



# DISABILITY RIGHTS FLORIDA

**2016  
ANNUAL  
REPORT**

**Disability Rights Florida** is the not-for-profit statewide protection and advocacy system serving individuals with disabilities for nearly 40 years. Operating under eight federal grants, our mission is to protect and advance the rights of Floridians with disabilities through advocacy and education.

We believe people with disabilities have the right to be able to live as independently as possible, be as healthy as possible, and have full access to their communities. People with disabilities have the right to enjoy a meaningful existence and their individual liberties should be fully protected.

***Dear Disability Rights Florida,***

I want to thank you again for your incredible assistance. Having lived in Florida and enrolling into PALS (Program for Adult Learning and Support) before my mom moved to Texas, your service was incredibly helpful when I was trying to find a cheaper place to live. With having Cerebral Palsy, I wanted to make sure I found a home accommodating the use of my electric wheelchair and access to transportation. The advocate you assigned for me kept all of this in mind and located an accessible house that had an extra bedroom for rent and a PALS van that would be able to pick me up. I was eventually put on the Medicaid iBudget Waiver and now I have a great support team. I graduated from PALS and I am planning to attend Pensacola State College to complete my college education.



My dream is to either work for IT or aviation. I've taken flying lessons at Pensacola International Airport, logging over 30 hours so far on a Cessna 172. I like flying because it allows me to be in complete control and, for just a moment, I forget about being disabled. Without your assistance and the Medicaid iBudget waiver I would not be able to live the life I wanted. I would have had to drop out of PALS and move to Texas with my mom. I am currently researching cars modified for drivers with wheelchairs and I'm looking forward to the future. I believe that if you dream it, you can do it; and with the right people supporting you, anything is possible. Thank you so much for your assistance and for helping me make my dreams a reality.

*Sincerely,*  
**Micah Honey**

## MEDICAID LONG-TERM CARE WAIVER

Medicaid Waiver programs provide home and community-based services to distinct groups of enrollees who have disabilities who might otherwise cause them to be institutionalized in nursing facilities or other institutions. The Florida Agency for Health Care Administration (AHCA) settled with four plaintiffs who challenged the management of the Medicaid Long-Term Care waiver. Disability Rights Florida, with local co-counsel, sued on the grounds enrollees were not provided information on long-term care services which resulted in shortages of service approvals that placed the enrollees at risk of institutionalization. Health plans administering Medicaid long-term care services are "required to provide an array of home and community-based services that enable enrollees to live in the community and to avoid institutionalization." AHCA will also adopt rules creating requirements for coverage of long-term care services, require a new assessment procedure that takes into account the availability, willingness, and ability of voluntary caregivers, and use enrollee surveys asking about the sufficiency of services, among others.

Disability Rights Florida hopes that these changes will enhance clarity, transparency, and protection for enrollees. AHCA also agreed to pilot new enrollee surveys taking into account measures for the quality of home and community-based services as detailed in this year's "Quality in Home and Community-Based Services to Support Community Living: Addressing Gaps in Performance Measurement" issued by the National Quality Forum and found here: [http://www.qualityforum.org/Publications/2016/09/Quality\\_in\\_Home\\_and\\_Community-Based\\_Services\\_to\\_Support\\_Community\\_Living\\_\\_Addressing\\_Gaps\\_in\\_Performance\\_Measurement.aspx](http://www.qualityforum.org/Publications/2016/09/Quality_in_Home_and_Community-Based_Services_to_Support_Community_Living__Addressing_Gaps_in_Performance_Measurement.aspx).

## FRANKLIN AND LAWRENCE ARMSTRONG

Franklin and Lawrence Armstrong are students who attend a Montessori-style school. They both have a medical condition requiring the use of an injectable medication that is only used for emergencies. Throughout their time at school, the boys never used the medication. However, because an Individualized Health Care Plan and a Section 504 plan were never created (a violation of Section 504 of the Rehabilitation Act), they were told by the school district that they could no longer attend the school due to the need for a full-time registered nurse. The boys had only been taught through the use of the Montessori method, so moving to a different school in the district would be a challenge. In accordance with the Florida Nurse Practices Act, it was discovered that their medication could be administered by an unlicensed assistive person.

Disability Rights Florida was soon contacted and a Section 504 grievance was filed against the school district when they were still forced to change schools. As a part of the settlement agreement; a Section 504 meeting was conducted, an Individualized Health Care Plan was drafted, and the boys were no longer forced to change schools. They were happy that Disability Rights Florida provided them with an amazing service allowing them to stay in their current school and continue learning in an environment that would enhance their education.



## ALEXIS CABRERA

Disability Rights Florida was contacted by Alexis Cabrera, an individual with Usher's Syndrome who is deaf and blind. He needed assistance with the delay of services provided by the Division of Vocational Rehabilitation and the Division of Blind Services. Following our investigation, Disability Rights Florida negotiated for the Division of Blind Services to provide Alexis with useful assistive technology such as communication devices, a new walking cane and a money identifier. The advocate assisted his counselors in searching for employment opportunities specific to Alexis's needs. His desire was to move to a city with a larger deaf-blind community. Disability Rights Florida assisted him during the employment application process and helped facilitate a smooth transition from Florida to Seattle when he was offered a full-time position at the Seattle Lighthouse for the Blind. Alexis currently resides in Seattle and is appreciative of the services provided by Disability Rights Florida, as he was able to obtain competitive employment and a better quality of life.

