parking lot; the restaurant owner restriped an accessible parking space to include the blue access symbol on the pavement and added a striped-off aisle to ensure van accessibility. DRA addressed issues of access within a store with the store manager; the manager subsequently removed 32 displays (to make the store aisles more accessible) ordered additional carts, and trained staff regarding appropriate ways to interact with customers with a disability. DRA addressed accessibility concerns at a coffee shop franchise; the shop manager met with the shop's employees to discuss the importance of keeping the sidewalk and ramp free of garbage cans and boxes to ensure the shop entrance/exit is accessible at all times. DRA was a member of a diverse group of stakeholders who were working to improve the IDEA process (including identification and service provision) for youth with disabilities in the state's juvenile detention facilities, the Arkansas Division of Youth Services (DYS) facilities, jails, and prisons; DYS subsequently began to implement state standardized testing for students in these facilities to comply with the Every Student Succeeds Act (ESSA). DRA collaborated with several other agencies to serve as an advisory committee to a city's parks and recreation department; this committee was instrumental in providing input and making recommendations about the design, layout, and purchase of playground equipment for the playground to be inclusive (of children with disabilities). The initial plans for the playground, as provided to this committee by the city staff, was minimally inclusive, so the impact of this committee in making this playground inclusive was significant.

B. Litigation/Class Actions

1. Number of individuals potentially impacted by changes as a result of PAIR litigation/class action efforts 0
2. Number of individuals named in class actions 0

Describe your litigation/class action activities. Explain how individuals with disabilities benefited from your litigation activities. Be sure to include case examples that demonstrate the impact of your litigation.

N/A

Part V. PAIR'S Priorities and Objectives

A. Priorities and Objectives for the Fiscal Year Covered by this Report

For each of your PAIR program priorities for the fiscal year covered by this report, please:

1. Identify and describe priority.
2. Identify the need, issue or barrier addressed by this priority.
3. Identify and describe indicators PAIR used to determine successful outcome of activities pursued under this priority.
4. Explain whether pursuing this priority involved collaborative efforts by other entities. If so, describe this collaboration.
5. Provide the number of cases handled under the priority. Indicate how many of these, if any, were class actions.
6. Provide at least one case summary that demonstrates the impact of the priority.

Priority 1: ABUSE, NEGLECT, EXPLOITATION- Individuals with disabilities will be protected from abuse, neglect, and exploitation. Objectives: Reduce incidents of abuse, neglect, and exploitation of individuals with disabilities in institutional and community settings, and reduce the use of harmful restraint and seclusion of individuals with disabilities in institutional and community settings. Need/Issue/Barrier: Individuals with disabilities receiving services, particularly residential services, are at risk of abuse, neglect, and exploitation; depending on the setting, they may be subject to the inappropriate use of restraint and/or seclusion. PAIR determines a successful outcome based on whether the complaint of the individual was substantiated and remedied to reduce the risk of recurrence. Collaborative efforts: PAIR works with regulatory agencies and other advocacy groups as appropriate (the state's Office of Long Term Care, licensing entities, nursing home advocacy groups, etc.) to ensure the efficient use of PAIR resources. For this priority in particular, PAIR would reach out to OLTC to ensure they are aware of the issue and investigate as appropriate. PAIR might do a concurrent investigation, or report it to OLTC and follow up to determine how the allegation was handled and whether any further action is warranted. Twenty-one service requests were handled for 20 clients under this priority in fiscal year 2017. One was a carryover case; the others were opened in 2017. Case summaries: 1) A PAIR-eligible individual requested assistance from DRA with the issue of his placement within the Arkansas Department of Corrections (ADOC). The client alleged his medical needs were not being met at this current placement, and he asked for DRA's assistance with a transfer request to a medical unit at another prison. DRA staff advocated on the client's behalf with the ADOC, and the client was subsequently moved to the medical unit of the facility he requested. 2) A PAIR-eligible individual requested DRA's assistance with the issue of his ADOC cell not accommodating his transfer back and forth from his wheelchair to his bed. DRA staff communicated with the prison warden and the ADOC's general counsel regarding these issues via the ADOC grievance system, and the client was subsequently moved to another unit, which provided adequate room for wheelchair to bed transfers. Priority 2: COMMUNITY INTEGRATION AND ACCESS- Individuals with disabilities will be integrated into the community and have access to programs and services in the community. Objectives: Improve access to community-based services and settings for individuals with disabilities who are institutionalized or at risk of institutionalization, ensure individuals who are being discharged or transferred from institutional settings have access to adequate supports and services in the community, reduce architectural barriers that prevent individuals with disabilities from accessing public and private locations, reduce barriers that deny program access to individuals with

