

Quarterly Report

FY 2024, Quarter 3

April 1, 2024 - June 30, 2024

Prepared for Mental Health Advisory Council (MHAC) Meeting August 21, 2024

and

Indiana Protection and Advocacy Services (IPAS)
Commission Meeting
August 23, 2023

Our Mission

To uphold, promote, and advance the rights of individuals with disabilities through empowerment and advocacy to achieve a more equitable society.

Equity Through Advocacy

The Protection and Advocacy System for the State of Indiana

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Executive Director's Report

Key Updates

- IDR's Executive Director was nominated to serve on the Indiana State Bar Association's Board of Governors. The two-year term will begin in October, 2024.
- IDR staff continue to navigate the many changing state processes for travel, IT, and administration support.
- Federal funding for FFY 2025 will likely be level funded and under a continuing resolution through the November election.

GOAL 1: IDR will comply with all state and federal reporting and financial processes.

- See the fiscal report for information on current grant balances and budget.
- IDR successfully submitted all financial reports to federal funders.
- IDR successfully completed all requirements for state fiscal compliance.
- IDR is working towards having multiple staff approved to access information at both the state and federal levels.
- IDR submitted the Rep Payee 2025 and PABSS applications and has started working on the PAIMI 2025 application.

GOAL 2: IDR will leverage opportunities to increase its capacity.

- A federal budget for FFY 2024 has been approved and IDR has received its FFY 2024 final allocations.
- IDR is exploring funding opportunities with additional federal grants.
- IDR submitted a budget request to SBA for SFY 2026 and 2027. The requests were to increase the amount allocated to our current services and to propose funding for new services.

GOAL 3: IDR will ensure its policies and processes are equitable, transparent, and accessible.

- State Personnel is reviewing IDR's Advocate and Advocate Supervisor positions to determine if they are properly classified. The results of that audit could result in staff being reclassified.
- IDR staff will receive training at the August all-staff meeting to refresh on state policies and processes.

GOAL 4: Executive Director will support implementation of the Commission's strategic plan and agency priorities and objectives.

- IDR's ED supports the staff, Commission, and MHAC through direct supervision, technical assistance, connection to community resources, and ensuring proper allocation of IDR resources.
- Project-specific updates are included throughout this report.



• IDR has developed its 2025-2027 priorities and objectives through surveys, small group discussions led by peers with disabilities, and monitoring interviews. The proposed priorities and objectives will be reviewed by IPAS and MHAC members for approval with implementation planned to start in FFY 2025.



Diversity, Equity, and Inclusion Report

GOAL 1: IDR will provide services to more people with disabilities from black, indigenous, and communities of color.

- IDR met its goal to ensure the inclusion of people from racial and language minority groups in the collection of P&O feedback. Thirty-one (31%) percent of respondents identified themselves as from a racial minority and 10% identified themselves as from a language minority group.
- IDR's Executive Director completed the Indiana State Bar Association
 Leadership Academy, which brings lawyers from across the state together in
 different regions of the state to learn more about issues impacting those
 communities. From that program, the ED was connected to several organizations
 outside of IDR's network of established partners and connections. The ED is
 developing a plan for connecting with several organizations to expand IDR's
 reach into underserved communities.
- See below for client demographic data (tables of quarter and year to date).
- IDR staff will receive training from the Peace Learning Center at the August All-Staff meeting. The training will cover identity, communication, and conflict.

GOAL 2: IDR staff, the IPAS Commission, and MHAC membership will reflect the broad diversity of Indiana.

- IDR hired one (1) new staff this quarter with one additional position currently open. The new staff, Logan McCullough, will work as an advocate on the Employment Team. There is a vacancy for a litigation paralegal.
- The IPAS Commission welcomes two new members, James Nichols and Christy Huston.
- IDR's ED met with staff from two organizations that could be a source of recruitment for students with disabilities interested in social work, legal advocacy, or other employment opportunities that IDR may have.

GOAL 3: IDR will strengthen its relationships with advocates and organizations led by people with disabilities, people from marginalized communities, and people with lived experiences.

- ED met with two people with disabilities to support their interest in disability rights.
- ED advocated for greater inclusion of people with disabilities on a local advisory group.
- As part of the ED's work with the Indiana Advisory Council to the U.S.
 Commission on Civil Rights, IDR was connected with several national advocacy groups led by and representing marginalized communities.



