

# Disability Rights Florida

## 2011 Annual Report



Advocacy. Equality. Dignity.

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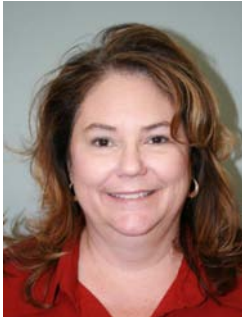
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# Message from the Chair of the Board of Directors and Executive Director



**Beth Picora**

Chair, Board of Directors



**Robert E. Whitney**

Executive Director

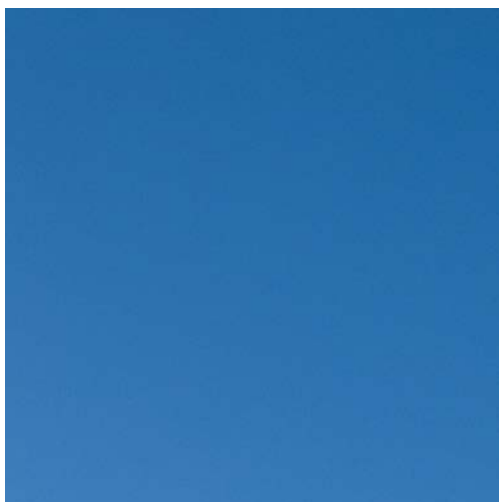
During our 2011 fiscal year, Disability Rights Florida focused its efforts on issues we have worked on for a number of years, including abuse and neglect in several settings; unnecessary restraint and seclusion of children in schools; employment; and individuals having opportunities to fully and freely live and participate in the community. We expanded our outreach activities to ensure individuals in need of our services were aware of our name change. Our intake statistics prove that our efforts were successful. Individual representation and systemic advocacy efforts also increased this year, with very positive results in both categories.

In this report, we provide examples of our work and the positive results it has had on the lives of individuals whose rights we are charged to protect. We are also pleased to share the stories of four individuals we represented and their words on how our advocacy impacted their lives.

In our 2010 annual report letter, we stated that “many of the issues in our 2011 goals and priorities are not new. They are the same issues that we have focused on for a number of years,” and “the economic crisis of the past two years has had a very serious effect on our state. Our state legislators are faced with making difficult budgetary decisions, some of which will further affect people with disabilities.” We are tempted to add the phrase “once again” to those statements.

Regardless of the fiscal challenges facing Florida, we are committed to protecting the rights of Floridians with disabilities – equal opportunity, full participation, independence and economic self-sufficiency. We look forward to your support and partnership in continuing this very important work.

## Representative Payee Investigations



In fiscal year 2010, our Protection and Advocacy for Beneficiaries of Social Security program began reviewing institutional representative payee practices. The Social Security Administration (SSA) contracted with the National Disability Rights Network and the Protection and Advocacy Systems to investigate entities that serve as representative payees, and Disability Rights Florida was chosen to conduct Florida investigations. These investigations include interviews with beneficiaries and on-site inspections of each entity's work conditions, accounting practices and financial records. Our staff prepares a report for the SSA after each investigation.



Disability Rights Florida successfully completed 13 investigations during the 2011 fiscal year and has received 20 more assignments to complete by Spring 2012. This project provides our staff members with an outstanding opportunity to further refine their investigative skills and interact with individuals with disabilities in a variety of residential settings. Additionally, the insights gained would be difficult to obtain through standard methods. Given the success of the program and the recognition our organization has received for its work, we anticipate this to be an ongoing project.





## Profile: Deborah Scull



Deborah Scull was placed under guardianship against her will after her mother died in 2007. For two years, she was moved from one assisted living facility to another and complained about poor quality of care and lack of security at each. Meanwhile, her checking, savings and retirement accounts were being drained to pay her professional guardian, the attorney for the guardian and others who petitioned the court for payment from Deborah's funds.

Deborah turned to Disability Rights Florida desperate to regain control of her life.

"I was already depressed, and things just kept getting worse," said Deborah. "Disability Rights Florida believed in me when no one else did."

Following an evidentiary hearing in 2010, the court agreed Deborah was capable of caring for herself and restored her legal and civil rights. Disability Rights Florida remained closely involved until a settlement regarding the remaining fees owed to the guardian and others was reached in 2011; preserving some of Deborah's remaining assets.

Today, Deborah is happy to be on her own and has shared her story at a "Lighting the Way" workshop on guardianship and alternatives – a project funded by the Florida Developmental Disabilities Council that Disability Rights Florida has supported since 2007. When she is not busy being an advocate, Deborah volunteers with a local pet store finding homes for felines in need.

"I like cats," said Deborah enthusiastically. "I fostered one for four months. I hand out brochures, talk to families and answer their questions. It does not always work out, but sometimes they adopt."



## Profile: Victor Brantley

When his family approached Disability Rights Florida, Victor Brantley was in his early thirties and pulling himself across the floor of his home. Due to his muscular dystrophy, he had lost the muscle strength needed to operate a manual wheel chair. The family's insurance provider had repeatedly denied requests for a power wheel chair, and no one at their doctor's office could tell them why. Meanwhile, Victor wanted nothing more than to be independent.