disabilities, and ensure that individuals with disabilities are able to exercise the right to vote. Need/Issue/Barrier: Individuals with disabilities receiving services, particularly those who are institutionalized but wish to live in the community and those who live in the community but are at risk of institutionalization, often face daunting obstacles in transitioning to a community setting and/or accessing services sufficient in scope to optimize their chances of success in a community setting. Additionally, people with disabilities often face barriers in community setting, both architectural and programmatic, that infringe on their rights under the ADA to access businesses, facilities, and even polling sites. PAIR determines a successful outcome based on whether the complaint of the individual was substantiated and remedied to reduce the risk of recurrence; in this case, whether sufficient services are provided, appropriate transition plans are developed, and barriers to access are reduced or eliminated. Collaborative efforts: PAIR works with other advocacy groups, as appropriate and available, to ensure an efficient use of PAIR resources. For this priority in particular, PAIR would work with a statewide nursing home advocacy group to advocate for individuals trying to leave nursing home settings. Because PAIR has not been able to identify any other groups in the state addressing ADA violations and access issues, PAIR generally works these service requests without benefit of collaboration with another entity. PAIR worked on 45 service requests for 43 clients under this priority in fiscal year 2017. Two requests involved discharge from a long-term care facility, 10 involved access to community-based services, 16 involved programmatic access, and 17 involved architectural barriers. None of these requests progressed to class action status. Issues from PAIR-eligible clients regarding voting access issues were served under the Protection and Advocacy for Voting Access (PAVA) grant. Case Summaries: 1) A PAIR-eligible individual sought several physician-prescribed services as a Medicaid beneficiary, including compression socks, special shoes and a hospital bed, all of which were denied coverage by Medicaid. DRA filed an appeal with the Arkansas Department of Human Services, Office of Appeals and Hearings, on the client's behalf. Arkansas Medicaid subsequently approved the shoes and the compression socks, and DRA worked with the medical services provider to submit an updated request for the hospital bed, which was ultimately approved. 2) A PAIR-eligible client receiving services through one of Arkansas' Medicaid Waiver programs experienced a reduction in the number of attendant care services hours she received as a result of a reevaluation. A DRA attorney attended a hearing on the client's behalf, during which an offer was made to settle the dispute by supplementing the client's attendant care hours with respite care hours, which the client chose to accept as a resolution of her appeal. 3) A PAIR-eligible individual experiencing diabetes-induced dementia was placed in a nursing home after his son obtained full guardianship of him. Upon regaining his mental capacity, the client became aware of his altered guardianship status, and expressed the desire to be declared competent again and be discharged to a community setting. A DRA attorney provided advice to the client and facilitated contact between the client and the appropriate medical professionals to secure the evidence needed to prove the termination of the guardianship was warranted. The guardianship was ultimately terminated by the court. 4) A PAIR-eligible individual who uses a wheelchair found the location of his local prosecuting attorney's office inaccessible due to the lack of any accessible parking spaces, and further discovered that a ramp leading to the front entrance was routinely blocked by a truck. DRA contacted the prosecutor to explain the accessibility issues, whereupon the prosecutor requested a copy of the ADA requirements for parking lots. The prosecutor then worked with a contractor to have the parking lot marked with accessible parking spaces (including van accessible parking), which effectively marked off the area the truck had been using that resulted in the ramp being blocked. 5) A PAIR-eligible client contacted DRA regarding a restaurant located in a strip mall that was inaccessible due to a lack of accessible parking spaces as well as a patio