Client Demographics

Hispanic Ethnicity Demographics

| | Q1 Count | Q1 Percent | Q2 Count | Q2 Percent | Q3 Count | Q3 Percent | Q4 Count | Q4 Percent | Total Count | Total Percent |
|-----------------|-------------|---------------|-------------|---------------|-------------|---------------|-------------|---------------|----------------|------------------|
| | 1 | | | | | | | | | |
| Hispanic | 5 | 2% | 5 | 3% | 9 | 4% | | | 19 | 3% |
| Not Hispanic | 203 | 97% | 156 | 96% | 207 | 95% | | | 566 | 96% |
| Unknown | 1 | 0% | 2 | 1% | 2 | 1% | | | 5 | 1% |
| Total | 209 | | 163 | | 218 | | | | 590 | |

Figure 1 – Client Hispanic Ethnicity Demographics

Gender/Sex Demographics

| | | | | <u> </u> | <u> </u> | <u> </u> | | | | |
|---------|-------------|---------------|-------------|---------------|-------------|---------------|-------------|---------------|----------------|------------------|
| | Q1 Count | Q1 Percent | Q2 Count | Q2 Percent | Q3 Count | Q3 Percent | Q4 Count | Q4 Percent | Total Count | Total Percent |
| | | | | | | | | | | |
| Female | 79 | 38% | 55 | 34% | 84 | 39% | | | 218 | 37% |
| Male | 129 | 62% | 104 | 64% | 130 | 60% | | | 363 | 62% |
| Other | 0 | 0% | 0 | 0% | 0 | 0% | | | 0 | 0% |
| Unknown | 0 | 0% | 0 | 0% | 0 | 0% | | | 0 | 0% |
| Blank | 1 | 0% | 4 | 2% | 4 | 2% | | | 9 | 2% |
| Total | 209 | | 163 | | 218 | | | | 590 | |

Figure 2 – Client Gender/Sex Demographics



Race Demographics

| | | | | tuce Bell | gp | | | | | |
|---|-------------|---------------|-------------|---------------|-------------|---------------|-------------|---------------|----------------|------------------|
| | Q1 Count | Q1 Percent | Q2 Count | Q2 Percent | Q3 Count | Q3 Percent | Q4 Count | Q4 Percent | Total Count | Total Percent |
| | | | | | | | | | | |
| Asian | 1 | 0% | 1 | 1% | 2 | 1% | | | 4 | 1% |
| Black/African American | 28 | 13% | 27 | 17% | 31 | 14% | | | 86 | 15% |
| Race Unknown / Declined | 1 | 0% | 1 | 1% | 1 | 0% | | | 3 | 1% |
| White | 167 | 80% | 120 | 74% | 168 | 77% | | | 455 | 77% |
| Blank | 1 | 0% | 4 | 2% | 4 | 2% | | | 9 | 2% |
| Two or More Races | 11 | 5% | 9 | 6% | 11 | 5% | | | 31 | 5% |
| Native Hawaiian/Other Pacific | 0 | 0% | 1 | 1% | 1 | 0% | | | 2 | 0% |
| American Indian/Alaskan Native/ Indigenous | 0 | 0% | 0 | 0% | 0 | 0% | | | 0 | 0% |
| Total | 209 | | 163 | | 218 | | | | 590 | |

Figure 3 – Client Race Demographics

Age Demographics

| Age Demographics | | | | | | | | | | _ |
|------------------|-------------|---------------|-------------|---------------|-------------|---------------|-------------|---------------|----------------|------------------|
| | Q1 Count | Q1 Percent | Q2 Count | Q2 Percent | Q3 Count | Q3 Percent | Q4 Count | Q4 Percent | Total Count | Total Percent |
| | | | | | | | | | | |
| 1 to 3 | 1 | 0% | 1 | 1% | 2 | 1% | | | 4 | 1% |
| 4 to 10 | 13 | 6% | 12 | 7% | 19 | 9% | | | 44 | 7% |
| 11 to 21 | 37 | 18% | 31 | 19% | 44 | 20% | | | 112 | 19% |
| 22 to 40 | 64 | 31% | 44 | 27% | 58 | 27% | | | 166 | 28% |
| 41 to 65 | 77 | 37% | 60 | 37% | 81 | 37% | | | 218 | 37% |
| 66 to 80 | 12 | 6% | 9 | 6% | 9 | 4% | | | 30 | 5% |
| 81 and above | 4 | 2% | 4 | 2% | 2 | 1% | | | 10 | 2% |
| Blank | 1 | 0% | 2 | 1% | 3 | 1% | | | 6 | 1% |
| Data errors | 0 | 0% | 0 | 0% | 0 | 0% | | | 0 | 0% |
| Total | 209 | | 163 | | 218 | | | | 590 | |

Figure 4 – Client Age Demographics



Priorities and Objectives Report

<u>GOAL 1</u>: Preventing, finding, and stopping abuse, neglect, and exploitation of persons with disabilities in facilities.

PRIORITIES TO ADDRESS:

1.1 Investigate facilities serving children with disabilities.

Educate

Know Your Rights Handbook

- The <u>Know Your Rights Coloring Book</u> is now accessible anytime on the IDR website.
- IDR provided 9 P&As with an editable copy of the coloring book and consent to modify it to meet their needs.
- DCS committed to finding ways to print and distribute the coloring book to all youth in residential treatment.

Monitor and Investigate

Monitoring Project – PRTFs and PSFs.

- IDR Investigations Coordinator Tina Frayer presented the final report for the PSF project to DCS. DCS was receptive to IDR's recommendations, including supporting the use of the Know Your Rights coloring book.
- IDR monitored four facilities this quarter. IDR will continue to monitor these four facilities quarterly.

