

PROTECTION and ADVOCACY for BENEFICIARIES of SOCIAL SECURITY (PABSS)

ANNUAL PROGRAM PERFORMANCE REPORT

REPORTING PERIOD: From 10/1/2016 To 9/30/2017

GRANT AWARD NUMBER: 6 PAB13020301-01-07

STATE: AR

AGENCY NAME: ARKANSAS - Disability Rights Arkansas, Inc.

**AGENCY ADDRESS: 400 West Capitol Avenue, Suite 1200
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DATE SUBMITTED: 10/23/2017 11:35:07 AM

Part I - Quantitative Statistics

Section A: Information and Referral

1. How many individuals received Information and Referral under the PABSS program during the Report Period? (Do not count individuals more than once for this response.)

Individuals Receiving I&R	25
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2. How many Information and Referral requests were made under the PABSS program during the report period? (Include all I&R requests, even if more than one for some individuals. This number should equal or exceed Section A. 1.)

Information and Referral Requests	25
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Section B: Individuals and Issue Area Service Requests/Workload Statistics

1. Individuals

a. How many individuals had open PABSS issue area service requests at the start of the report period?	1
b. How many new PABSS individuals were added during the report period?	18
Total Individuals Served	19
c. Total number of individuals with all issue area service requests that were closed during the report period under the PABSS program	11
Total Individuals Still Being Served	8

2. Services

a. Total PABSS issue area service requests open at the start of the report period.	1
b. Number of new PABSS issue area service requests added during the report period?	19
Total Services	20
c. Total number of issue area service requests closed during the report period?	12
Total Services Still Open	8

Section C: Individual Demographics

1. Please provide counts of individuals served by Gender:

a. Male	12
b. Female	6
Total individuals receipted	18

2. Please provide counts of individuals served by Ethnicity:

a. Alaskan Native	0
b. American Indian	0
c. Arab American (Middle Eastern)	0
d. Asian	0
e. Black (Not Hispanic/Latino Origin)	7
f. Hispanic/Latino	0
g. Multi Racial / Multi Cultural	0
h. Pacific Islander	0
i. White (Not Hispanic/Latino Origin)	11
j. Unknown	0
Other (IF SELECTED MUST SPECIFY)	0
Total individuals receipted	18

3. Please provide counts of individuals receipted by Age Bracket:

a. 14 to 18	10
b. 19 to 21	3
c. 22 to 40	4
d. 41 to 59	1
e. 60 to 64	0
Total individuals receipted	18

4. Please provide counts of individuals receipted by Beneficiary Status.

a. SSI eligible	14
b. SSDI eligible	2
c. Dually eligible	2
Total individuals receipted	18

5. Please provide counts of individuals receipted by Primary Disability:

a. Absence of extremities	0
b. Autism	2
c. Auto-immune (lupus, thyroid, ALS, etc.)	0
d. Blindness (both eyes)	1
e. Cancer	0
f. Cerebral palsy	3
g. Deaf-blind	0
h. Deafness	0
i. Diabetes	0
j. Digestive disorders (chronic pancreatitis, esophageal stricture, fistulae, chronic liver, etc.)	0
k. Epilepsy	0
l. Genitourinary conditions (kidney, prostate, etc.)	0
m. Hard of Hearing (not deaf)	0
n. Heart and other circulatory problems including cardiovascular	0
o. HIV/AIDS	0
p. Mental illness (diagnosis according to DSM-IV)	2
q. Mental retardation	4
r. Multiple sclerosis	0
s. Muscular dystrophy	0
t. Muscular / Skeletal impairment (arthritis, fibromyalgia, osteogenesis imperfecta, osteomyelitis, etc.)	1
u. Neurological disorders (brain tumors, convulsive disorders, Parkinson, etc.)	1
v. Other emotional/behavioral (Provide detail)	0
w. Other intellectual such as ADD/ADHD (Provide detail)	1
ADD/ADHD	1
x. Physical / orthopedic including spinal cord injuries, paraplegia, quadriplegia, back problems, etc.	1
y. Respiratory disorders (emphysema, asthma, pulmonary hypertension, cystic fibrosis, etc.)	0
z. Specific learning disabilities (SLD)	1
aa. Speech impairment	0
bb. Spina bifida	0

cc. Substance abuse (alcohol or drugs)	0
dd. Tourette syndrome	0
ee. Traumatic brain injury (TBI)	1
ff. Visual Impairment (not blind)	0
gg. Disability not known/Other than Above (Specify)	0
Total individuals received	18