build-out that contributed to accessibility issues. DRA worked with the business on the accessibility issues until the owner of the restaurant addressed the issues by providing a wider access aisle, a ramp, and signage denoting an accessible parking space, thereby ensuring compliance with ADA standards for accessible parking. 6) A PAIR-eligible individual contacted DRA for assistance after he was rebuffed when he requested a local private college provide an interpreter for a public event. They offered the client a front row seat for the event and stated he could provide his own interpreter, but they were not required to provide one for him because he is not one of their students. A DRA attorney contacted the college's general counsel, after DRA was advised by the person in charge of the event that she had consulted with their human resources staff, as well as counsel, and maintained the college was not responsible for providing an interpreter. DRA received a response from the college, within just a few hours of reaching out to their general counsel, to the effect that the college would indeed be providing an interpreter for this client for the event he wished to attend. 7) A PAIR-eligible individual contacted DRA about being denied entry to a county courthouse because of his service animal. DRA contacted the courthouse and advised the supervisor of bailiffs regarding the laws concerning service animals and provided him with a United States Department of Justice fact sheet about service animals, to be circulated among courthouse staff. The client was advised he would be admitted to the courthouse with his service animal.

Priority 3: EMPLOYMENT- Individuals with disabilities will have access to vocational rehabilitation services, employment and post-secondary education. Objectives: Promote meaningful access to vocational rehabilitation services and supports needed for competitive employment in the community, improve access to reasonable accommodations needed to obtain, maintain, or return to competitive employment in the community, and improve access to reasonable accommodations needed for post-secondary education. Need/Issue/Barrier: Meaningful employment is very important to many individuals with disabilities living in the community. Any impediments to accessing vocational rehabilitation services, or to acquiring reasonable accommodations at the post-secondary level or in a workplace setting, can significantly limit an individual's potential to be self-supporting and otherwise successful in a community setting. DRA finds that individuals in Arkansas do sometimes have difficulty securing needed accommodations in employment and post-secondary settings, and are sometimes unable to access the full scope of vocational rehabilitation services, primarily due to a lack of knowledge on the part of the individual about their rights. PAIR determines a successful outcome based on whether the complaint of the individual was substantiated and remedied, and the risk of recurrence reduced. Collaborative efforts: PAIR works with other advocacy groups as appropriate to ensure an efficient use of PAIR resources, and also attempts to resolve the issue for the client by providing technical assistance and empowering them to self-advocate, or by intervening at the lowest level possible to resolve the issue. Sixteen service requests were handled for 16 clients under this priority in fiscal year 2017; nine involved reasonable accommodations in employment and seven involved accommodations in post-secondary educational settings. Requests involving vocational rehabilitation services were generally handled under the CAP grant. Case summary: A PAIR-eligible individual contacted DRA about being terminated from her employment with the state of Arkansas for the alleged improper use of an accessible parking place because she did not have a placard on display. A DRA attorney represented the client in an administrative review hearing and in front of a State Employee Grievance Appeal panel. The client's termination was overturned, the client was reinstated, her position was restored, she was provided back pay and benefits, and she was allowed to transfer to another state agency of her choice.

Priority 4: EDUCATION- Youth with disabilities will have access to a free appropriate public education in the least restrictive environment and to transition planning and services. Objectives: Ensure that youth with disabilities are identified and not excluded

from school in response to behaviors related to their disability, ensure that youth with disabilities are provided with an education in the least restrictive environment appropriate to meet their needs, ensure that youth with disabilities have access to meaningful transition evaluation, planning, and services as part of their public education, and reduce the use of harmful restraint and seclusion of youth with disabilities in educational settings.