New Systemic Investigation

IDR learned of problematic restraints at a private secure facility and opened a systemic investigation. These restraints have resulted in an injury at least once a month over the past 13 months. The investigation supervisor has worked closely with staff from DCS reporting these incidents and monitoring investigations.

| | Q1 | Q2 | Q3 | Q4 | YTD |
|--|----|----|----|----|-------|
| | | | | | Total |
| Facilities visited | 7 | 6 | 4 | | 17 |
| Reports filed with overseeing entities | 2 | 2 | 0 | | 4 |
| Discharges assisted | 0 | 11 | 1 | | 12 |



Outcomes

- IDR Investigations Coordinator continues to meet with DCS weekly.
- Tina attended NDRN and discussed public comments about private residential treatment facilities for youth with NDRN and other P&As.
- The AND team provided assistance to two individuals discharging from SOFs.

Community Outreach

On May 23, 2024, Investigations Coordinator Tina Frayer and Senior Attorney
John Heinz attended the graduation ceremony for youth residing in the Resource
Residential Treatment Facility.

Advocate

Policy Advocacy

Public Comments

 On June 20, IDR submitted a statement for the congressional record regarding the Senate Finance Committee's hearing about Treatment in Youth Residential Treatment Facilities. IDR shared findings from the AND Team's years-long PSF monitoring project, which served as the basis for IDR's policy recommendations to the Committee.

1.2. Investigate or monitor for suspected abuse, neglect, exploitation, and rights violations in facilities or by a service provider.

Educate

Presentations

 Natasha Henry provided an overview of IDR and its services to a total of 27 new staff members at 2 ESH/EPCC New Staff Orientation sessions.

Monitor and Investigate

Rep Payee

IDR presented 85 Rep Payee reviews to SSA, which are now in end stages of review. IDR is presently 72% finished with the target 111 cases for the grant year.

Outcomes

IDR addressed several complex reviews this quarter, including one in which the Representative Payee was arrested on murder charges just minutes after leaving the IDR Central Office where she had met one on one with the IDR Reviewer. This incident speaks to the high level of security and risk some reviews entail. Thankfully, the IDR Reviewer had exercised caution in meeting with the individual and met with her only in public.



<u>Investigations</u>

- 1 investigation was conducted; complaints were not substantiated.
- None of the investigations resulted in referrals for additional action.

| Investigations in FY2024 | Q1 Opened | Q1 Closed | Q2 Opened | Q2 Closed | Q3 Opened | Q3 Closed | Q4 Opened | Q4 Closed | YTD Open | YTD Closed |
|---------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|---------------|
| Client-to-Client Abuse | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 | 0 |
| Death of Patient | 0 | 0 | 0 | 0 | 0 | 1 | | | 0 | 1 |
| Environmental & Facility Safety | 0 | 1 | 0 | 0 | 0 | 0 | | | 0 | 1 |
| Medication Errors | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 | 0 |
| Neglect | 2 | 0 | 0 | 1 | 1 | 1 | | | 3 | 2 |
| Physical Abuse | 1 | 1 | 1 | 2 | 0 | 0 | | | 2 | 3 |
| Sexual Abuse | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 | 0 |
| Unnecessary Restraint | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 | 0 |
| Other Abuse | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 | 0 |
| TOTAL | 3 | 2 | 1 | 3 | 1 | 2 | | | 5 | 7 |

Monitoring

IDR conducted 24 monitoring visits at nine facilities.

<u>Monitoring Project – CRMNF Greencastle</u>

- IDR participated in the discharge discussion calls with the remaining CRMNF advocating for appropriate discharge.
- IDR assisted with one discharge (not an official case) during the quarter.

Monitoring Project – SOF Discharge for ID/DD and SMI

AND team assisted two individuals discharging from SOFs.

Advocate

Individual Representation

Referenced in 2.1



Success Story - Goal 1:

"Morgan's" story must be shared to raise awareness of the struggles faced by people with disabilities. Morgan had spent most of his life in an institutional setting before meeting IDR staff in 2019. Since then, IDR has advocated for Morgan's right to live in a community-based setting. The Abuse, Neglect and Discharge team fought passionately for Morgan's rights. This is Morgan's story.

Morgan was first admitted to Larue Carter Hospital (LCH) in 1967, when he was five years old, for treatment of autism and moderate intellectual disability. In 1968, he returned to his family's home, where he lived until 1973. He was then admitted to Logansport State Hospital (LSH), where he lived from 1973-1977. In 1977, Morgan was transferred from LSH to LCH. In June 1978, when he was 15 years old, Morgan underwent a bilateral frontal lobotomy.

In August 1978, Morgan was transferred to Evansville State Hospital (ESH) where he remained for 41 years. In 2019, with the assistance of IDR, Morgan was discharged from ESH to a Comprehensive Rehabilitative Management Needs Facility (CRMNF) in Greencastle. At the time of his discharge from ESH, Morgan was 57 years old. He had been institutionalized for a total of 47 years.