Section D: Major Source of Concern

Please Provide counts of all PABSS issue are service request receipts by major source of individual's concern for the current report period:

1. State Vocational Rehab Agency (public VR program)	1
2. Employment Networks (SSA contractor)	0
3. Agencies other than 1. or 2. above	0
4. Employment discrimination – hire, fire, promotion	0
5. Employment wages and benefits	0
6. Housing	0
7. Healthcare (not 5 above)	1
8. Insufficient/improper benefits planning	0
9. Transition services (Student beneficiary between 14-18 (or under age 22) engaging/needing a transition plan)	12
10. Post Secondary accommodation	3
11. Transportation	0
12. Social Security benefits cessation based on SGA (including CDR's) – not Overpayment	0
13. Benefits Questions/Work Incentives – Not 12 or 14	1
14. Work Related Overpayment	0
15. Other (IF SELECTED MUST SPECIFY)	1
Guardian was preventing client from moving and getting a job	1
Total issues/service requests of individuals received.	19

Section E: Closed Issue Area Service Requests

1. What was the problem/sub-problem area?

a. [AT] Assistive Technology	1
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b. [Education] Transition school to work	5
c. [Employment] Discrimination in employment benefits	0
d. [Employment] Discrimination in hiring	0
e. [Employment] Unlawful termination / firing	0
f. [Employment] Other employment discrimination	1
g. [Employment] Reasonable accommodation – not d, e, or f from above	0
h. [Employment] Service provider issues – not c-g above	1
i. [Employment] Wage and hour issues	0
j. [Financial Entitlements] SSI: Overpayments based on work issues	0
k. [Financial Entitlements] SSDI: Overpayments based on work issues	0
l. [Financial Entitlements] (other) – Specify	0
m. [Healthcare] Medicaid only issues	1
n. [Healthcare] Medicare/Medicaid issues	0
o. [Healthcare] Medicare only issues	0
p. [Healthcare] Private Insurance Issues	0
q. [Housing] Accommodations in housing	0
r. [Housing] Subsidized housing/Section 8	0
s. [Housing] Rental termination – not q .	0
t. [Housing] Other – Specify	0
u. [Childcare]	0
v. [Rehab Services] Related to State VR	0
w. [Rehab Services] Related to Employment Network (EN)	0
x. [Rehab Services] Related to Agencies other than State VR or Employment Network (EN)	0
y. [Post-Secondary Ed] Accessibility	0
z. [Post-Secondary Ed] Funding issues	1
aa. [Post-Secondary Ed] Grievance Against College – Not y or z above	1
bb. [Post-Secondary Ed] Other – Specify	0
cc. [Services] Personal assistance – not Employment	1
dd. [Transportation]	0
ee. [Benefits Planning] referral / access to BPAO services	0
ff. [Other] (IF SELECTED MUST SPECIFY)	0
Total closed issue area service requests.	12

2. What was the reason for closing the individual's issue area service request?

a. Issue Resolved in Individual's Favor	10
b. Issue Partially Resolved in Individual's Favor	1
c. Issue Lacked Legal Merit	1
d. Individual decided not to pursue resolution or Individual Withdrew Complaint (Not e-g below)	0
e. Other Representation Obtained (Individual found other representation)	0
f. Individual Not Responsive to Agency / Individual refused to cooperate with P&A	0
g. Services Not Needed Due to lost contact, Death, Relocation, etc.	0
h. Advocacy efforts/appeals were unsuccessful (Issue not resolved in Individual's Favor)	0
i. Other (IF SELECTED MUST SPECIFY)	0
Total closed issue area service requests.	12

3. What was the highest intervention strategy used?

a. Short Term/Technical assistance	8
b. Informal Resolution	0
c. Investigation/Monitoring	0
d. Negotiation	2
e. Mediation / Alternative Dispute Resolution	0
f. Administrative Remedies	1
g. Legal remedy / Litigation	1
h. Class Action Suits	0
i. Systemic / Policy activities	0
Total closed issue area service requests.	12