Need/Issue/Barrier: the educational system in Arkansas continues to fall short in meeting the needs of students with disabilities in the public school system, particularly with regards to exclusion from school in response to behaviors that are a manifestation of their disability but are not identified as such, the under-identification of students in need of specialized services, placements in more restrictive environments than necessary and appropriate to meet the students' needs, and a lack of meaningful transition services. The primary barrier to ensuring all eligible students receive appropriate services is the overwhelming number of requests for services both DRA and the Parent Training Information Center (PTI) receive. PAIR determines a successful outcome based on the appropriate identification of students in need of services, on the return to a school setting with appropriate services for students who have been excluded from school, and on the placement of students in lesser restrictive settings than the placement of the students at the time assistance was requested from DRA.

Collaborative efforts: PAIR works with other advocacy groups as appropriate to ensure an efficient use of PAIR resources, including the PTI. Also, PAIR attempts to resolve issues for students by empowering their parents/guardians to knowledgeably advocate on their behalf. DRA handled 21 service requests for 21 clients under this priority in fiscal year 2017; eight involving placement in the least restrictive environment, 10 regarding lack of identification or exclusion due to behaviors, one involving restraint/seclusion, and two involving transition issues.

Case Summaries: A parent of a PAIR-eligible student requested assistance from DRA because the student was being excluded due to behaviors, and had not been identified as eligible for special education services. DRA assisted the student's parent with requesting and receiving an evaluation and testing to confirm the student does have disabilities and is in need of services. DRA also attended meetings to assist the parent and the interdisciplinary team with developing an individualized education program (IEP) and a behavior intervention program (BIP) to address the student's behaviors that led to his being excluded from school. A parent of a PAIR-eligible student contacted DRA about an incident in which the 11-year-old student was restrained at school by two male staff, then handcuffed and taken to the police department. The student did have an IEP and a BIP; however, the parent stated the BIP is ineffective and was not followed for the situation that led to the restraint. DRA assisted the parent by participating in subsequent meetings with the IEP team and school officials to advocate for the development and implementation of an appropriate IEP and BIP. Following the meetings to address this incident and the lack of appropriate programming for the student, more appropriate plans were developed and implemented.

B. Priorities and Objectives for the Current Fiscal Year

Please include a statement of priorities and objectives for the current fiscal year (the fiscal year succeeding that covered by this report), which should contain the following information:

1. a statement of each priority;
2. the need addressed by each priority; and;
3. a description of the activities to be carried out under each priority.

Priorities and Objectives for Fiscal Year 2018
Priority 1: Abuse, Neglect, and Exploitation
Objective 1: Individuals with disabilities will be free from abuse, neglect, and exploitation.
Objective 2: Individuals with disabilities shall be free from restraint and seclusion.
Priority 2: Community Integration
Objective 1: Individuals with disabilities will have access to community-based services.
Objective 2: Individuals with disabilities who are being discharged or transferred from facilities and institutions will have access to adequate supports and services in the community.
Objective 3: Individuals with serious mental health conditions will have timely access to behavioral health services.
Objective 4: Individuals with disabilities will have the right to make their own decisions through the use of supported decision-making and other alternatives to guardianship.
Priority 3: Access
Objective 1: Individuals with disabilities will have architectural access to public and private facilities and programs.
Objective 2: Individuals with disabilities will have access to assistive technology to maintain and/or increase functional capabilities.
Objective 3: Individuals with disabilities will have access to effective communication.
Objective 4: Individuals with disabilities will have the right to be supported by service and emotional support animals in relevant settings.
Objective 5: Individuals with disabilities will have access to polling sites and accommodations needed to ensure their ability to vote.
Priority 4: Education
Objective 1: Students with disabilities will be provided with a free appropriate public education in the least restrictive environment.
Objective 2: Students with disabilities will receive accommodations, health plans, and nursing services needed to ensure their safe participation in a free appropriate public education.
Objective 3: Students with disabilities that impact their behavior who are being suspended, expelled, arrested at school, or placed in a restrictive setting will receive a free appropriate public education in the least restrictive environment.
Objective 4: Students with disabilities will have access to meaningful, non-discriminatory graduation opportunities, including diplomas, and will receive adequate transition planning and services from school to post-secondary settings.
Objective 5: Students with disabilities will have access to reasonable accommodations in post-secondary educational settings.
Priority 5: Employment
Objective 1: Individuals with disabilities will have access to vocational rehabilitation services.
Objective 2: Individuals with disabilities will be free from discrimination in employment and have access to competitive employment in the community.
Objective 3: Individuals with disabilities will receive reasonable accommodations in employment.
Objective 4: Individuals with disabilities in community rehabilitation programs will receive supported employment services.
Priority 6: Self-Advocacy/Training
Objective 1: Individuals with disabilities and the general public will have knowledge about the legal rights of individuals with disabilities.
Objective 2: Individuals with disabilities will learn to become effective self-advocates.
Objective 3: Individuals with disabilities will be able to exercise their right to vote.