"I couldn't do anything for myself," explained Victor. "I was stuck in the house 24 hours a day. My dad or grandmother had to help me with everything, and I had to stop school."

Disability Rights Florida worked closely with the family and secured a case manager from the insurance provider who could navigate through the barriers that stood in Victor's way. After the appointment of a new primary physician and full examination, Victor was finally approved for a power wheel chair.

Today, it is unlikely to find Victor at home. He is back in school working towards his GED and plans to enroll in the local community college to become a graphic artist. After class, he takes the bus to vocational training so he can acquire skills to work.

"I am like the average human being now," reports Victor. "With the power wheel chair, I can go freely and do things I was never able to do. I go to school, grocery shopping, to the barbershop... It's like I am equal to people that are on their feet. It's really a boost of confidence."

# Profile: Jimmy Pacheco



When Jimmy Pacheco's parents adopted him, they knew he would require extra love and support because of his cystic fibrosis and the abandonment issues he had developed while in foster care. However, they didn't expect to face multiple barriers to securing the services needed to help him live like other kids.

As Jimmy got older, he exhibited signs of mental illness, aggressive behavior and an attachment disorder that made forming loving relationships difficult. However, securing mental health services, such as temporary out-of-home or inpatient care proved to be almost impossible, especially after the family's health care coverage was exhausted. They turned to Disability Rights Florida for help.

"Without an advocate, we do not know what we would have done, because we would not have been able to get him the mental health treatment he needed," said Amy Pacheco, Jimmy's mother. "I did not want to lose my son, and nobody would help us, but Disability Rights Florida did."

Disability Rights Florida helped the family secure mental health coverage, cognitive testing and specialized care at an out-of-state treatment facility that provided both behavioral and medical treatment – something not available in Florida. Medication was also obtained to treat previously undiagnosed brain seizures that testing found to be causing Jimmy's aggression.

Today, Jimmy is a happy 13-year-old who enjoys cooking, playing basketball and fishing with his dad. His aggression has virtually disappeared and ongoing psychiatric care has him on the road to recovery from mental illness. He has also shared that he wants a family of his own one day and already has a bride in mind – Taylor Swift.





## An Exceptional Cause

All eligible students with disabilities, ages 3 through 21, are entitled by law to a Free Appropriate Public Education (FAPE); however, a growing number are prevented access to a FAPE due to lack of educational planning and support services. In response to the need for greater legal representation of students with disabilities, Disability Rights Florida kicked off its special education clinic in 2011 to recruit attorneys interested in providing pro bono services. Our managing attorney collaborated with Michelle Tanzer of Holland & Knight to coordinate statewide training opportunities for the firm's attorneys. More than 20 Holland & Knight attorneys have already completed the training, and several have received assignments.

As needed, Disability Rights Florida provides technical assistance on the cases referred to clinic attorneys. Our three special education attorneys and two senior advocates also continue to serve clients. By encouraging pro bono attorney involvement, Disability Rights Florida is helping address the growing need for representation.

## Building a Future

Autism affects 1 in 110 children each year and is the fastest growing developmental disability in the country. However, individuals with autism are the Florida Division of Vocational Rehabilitation's (DVR) most underserved disability group. In an effort to provide youth with autism and autism spectrum disorders and their families with greater service, Disability Rights Florida staff members conducted training sessions at the Center for Autism Related Disorders locations in Jacksonville, Gainesville, Miami and Boca Raton.

Through this statewide training effort, Disability Rights Florida educated individuals and their families on ways to obtain employment, receive funding for college and prepare to enter the workforce on a long-term career path. Attendees had the opportunity to learn about transition services, reasonable accommodations in the workplace, college and training services offered by DVR, the Florida law regarding health insurance coverage, the Ticket to Work program and assistive technology services.



# Profile: Jose Figueroa



Jose Figueroa was diagnosed at a young age with two challenges that made learning more difficult - epilepsy and ADHD. For years, Jose's parents suspected he was not getting the academic support needed to help him through these challenges. Their suspicions were confirmed when Jose was cleared to graduate from high school without being able to read and write. After numerous failed attempts to keep Jose in school for additional education, his parents turned to Disability Rights Florida for help.

“We wanted him to be able to learn skills so he could work and take care of himself, but he couldn't read,” explained Jose's father. “The school system knew that there were programs in place that could help, but they never suggested them.”

Disability Rights Florida arranged for Jose to remain in school until age 22 and switch to a new school where he could receive greater support. Specialized tutoring in reading, writing and mathematics were arranged, and Jose was provided a computer and Sylvan learning software. Today, Jose's father has a much brighter outlook on Jose's future.

“I think we're headed the right way. He's holding conversations and learning quickly. If it wasn't for Disability Rights Florida and its experience and access to different things, we wouldn't be here.”

When he's not studying, Jose loves to spend time in the kitchen and is excited about the opportunity to attend a two-week culinary training at the local Hyatt through a vocational rehabilitation program this summer.