4. As a result of P&A intervention, the following major outcome was achieved:

a. Individual gained / maintained access to services including those of VR, EN or other agency	7
b. Individual obtained employment	1
c. Individual regained employment	0
d. Individual maintained employment	1
e. Individual advanced in employment	0

f. Individual's employment opportunities increased	1
g. Individual obtained an increase in salary and/or benefits	0
h. Validity of discrimination complaint was upheld	0
i. Overpayment situation addressed (it doesn't matter if it was waived or the efforts weren't successful)	0
j. Individual acquired knowledge concerning his/her rights	2
k. Outcome information is not available	0
l. Other outcome (IF SELECTED MUST SPECIFY)	0
Total outcomes of closed issue area service requests.	12

Part II - Narrative Reporting

Section A: Description of Progress and Status Update

Please provide a brief overview of overall project status, staff changes, staff training or other major developments with regard to the PABSS program. This could include information about boards and committees where decisions are made concerning disability service delivery and local policy.

One project DRA has initiated that will impact the PABSS program is our outreach to students of transition age (14-18). As we work with school districts, vocational rehabilitation services and other stakeholders to ensure timely and meaningful access to transition services, we are also educating clients about our PABSS services and the WIPA program in Arkansas. The hope is that, by fostering and promoting awareness at the transition level, the reliance on sheltered workshops and/or other segregated environments will naturally subside.

Regarding staff changes, DRA has two new staff, an advocate and an attorney, who recently attended PABSS training; we do not anticipate any other staff will require PABSS training in the next fiscal year. While not utilizing PABSS resources for attendance, DRA serves on the State Rehabilitation Council and the Employment First Task Force, two committees that both directly and indirectly advance the aims of the PABSS program.

Section B: Detail of Actions Taken on the Project

1. Issue Area Service Requests Summaries: [Please provide summaries of three Issues/Service Requests undertaken as part of the PABSS project. Indicate clearly the issue or problem, the PABSS intervention, and the results if known]

A PABSS-eligible client who is quadriplegic due to a spinal cord injury requested DRA's assistance with obtaining additional supplies of a particular type of catheter. He is a 21-year-old junior at a state university who had previously secured an adequate supply of catheters through Arkansas' Early Periodic Screening Diagnosis and Treatment (EPSDT) program; however, upon turning 21, he began receiving a limited supply of catheters due to Arkansas Medicaid's imposition of a \$250 per month benefit limit on catheters. Eventually, Medicaid began denying the claim in its entirety, due to the removal of that catheter from the list of covered supplies. The catheters that

Arkansas Medicaid does cover require more frequent catheterizations, which increase exposure to urinary tract infections; furthermore, the client's home health services would have to be increased, as he is unable to insert these catheters himself, unlike the preferred all-in-one catheters. DRA staff assisted the client with temporarily securing an appropriate supply of the desired catheters (as the Medicaid denials had resulted in the client being perilously close to running out of catheters) while working to amend the client's Individual Plan for Employment (IPE) through Arkansas Rehabilitation Services to provide for the client's catheter of choice. The amendment was approved and implemented, resulting in the client maintaining his level of independence to complete his college degree and subsequently secure employment.

A PABSS-eligible client with a mental illness who was attending community college was barred from the campus due to some behaviors he exhibited, and an administrative hold was placed on his account, preventing re-enrollment. The client requested DRA's assistance with removal of the hold on his account, so that he could either re-enroll or receive a copy of his school transcript for enrollment in a different college/university. A DRA attorney secured the client's college records, as well as records from his mental health provider, and communicated with the college regarding releasing the administrative hold. The client subsequently received a letter from the college notifying him the holds had been removed, and the client can now re-enroll and/or receive an official transcript to transfer to another academic institution, meaning he can complete his education and secure employment.

A PABSS-eligible individual with autism requested assistance from DRA due to his school attempting to graduate him rather than allowing him to return to school the following year, despite his being 19 years old and eligible for continuing educational services. DRA legal staff represented the client in an IDEA due process action against the school district, and resolved the complaint through a settlement agreement. The client was therefore able to retain his special education eligibility for an additional year, and the school district agreed to provide appropriate transition services and programming for the client, as appropriate transition services are imperative to a student moving to post-secondary education, job training, and/or employment.