Part VI. Narrative

At a minimum, you must include all of the information requested. You may include any other information, not otherwise collected on this reporting form that would be helpful in describing the extent of PAIR activities during the prior fiscal year. Please limit the narrative portion of this report, including attachments, to 20 pages or less.

The narrative should contain the following information. The instructions for this form outline the information that should be contained in each section.

- A. Sources of funds received and expended
- B. Budget for the fiscal year covered by this report
- C. Description of PAIR staff (duties and person-years)
- D. Involvement with advisory boards (if any)
- E. Grievances filed under the grievance procedure
- F. Coordination with the Client Assistance Program (CAP) and the State long-term care program, if these programs are not part of the P&A agency

A. Carryover from FY16: \$128,297.52 2017 Grant Funds: \$171,598.00 Funds expended in FY17: \$206,870.81 Carryover to FY18: \$93,024.71 B. Budget: Disability Rights Arkansas, Inc. Statement of Revenues and Expenditures - FY2017 Budget- Budget- Original Revised YTD-Actual Expenditures Gross Wages 91,052.00 120,484.00 122,311.28 FICA Taxes 6,989.00 9,301.00 9,163.46 403 B Contribution 6,237.00 11,728.00 5,229.27 Health Insurance Exp 7,849.00 10,925.00 10,454.23 Dental Insurance Exp 717.00 1,038.00 989.03 AD&D,Life,Disability 1,374.00 1,773.00 1,505.41 Employee Benefit-Other 236.00 307.00 306.83 Contract/Service Labor 3,003.00 3,336.00 3,171.83 Exhibit/Outreach 177.00 150.00 104.43 Lease-Equipment 1,870.00 1,583.00 1,542.06 Legal Expense-Agency 356.00 672.00 666.35 Litigation Exp.-Filing Fees 177.00 984.00 1,040.80 Litigation 1,184.00 400.00 0.00 Litigation Exp.-Travel 415.00 970.00 1,328.12 Membership/Dues 1,225.00 699.00 904.32 Office Supplies 1,420.00 1,961.00 1,723.95 Office Supplies-Equipment 473.00 1,250.00 1,086.88 Postage 272.00 369.00 386.50 Printing/Publications 948.00 500.00 551.57 Professional Serv. Fees 2,844.00 2,489.00 2,503.14 Professional Licenses 86.00 158.00 188.60 Professional 867.00 510.00 382.23 Dev-Registration Professional Dev-Travel 377.00 363.00 285.21 Professional Dev-Meals 79.00 68.00 47.20 Rent-Building 10,422.00 13,420.00 13,427.32 Subscriptions 2,950.00 3,039.00 3,502.38 Travel-Advocate 1,657.00 1,400.00 1,470.90 Utilities-Telephone 1,222.00 1,359.00 1,379.01 Utilities-Internet/cable 464.00 702.00 599.33 Board-Registration 164.00 164.00 0.00 Board-Travel 823.00 937.00 772.13 Board-Meals 292.00 656.00 604.40 Board-Supplies 30.00 0.00 0.00 Board-Training 590.00 0.00 0.00 Total Expenditures 171,598.00 171,598.00 206,870.81 Revenues over (under) 0.00 0.00 0.00 Expenditures C. Description of PAIR staff: Professional staff- 15 staff consisting of attorneys, advocates and directors. Due to staff turnover, there were essentially 13 staff working in PAIR throughout the year. As DRA works in issues teams across grants, these staff had a combined FTE of 2.64 staff, and 5.6 years in the P&A system. DRA employed a part-time student for part of the year, who spent 18% of his time in PAIR. Clerical staff: DRA has two full-time clerical staff, and one part-time staff. The part-time staff was hired in the last quarter of the fiscal year. The combined FTE for clerical staff was .4 (almost half of one FTE), with 2.5 years in the P&A system. D. Involvement with any advisory boards: N/A DRA does not have a PAIR advisory board. E. Grievances: PAIR received four grievances in FY17; three were handled by the legal director and one was handled by DRA's executive director. 1) A state prison inmate filed a grievance regarding DRA not