## Information & Referral Services

Disability Rights Florida is a long-standing member of the Alliance of Information and Referral Systems (AIRS), an international, professional membership organization of diverse social service agencies that provide information and referral (I&R) services. AIRS provides credentialing, training and testing to advance professional standards for I&R providers. Our participation in AIRS encourages collaboration with other social service agencies statewide and facilitates appropriate cross-referrals.

During 2011, the Disability Rights Florida intake unit provided close to 7,000 individuals with specialized I&R services. Additionally, all eight full-time intake employees completed the Certification for I&R Specialists (CIRS) through AIRS. The National Disability Rights Network also requested that our intake staff conduct a webinar on AIRS participation and the benefits of using CIRS as a professional standard for an intake operation. The "Leveraging National I&R Resources – The Florida Experience" webinar was given to a national audience of disability rights advocates and agencies last summer.

## Equal & Accessible Shelter in a Disaster

In 2010, the Federal Emergency Management Administration issued "Functional Needs Support Services Guidance" to state emergency planners. This guidance paper told planners how to integrate the needs of persons with disabilities into sheltering plans and comply with applicable law. Emergency planners were prompted to think about the need to plan for services and supports that might be requested by individuals with disabilities during emergencies.

Disability Rights Florida joined a small workgroup that included the Florida Division of Emergency Management Statewide Disability Office, the Florida Disaster Office of the Red Cross, the Office of Public Health Preparedness in the Florida Department of Health and several county emergency managers. The workgroup developed a white paper titled "Guidelines for the Implementation of Functional Needs Support Services (FNSS) in General Population Shelters in the State of Florida." The white paper outlines policies and procedures that will give individuals with disabilities equal access to emergency services in the event of a disaster in Florida.

# Financial Information

## Year ending September 30, 2011

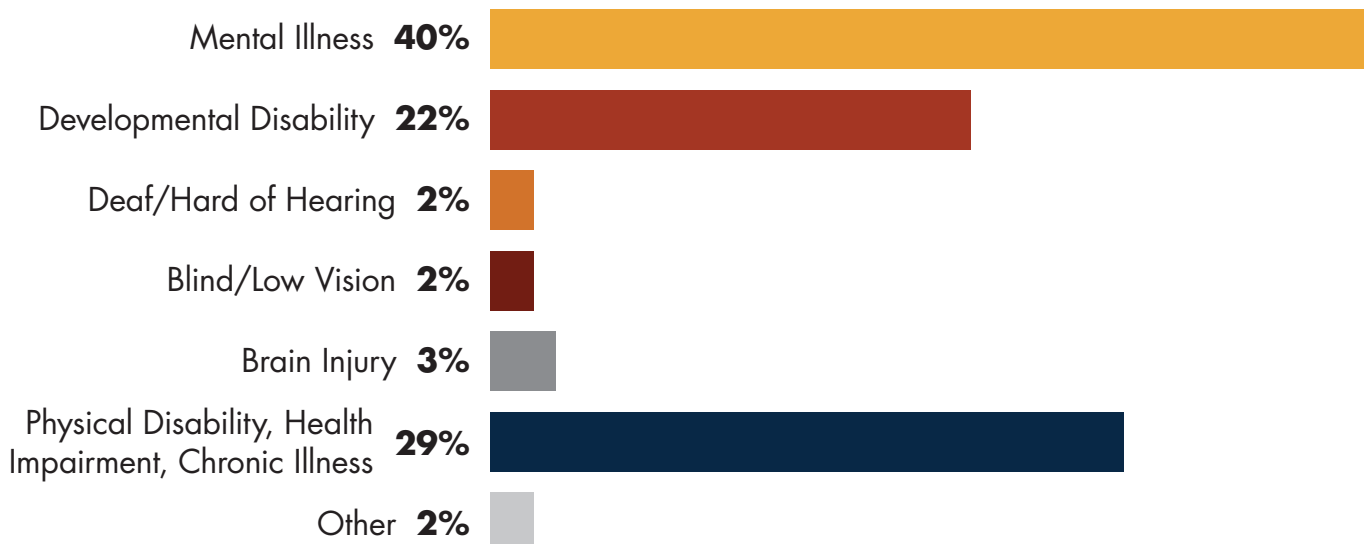
### Revenue and Support

Individual Rights - PAIR	\$723,942
Client Assistance Program - CAP	\$650,803
Assistive Technology - PAAT	\$185,819
Individuals with Mental Illness - PAIMI	\$1,567,372
Traumatic Brain Injury - PATBI	\$136,586
Developmental Disabilities - PADD	\$1,859,705
Voting Access - PAVA	\$152,329
Beneficiaries of Social Security - PABSS	\$231,962
Donations, Other Grants and Program Income	\$71,234
<b>Total Revenues</b>	<b>\$5,579,752</b>

### Expenses

Program Services	\$4,985,203
General and Administrative	\$573,804
<b>Total Expenses</b>	<b>\$5,559,007</b>
Change in Unrestricted Net Assets	\$20,745

### People Served by Primary Disability





## Disability Rights FLORIDA

To advance the quality of life, dignity, equality, self-determination, and freedom of choice of persons with disabilities through collaboration, education and advocacy as well as legal and legislative strategies.



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