2. Outreach Statistics:

Total Number of Outreach/Presentations	18
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Total Number of Persons Reached by Outreach/ Presentation Events	760
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3. Other Information Dissemination Activities: (Number of Instances)

1. Radio/TV appearances by PABSS staff	0
2. Newspaper/Magazine/Journal articles prepared by staff	0
3. PSAs/videos/films aired by the Agency	0
4. Reports disseminated	0
5. Publications/Booklets/Brochures disseminated	3558
6. Number of Website hits	27000
7. Other media activities (IF SELECTED MUST SPECIFY)	31328
Facebook: 3597 followers and Twitter: 731 followers	4328
Website hits are approximate, as we could not obtain analytics back to Oct 2016	27000

4. Outreach Narrative: [Describe the agency's outreach efforts. Describe the trainings presented by the staff including information about the topics covered, the purpose of the training, and a description of the attendees. Describe media events, informational materials developed or other activities undertaken as part of the PABSS project.]

Disability Rights Arkansas (DRA) participated in 68 events in which 3,558 PABSS brochures were disseminated. These 68 events included one education training, one facility investigation, 41 monitoring projects (of sheltered workshops), 20 outreach events (in which DRA was a vendor/exhibitor), and five events in which DRA presented agency information at a training event.

The education training event involved providing information about DRA's services (including PABSS) for families and social workers at the Little Rock Air Force Base. The sheltered workshop projects involved visiting all workshops in the state that hold current 14(c) certificates issued by the U. S. Department of Labor. Individuals with disabilities employed at these workshops were informed about supported employment services and other employment opportunities, and received a PABSS brochure and information about how the PABSS program could assist them. The outreach events included two community college wellness fairs, a low-income advocates leadership and community development conference, a community health centers of Arkansas conference, transition conferences, two conferences for people with brain injuries, and several visits to Arkansas Rehabilitation Services field offices to inform and educate

rehabilitation counselors about DRA's CAP and PABSS programs.

The majority of attendees (at the visits to sheltered workshops, for instance) were people with disabilities who receive disability benefits and need to be informed about avenues available to return to work. Some events were geared towards professionals, such as rehabilitation counselors, therapists, and social workers, who can share information about the PABSS program and DRA's services with their patients and clients.

Section C: Problems Encountered and Steps Taken to Resolve Problems

Problems encountered and steps taken to resolve problems: [Please provide detail information about problems encountered in implementing or administering the PABSS program and actions you have taken to resolve the problems you encountered.]

DRA continues to receive numerous calls requesting overpayment assistance, although this is lessening, likely due to DRA's consistent referral of these requests to the Work Incentives Planning and Assistance (WIPA) program. Another ongoing issue is the extent to which Arkansas continues to rely on sheltered workshops and institutionally-based services. DRA attempts to address this issue by promoting the concept of full integration into the community for people with disabilities, and worked hard in FY2017 to visit all of the state's sheltered workshops to visit with people receiving services and ensure they were aware of supported employment and rehabilitation services. During part of FY2017, DRA probably limited the breadth of cases more than the PABSS regulations would require, an issued resolved through training of DRA staff by National Disability Rights Network (NDRN) PABSS staff.

Section D: Planned Future Activities

Planned activities: [Please provide activities you plan to undertake to further the objectives of the PABSS project.]

DRA has made no substantial changes from last year's plan. We will to continue monitor facilities that provide segregated employment services and educate clients of these programs about supported employment and other rehabilitation services that would provide a path towards integrated employment opportunities. DRA worked in

FY2017 to strengthen transition services for 14-18 year olds, through individual advocacy as well as through opportunities to train individuals and groups, and we do plan to place an increased emphasis on transition services for this age group in FY2018, as we have identified weaknesses in the provision of transition services in numerous school districts. DRA will continue to assist individuals with accommodation needs in the workplace, through both providing information and education for individuals to self-advocate and through direct representation. We anticipate creating an easy-to-understand fact sheet of frequently asked questions (FAQ), pending Social Security approval, to dispel common myths that perpetuate a reluctance to obtain meaningful employment while receiving social security benefits. DRA will also continue to utilize social media to provide information and education about transition services, employment discrimination, and reasonable accommodations, as well as resources to address barriers to employment and other relevant information to assist people with disabilities who wish to work.

Section E: Diversification Activities

Diversification activities: [Please provide a description of activities undertaken to address the needs of individuals with disabilities from diverse ethnic and racial communities.]

DRA continues to provide PABSS brochures and related materials in Spanish, and DRA conducted outreach to people receiving services in sheltered workshops across the state, including those facilities located in the Arkansas Delta region and other ethnically and racially diverse communities.