While at the CRMNF, Morgan had few behaviors, and in August 2021, the Bureau of Disability Services (BDS) provided Morgan's guardians with alternate placement information. The guardians spent the next several years fighting against Morgan's discharge.



In early 2023, Morgan was diagnosed with cancer and the guardians returned to fighting against his discharge.

Guardians refused additional testing and treatment for the cancer. Though the CRMNF could not meet the inevitable need for hospice care in the facility, the guardians continued to fight against and refuse to consent to Morgan's discharge.

The discharge was further delayed by the Bureau of Disability Services (BDS) refusing to invoke their placement authority. When BDS moved forward, there were multiple delays resulting in Morgan's health continuing to decline. IDR continued to monitor Morgan's discharge, attending discharge meetings, and advocating for BDS to move forward with their placement authority. Morgan did not need the highly restrictive environment of the CRMNF and there was a waiting list for individuals needing this level of care.

Finally, in May 2024, three years after meeting discharge criteria, Morgan moved to a community-based placement for the first time in over 45 years. IDR staff were able to visit Morgan in his new home. Although he was not feeling well, he appeared very happy, and he even showed IDR staff around his new home. Unfortunately, Morgan succumbed to his illness 24 hours after being discharged from the CRMNF.

Morgan's story illustrates the critical need for the work IDR does every day. Morgan will never be forgotten. IDR will continue to fight for the rights of people with disabilities.



<u>GOAL 2</u>: Breaking down barriers to ensure rights are respected and supports are available for persons with disabilities to participate in an equitable and inclusive society.

PRIORITIES TO ADDRESS:

2.1. Advocate on behalf of individuals with disabilities in the areas of abuse and neglect, civil rights, discharge from institutions, education, employment, health care, justice, self-determination, and voting.

Educate

Presentations

 On April 9, Zaida Maldonado-Prather provided a presentation to 13 attendees at Bosma. Zaida's presented an overview of CAP and voting rights, including the rights of voters with print disabilities to access an electronic ballot.

Technical Assistance

 IDR provided guardian of minor who reported physical abuse of her child with technical assistance on addressing issues with school while she sought private counsel.

Advocate

Individual Advocacy Case Data

| Individual Advocacy in FY2023 | Q1 Opened | Q1 Closed | Q2 Opened | Q2 Closed | Q3 Opened | Q3 Closed | Q4 Opened | Q4 Closed | YTD Open | YTD Closed |
|-------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|-------------|---------------|
| Abuse, Neglect, Discharge | 9 | 10 | 6 | 10 | 8 | 9 | | | 23 | 29 |
| Civil Rights | 14 | 9 | 2 | 12 | 6 | 12 | | | 22 | 33 |
| Education | 19 | 4 | 10 | 11 | 17 | 7 | | | 46 | 22 |
| Employment | 10 | 12 | 9 | 6 | 13 | 13 | | | 32 | 31 |
| Health Care | 2 | 9 | 1 | 1 | 5 | 2 | | | 8 | 12 |
| Self- Determination | 6 | 3 | 8 | 16 | 9 | 2 | | | 23 | 21 |
| TOTAL | 60 | 47 | 36 | 56 | 58 | 45 | | | 154 | 148 |



Individual Representation Select Outcomes

Vincent – Abuse & Neglect Advocacy

"Vincent" lived at LSH for 24 years. He asked IDR for help after he was on the discharge list for more than 100 days, because his gatekeeper refused to provide any services. With IDR's help, Vincent was able to move into a less restrictive setting at RSH and was assigned a new gatekeeper.

Violet – Civil Rights

"Violet" contacted IDR for help after she went to donate plasma, accompanied by her service animal, but was denied access. IDR advocated for Violet with the plasma center manager, who agreed to allow her to donate with the service animal present, on a trial visit. After a successful trial visit, the manager agreed to allow Violet's service animal to accompany her to future plasma donations.

Vance – Education

"Vance" is a high school student who was only being allowed to attend school 2.5 hours per day, due to past disability-related behaviors. The school also indicated that Vance may not be allowed to participate in his class's graduation ceremony next year. Vance's mother requested advocacy for her son to help him return to school full time, and to ensure Vance would be included in Commencement with his peers. With the assistance of IDR, Vance is back in school full time, and the school has agreed that Vance will be allowed to walk with his class at graduation in 2025.

Viktor – Employment

"Viktor" was hired to work as a supervising accountant but was terminated one week later while he asked for a reasonable accommodation because he is legally blind. IDR represented Viktor in filing a complaint with the EEOC, and later represented him in arbitration proceedings. After over two years of advocacy from IDR, Viktor entered a settlement agreement with the company.

Valerie - Housing

IDR helped "Valerie" to obtain a reasonable accommodation from her apartment management. Valerie uses a wheelchair and is unable to take trash from her apartment to the dumpster. IDR advocated on Valerie's behalf, and management agreed to place a trash can outside Valerie's apartment, and to have maintenance or management remove the trash to the dumpster.