assisting him with the Arkansas Department of Corrections (ADC) refusing to administer a particular medication in crushed form. DRA's legal director requested more information from the client, which he provided. The legal director validated the grievance, and DRA reopened the client's case and assigned it to a DRA attorney for further review and possible representation. 2) A state prison inmate filed a grievance regarding DRA not addressing to his satisfaction, and not communicating with him sufficiently about, issues regarding medication administration and accessibility issues within the prison. The DRA legal director responded in a letter to the client to the effect that, while DRA did communicate with him regarding decisions DRA had made in how to address his issues, his complaint about a lack of consistent communication was a valid point, and DRA would also follow up further on his complaint about accessibility issues at the prison. 3) A student at a state university filed a grievance regarding DRA's decision not to represent him in a discrimination lawsuit against the university for failure to accommodate his disabilities. Agency legal staff had determined that some of his claims were not viable due to his failure to clearly request accommodations, and determined that DRA was not willing to pursue litigation for client. DRA's legal director determined the grievance was unfounded, as the client simply disagreed with DRA's legal assessment of his case. 4) The mother of a public school student filed a grievance regarding DRA's decision to not provide assistance in obtaining a new evaluation and modifications to her son's individualized education program (IEP). This client is a client that DRA has assisted multiple times over the past several years. DRA's executive director reviewed this service request and past cases where DRA had assisted the client, and also spoke with legal staff regarding the decision to not represent the client in this particular endeavor. The grievance was determined to be unfounded, based on the mother's current goals being incompatible with not only previous positions she had taken (particularly regarding least restrictive environment placement issues), but with DRA's position that a student be placed in the least restrictive environment compatible with the student's needs. The executive director also determined that the service request did not clearly fit within the agency's priorities and goals. F. Coordination with CAP and OLTC: Arkansas' Office of Long Term Care (OLTC) is not housed within DRA, but is part of the state Department of Human Services (DHS). However, the PAIR program frequently refers callers to OLTC when appropriate, and also occasionally receives calls from clients who were referred to DRA by OLTC. DRA receives long-term-care facility surveys and deficiency reports from OLTC, as well as immediate jeopardy findings, and communicates with OLTC about these reports as appropriate. The Client Assistance Program (CAP) is housed within DRA, and all CAP and PAIR casework and systemic advocacy is reviewed by the legal director.

Certification

Signed? Yes
Signed By Susan Pierce
Title Director of Policy and Planning
Signed Date 12/21/2017