Virgil – Investigations

"Virgil" has Schizophrenia and had pending criminal charges which were eventually dropped. He was on the discharge list for ESH for 116 days. IDR talked with Virgil, who said his assigned gatekeeper refused to communicate with him or his care team to move forward with transition planning and discharge to a supported group living



arrangement due to his criminal history. With IDR's advocacy, Virgil was discharged from ESH to a less restrictive supported group living arrangement.

Systemic Litigation

Indiana Protection and Advocacy Services Commission, et al. v. Indiana Family and Social Services Administration, et al. (1:24-cv-833-TWP-TAB; U.S. District Court, Southern District of Indiana)

Lawsuit filed by IPAS on behalf of children with complex medical needs who are on the Health and Wellness Waiver (f/k/a Aged and Disabled Waiver) and two individual children alleging that FSSA fails to provide necessary medical services in the home/community, and that FSSA's decision to end the ability of parents/guardians to provide paid attendant care services to such children violated children's rights under the Medicaid statutes and placed children at serious risk of institutionalization in violation of the Americans with Disabilities Act, as interpreted by *Olmstead*. Individual plaintiffs have filed a motion for preliminary injunction, which is being briefed.

Individual Litigation

Jason Grabarczyk and Annette Young v. Town of Edinburgh, Indiana (1:24-cv-847-JRS-TAB; U.S. District Court, Southern District of Indiana)

Lawsuit filed on behalf of Edinburgh resident who has intellectual/developmental disabilities and his caretaker/housemate under the Fair Housing Act challenging Town's failure to allow resident to keep chickens at home for therapeutic purposes. Currently waiting for Town to file answer to complaint.

Policy Advocacy

Public Comments

 On April 22, IDR submitted public comments about proposed changes to state rules for Vocational Rehabilitation Services. IDR's comments were also discussed during an April 19 meeting with the VRS Director and Policy and Due Process Director.

Workgroups

 Tina Frayer continued to participate in the Indiana Council Against Senior Exploitation (IN-CASE) this quarter.

Press

- In response to IDR and ACLU Indiana's filing May 17 of the lawsuit on behalf of 2 children with complex medical needs and changes to the Health and Wellness Waiver (f/k/a Aged and Disabled Waiver), IDR was featured on the digital channels of 33 news outlets throughout the state and across the country.
 - Tom Crishon was interviewed by Chase Houle and featured on WTHR evening news on 5/17.



- Melissa Keyes was interviewed by Phil Sanchez and featured on WISH evening news on 5/17.
- Tom Crishon was interviewed by Abe Shapiro of the Disabulletin Podcast on WHFB, which was published on 6/25.

2.2. Advocate for ending sheltered workshops and increasing competitive integrated employment.

Educate

Workgroups

- On May 13, Michelle Wickham and Emily Munson participated in the FEFC's first in-person meeting. They continue to evaluate messaging regarding the promotion of CIE, in resources such as transition guides and benefits information.
- On May 29, Emily Munson participated in the quarterly Disability Employment Technical Assistance Center Grantee Advisory Committee meeting. Upcoming technical assistance topics and formats were reviewed.

Monitor and Investigate

Monitor DRS Employment Systems Transformation Plan

On May 14 and June 11, IDR and CPR met with DDRS to discuss development regarding DDRS's Employment Systems Transformation Plan. Conversation focused on discussing DDRS's new career counseling service and strategies to promote the State's expectation that all employment-aged Hoosiers participate in CIE.

2.3. Advocate for access to Home and Community-Based Services (HCBS).

Educate

No current education initiatives tied to this project.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Policy Advocacy

Systems Outreach

- On May 9, Emily Munson attended the final meeting of the Medicaid All Hands on Deck coalition. Members reviewed FSSA's unwinding of pandemic-related participant protections and identified ongoing concerns.
- Attorney Tash Crespo assisted in drafting a letter to legislators and the FSSA on recommendations for improving communication about the Medicaid Unwinding to



consumers to ensure there was no unnecessary loss of coverage for Hoosiers. Tash previously provided information about issues with the unwinding in an interview with <u>WFYI</u>. Tash provided resources to IDR intake team on referring individuals losing coverage to Indiana Navigators and other agencies that could assist in providing reenrollment support or appeal of coverage loss.

- On May 10, Zaida Maldonado-Prather participated in a VR Commission meeting.
- DDRS leadership requested that the group of disability advocates pursuing the
 expansion of self-direction reconvene after several months of inactivity. During a
 May 17 meeting, advocates and DDRS began building a framework for the
 structure of, and discussing a set of common agreements to guide, future
 collaboration. During a June 24 meeting, the group identified Information &
 Assistance as a key topic for initial policy discussions.

2.4. Advocate for the expansion of knowledge and use of supported decision-making/less restrictive alternatives to guardianship.

Educate

Presentations

- On April 18, Staff Attorney Justin Schrock presented to Tangram staff, clients, and families on "Options for Supporting Self-Determination and Decision-Making in Adulthood."
- On May 13, Justin Schrock presented to staff for Connections Case Management on "Supported Decision-Making and Other Alternatives to Guardianship."
- On June 1, Melissa Keyes presented to the Indiana State Bar Association Solo and Small Firm Conference on implementing supported decision-making into practice.
- On June 27, Melissa Keyes presented at the Indiana Adult Guardianship Symposium on the ongoing efforts to reform Indiana's Guardianship Code.

Technical Assistance

During this quarter, technical assistance was offered to 17 agencies and organizations, outside of casework, by Justin Schrock during this quarter.

- Indiana Medicaid Waiver Ombudsman
- Center for Youth and Adults with Conditions of Childhood
- Indiana Legal Services
- Indiana Bureau of Disabilities Services
- Illinois Guardianship and Advocacy Commission
- Indiana State Court Behavioral Health Administrator
- Bayliff, Harrigan, Cord, Maugans & Cox, P.C
- Indiana Professional Management Group
- Inspire Case Management
- Carestar of Indiana



- Connections Case Management
- Arrow Services
- Forte Residential, Inc.
- LEL Homes Services
- Knox County Arc
- Indiana Guardianship Services
- Logan Protective Services

Monitor and Investigate

Monitoring Project - Court Filings

IDR continues to review court cases of guardianships filed since the implementation of Indiana's SDM bill. In collaboration with attorneys from Indiana Legal Services, IDR has requested and received data from the Indiana Office of Court Services regarding adult guardianship cases filed beginning in November 2017 to assess implementation of the Indiana's SDM law passed and implemented in 2019.

Advocate

Individual Representation Select Outcomes

The Self-Determination Team, led by Justin Schrock, has now assisted with over 30 guardianship terminations resulting in 30 people with disabilities who have had their legal rights restored.

Policy Advocacy

Legislative Advocacy

Melissa Keyes assisted the Indiana State Bar Association Probate Section in reviewing proposed changes to the Indiana Code. The proposed changes were accepted, and IDR will be involved in the process to review final language.

Press

- On March 28, Justin Schrock was interviewed by reporter Binghui Huang regarding a story published in March about families fighting overreach of court appointees in adult guardianships.
- On April 19, Justin Schrock was interviewed by Michael Van Schoik with Fox59 News for a story airing that evening regarding an individual subjected to caretaker abuse.

Workgroups

 On May 15, Justin Schrock attended the Indiana Traumatic Brain Injury Advisory Board and Stakeholder quarterly meeting.



2.5. Advocate to ensure elections are accessible to voters with disabilities.

Educate

Presentations

IPAS Commissioner and Vice Chair, Jalyn Radziminski, offered the keynote address to the Warsaw Juneteenth Celebration on June 22. Jalyn talked about the intersection of the civil rights movement, the disability rights movement, and voting rights. Read the article here.

Monitor and Investigate

Litigation

American Council of the Blind of Indiana et al. v. Indiana Election Commission et al. (1:20-cv-03118-JMS-MJD; U.S. District Court, Southern District of Indiana)

The parties reached a settlement in which Defendants agreed to provide voters with print disabilities a remote vote by mail feature. IDR monitored implementation of the tool and compliance with the settlement agreement. IDR will continue reviewing information provided by Defendants throughout the 2024 election cycle.

Advocate

Workgroups

Attorney Tash Crespo attended the June meeting of the Count Us IN Coalition.
 Plans were discussed for registering voters and providing support to voters through election defender initiatives.

Success Story – Goal 2:

"Vanessa" contacted IDR when she could not access The Hancock County Arts building; Vanessa uses a walker for mobility, but both entrances required climbing multiple stairs. IDR worked with the facility's attorney, and a ramp was installed.



<u>GOAL 3:</u> Serving as a partner in rights issues by supporting individuals and organizations led by people with disabilities, those from marginalized communities, and people with lived experiences.

PRIORITIES TO ADDRESS:

3.1. Provide easily accessible and equitable paths for the public to contact IDR for advocacy needs and to find information, referrals, and resources.

Educate

I/R

| | Q1 | Q2 | Q3 | Q4 | Total |
|-----------------|-----|-----|-----|----|-------|
| Intake Requests | 693 | 732 | 636 | | |
| Information & | | | | | |
| Referrals | 195 | 172 | 170 | | |

Presentations

Presentation topics are noted throughout this report.

| | Q1 | Q2 | Q3 | Q4 | Total |
|---------------|----|-----|-----|----|-------|
| Presentations | 2 | 6 | 9 | | |
| Attendees | 32 | 468 | 390 | | |

Events

- On April 24, Michelle Wickham staffed the IDR table at Easterseals Crossroads Family Caregiver Resource Fair, educating parents about IDR's services.
- On June 6, Sam Adams presented to the Arc of Indiana's Advanced Advocacy Leadership Fellows, a group of community leaders and self-advocates, on the topic of reasonable accommodation and modification (RA/RM) requests.

Press

Emily Munson wrote a blog post for the Brain Injury Association of America. Her post, Protection & Advocacy System Empowers Individuals with Disabilities, clarified the many tools available to P&A entities to support people with disabilities, and how to locate their state P&A.

Monitor and Investigate

No monitoring/investigation activities tied to this priority.

Advocate

No current advocacy initiatives tied to this project.



3.2. Support the legislative and policy work and meaningful inclusion of people with disabilities, those from marginalized communities, and people with lived experiences on issues that align with IDR's mission, vision, and values.

Educate

Presentations

 On April 1, Emily Munson presented at Anthem's Grand Rounds. She provided attendees with an overview of IDR services and shared basic accommodations that health care providers should make for clients with disabilities.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Policy Advocacy

- On May 10, Emily Munson met with Ben Tapper, the City of Indianapolis's first Chief Diversity & Equity Officer. They discussed the importance of including disability in DEI efforts, as well as potential opportunities for members of the MAC-D with lived experience to guide City policy and practice. A few weeks thereafter, Emily also met with Meshayla Cox to continue brainstorming ways for the MAC-D and Office of Belonging, Equity & Inclusion can collaborate and improve conditions for people with disabilities in Indianapolis.
- From May 20-23, Michelle Wickham and Emily Munson attended an intensive community organizing training program offered by the Midwest Academy. Trainers helped IDR staff develop strategies to educate policymakers and be a welcoming partner to like-minded grassroots advocacy groups.

Workgroups

- On April 10, Emily Munson began participating in an Indiana Community Action Poverty Institute project team researching the Social Security benefit application process. The team meets one evening each month to provide advice regarding the project's direction.
- On June 26, 2024, John Heinz participated in the June meeting of the Diversity Roundtable of Central Indiana. The meeting focused on virtue signaling and equity statements. The meeting was called, *Keep the Virtue Signals; Your Equity* Statement is Showing.



Community Connections

On June 26, Emily Munson met with a Fehribach Center intern with a disability
who is interested in pursuing a legal career. Emily answered the intern's
questions about law school and provided insight into the scope of work available
to disability rights attorneys inside and outside of the protection and advocacy
system.

Success Story - Goal 3:

"Viraj" asked IDR for advocacy after his employer denied him reasonable accommodations related his type 1 diabetes and terminated his employment. IDR provided Viraj with legal representation and sent a demand letter to the employer. Both parties entered into a confidential agreement in June.



Active Workgroups

| Workgroup | Goal |
|--|------------|
| Diversity Roundtable of Indianapolis | DEI Goal 3 |
| Indiana State Bar Association Diversity Committee | DEI Goal 3 |
| ISBA Diversity CLE Committee | DEI Goal 3 |
| Facility-Based Human Rights Committees | P&O 1.2 |
| Mortality Review Committee (MRC) | P&O 1.2 |
| NDRN Residential Facilities Community of Practice | P&O 1.2 |
| Back Home in Indiana Alliance Steering Committee | P&O 2.1 |
| Carmel Advisory Committee on Disability | P&O 2.1 |
| Disability Employment Technical Assistance Center (DETAC) Grantee Advisory Workgroup | P&O 2.1 |
| Division of Disability and Rehabilitative Services (DRS) Advisory Council | P&O 2.1 |
| Fair Housing Center of Central Indiana Board of Directors | P&O 2.1 |
| Family Employment First Coalition | P&O 2.1 |
| Fishers Advisory Committee on Disability | P&O 2.1 |
| Indiana Association of People Supporting Employment First (INAPSE) Public Policy Committee | P&O 2.1 |
| Indiana Council Against Senior Exploitation (IN-CASE) | P&O 2.1 |
| Indianapolis Mayor's Advisory Council on Disability (MAC-D) | P&O 2.1 |
| Medicaid All Hands | P&O 2.1 |
| Mental Health, Addictions, and Criminal Justice Collaboration Workgroup | P&O 2.1 |
| Vocational Rehabilitation (VR) Commission | P&O 2.2 |
| Center for Youth and Adults with Conditions of Childhood (CYACC) Advisory Board | P&O 2.3 |
| Health Care Justice Coalition (Long-Term Care Coalition) | P&O 2.3 |
| National Center on Advancing Person-Centered Practices and Systems' Self-Directed Learning Collaborative | P&O 2.3 |
| House Enrolled Act 1591 Implementation Group | P&O 2.4 |
| Indiana Adult Guardianship State Taskforce (WINGS) | P&O 2.4 |
| Indiana Supported Decision-Making Coalition | P&O 2.4 |
| Indiana Traumatic Brain Injury Advisory Board | P&O 2.4 |
| National Coalition for a Civil Right to Counsel | P&O 2.4 |
| Uniform Guardianship Act Subcommittee for Probate Review Committee | P&O 2.4 |



| | 1 |
|---|---------|
| Indiana Voting Coalition | P&O 2.5 |
| REV UP Advisory Committee | P&O 2.5 |
| REV UP Election Accessibility Toolkit Committee | P&O 2.5 |
| IIDC Advisory Council | P&O 3.1 |
| PANDA Improvement Workgroup | P&O 3.1 |
| Governor's Council for People with Disabilities | P&O 3.2 |
| HIVMM Coalition | P&O 3.2 |
| Indiana Advisory Committee to the US Commission on Civil Rights | P&O 3.2 |
| International Initiative for Disability Leadership | P&O 3.2 |
| National Alliance on Mental Illness (NAMI)-Indiana Public Policy | |
| Committee | P&O 3.2 |
| National Disability Rights Network (NDRN) – CEO Meetings, Legal | |
| Director Meetings | P&O 3.2 |
| Transition Partners of Northeast Indiana | P&O 3.2 |
| United Stated Attorney's Office (USAO) Disability Rights Roundtable | P&O 3.2 |



Appendix

List of Common Acronyms

504 - Section 504 of the Rehabilitation Act of 1973-504

ACF - Administration for Children and Families

ACLU - American Civil Liberties Union ADA - Americans with Disabilities Act

AIDD - Administration on Intellectual and Developmental Disabilities

APS - Adult Protective Services

ARC - State and local organizations for developmental disability

advocacy

ARTICLE 7 - Special Education Regulations (Indiana)

BDS - Bureau of Disabilities Services

BQIS - Bureau of Quality Improvement Services

CEO - Chief Executive Officer

CIH Waiver - Community Integration and Habilitation Waiver
CMS - Center for Medicare and Medicaid Services

CPR - Center for Public Representation

CRMNF - Comprehensive Rehabilitative Management Needs Facility

CYVYC Center on Youth Voice/Youth Choice

DCC - IDR Diversity and Cultural Competency Workgroup

DCS - Department of Child Services
DD - Developmental Disabilities

DD Act - Developmental Disabilities Assistance and Bill of Rights Act

DD Council - Developmental Disabilities Council

DRS - Division of Disability and Rehabilitative Services

DMHA - Division of Mental Health and Addictions

DOC - Indiana Department of Correction
DOE - Indiana Department of Education

EEOC - Equal Employment Opportunity Commission

FBA - Functional Behavioral Assessment

GCPD - Governor's Council for People with Disabilities

HAVA - Help America Vote Act

HMM - HIV Modernization Movement

HRSA - Health Resources and Services Administration

I&R - Information and ReferralICF - Intermediate Care Facility

ICRC - Indiana Civil Rights Commission
ICLU - Indiana Civil Liberties Union



ID - Intellectual Disability

IDD - Intellectual or Developmental Disabilities

IDR - Indiana Disability Rights

IDEA - Individuals with Disabilities Education Act (Federal)

IDOH - Indiana Department of Health

IIDC/Institute - The Indiana Institute on Disability and Community IN*SOURCE - Indiana's Parent Training Information Project

IPE - Individual Plan for Employment

LD - Learning Disability
MI - Mental Illness

NDRN - National Disability Rights Network

OCR - Office of Civil Rights

OMB - Office of Management and Budget
OMPP - Office of Medicaid Policy and Planning

P&A - Protection & Advocacy System
PPR - Program Performance Report

PRTF - Psychiatric Residential Treatment Facility

PSF - Private Secure Facility

PTSD - Post-Traumatic Stress Disorder

RSA - Rehabilitation Services Administration

RULE7 - Part of Nursing Home Regulations (Indiana) concerning the

facility's requirements for programming for MR residents used

in QMRP-D Training

SAI - Self-Advocates of Indiana

SAMHSA - Substance Abuse and Mental Health Services Administration

SDM - Supported Decision-Making
SGL - Supervised Group Living
SSA - Social Security Administration

TA - Technical Assistance

TASC - Training and Advocacy Support Center

TBI - Traumatic Brain Injury

UCEDD - University Centers for Excellence in Developmental

Disabilities

USDOE - United States Department of Education

VA - Veterans Affairs

VR/Voc Rehab - Vocational Rehabilitation Services



IDR Teams

- Abuse, Neglect, and Discharge (AND)
- Civil Rights
- Education
- Employment
- Health Care
- Policy and Special Projects (PSP)
- Self-Determination
- Representative Payee

IDR Staff

Please visit https://www.in.gov/idr/staff/ to view a current staff list.

Grant Programs

CAP - Client Assistance Program

PAAT - Protection & Advocacy for Obtaining Assistive Technology
PABSS - Protection & Advocacy for Beneficiaries of Social Security

PADD - Protection & Advocacy for Persons with Developmental Disabilities

PAIMI - Protection & Advocacy for Individuals with Mental Illness

PAIR - Protection & Advocacy for Individual Rights

PATBI - Protection & Advocacy for Persons with Traumatic Brain Injury

PAVA - Protection & Advocacy for Voting Access

State Hospitals

LCH - Larue Carter Hospital
LSH - Logansport State Hospital

EPCC - Evansville Psychiatric Children's Center

ESH - Evansville State Hospital MSH - Madison State Hospital RSH - Richmond State Hospital