## MIKE McCREIGHT



Mike was an active volunteer within his community before he aged out of the foster care system and was put into a transitional home. At the age of 19, the court found him to be incapacitated and removed all of his statutory rights including control over his finances, social environment, and the right to vote. Along with the guardianship came many other restrictions prohibiting Mike from volunteering and attending social outings. A friend suggested he call Disability Rights Florida, and he then realized he had outgrown his guardianship.

Disability Rights Florida helped him use supported decision-making in order to regain all of his rights, allowing him to vote for the first time in the 2016 Presidential election. A supported decision-making agreement is a formalized way of relying on others to provide an individual with guidance and advice. A person who has a disability and lacks the capacity to make decisions can nonetheless inform, influence, and make those decisions if they are given the right information from people they trust. Supported decision-making is an alternative to guardianship and the Court recognized it as such. Since leaving the guardianship, Mike is back to volunteering in the community and is grateful for the service provided by Disability Rights Florida. You can hear more about Mike and supported decision-making in Episode 5 of our You First podcast, found at [www.disabilityrightsflorida.org/podcast](http://www.disabilityrightsflorida.org/podcast).

## GAINESVILLE OFFICE OPENING

Disability Rights Florida expanded in 2016, opening a new branch office in Gainesville.



# WORK CENTER VISITS

Work centers (formerly known as sheltered workshops) employ adults with disabilities in segregated settings. Disability Rights Florida wanted to ensure that these adults were given opportunities to learn marketable skills and work in integrated settings in the community. Advocates have visited 43 of the 77 work centers included on the list from the Department of Labor within the state of Florida and interviewed participants and employers. The goal was to not only monitor what was occurring in the work centers, but to take the opportunity to educate the participants and employers about opportunities for services through the Division of Vocational Rehabilitation and opportunities to transition into integrated community workplaces. It is important to make sure these adults are given opportunities to enhance themselves and integrate into their communities while attending the work centers. Disability Rights Florida hopes that, by monitoring the work centers, people with disabilities will have greater opportunity to enhance their employability, independence, and increase opportunities for competitive integrated employment.

## ACCESS THE VOTE AND YOU FIRST PODCAST

Disability Rights Florida launched the Access the Vote campaign to provide Floridians

with disabilities with information and resources about voting, and to encourage participation in the 2016 Primary and General Elections. Our new website, [www.AccessTheVote.org](http://www.AccessTheVote.org), provides detailed information and education about voting, including information about polling place accessibility and accessible voting equipment. The site was formally announced in a statewide press conference, with Florida Division of Elections Director Maria Matthews and Leon County Supervisor of Elections Ion Sancho making appearances.

In conjunction with the voting campaign, Disability Rights Florida debuted the You First podcast, with the first four episodes focused on voting. The podcast continues to provide discussions about a variety of issues important to people with disabilities and can be found at [www.disabilityrightsflorida.org/podcast](http://www.disabilityrightsflorida.org/podcast).



## ABILITY HOUSING

Ability Housing, Inc. is a non-profit organization developing affordable housing options for individuals with disabilities and those at risk of homelessness. We learned in 2014 that Ability Housing was being blocked from developing supported housing options in the Springfield region of Jacksonville. Disability Rights Florida worked together with Ability Housing in an effort to educate the City of Jacksonville regarding the city's zoning code and how it violated the Fair Housing Act by discriminating against individuals with mental illnesses. Ultimately it was necessary for Ability Housing, Disability Rights Florida, and the Department of Justice to file a lawsuit against the City of Jacksonville, and the suit was settled in mediation. As a result of these efforts, the City of Jacksonville has agreed to change their zoning code and provide funding for supported housing.



## ADA VIOLATIONS AND CORRECTIONS

Disability Rights Florida over the past few years has joined with other public interest advocates in monitoring the conditions of inmates committed to the Florida Department of Corrections (FDC) who are deaf, hard of hearing, blind, have low vision, and those with mobility impairments. A lawsuit filed on behalf of these inmates in early 2016 contends the FDC is in violation of the Americans with Disabilities Act in the provision of programs and services. Even though these individuals are in prison, the law requires they be properly accommodated with equal access to prison programs, services, and activities throughout their terms of incarceration.



## MENTAL HEALTH AND CORRECTIONS

In 2014, Disability Rights Florida filed litigation against the Florida Department of Corrections for incidents of abuse and neglect involving inmates with serious mental illnesses housed at Dade Correctional Institution. The organization became concerned that similar incidents were occurring in other prison inpatient units and decided to broaden its investigation. The investigation continues as there is evidence inmates assigned to prison inpatient units for serious psychiatric disabilities rarely receive substantive treatment and make little progress toward recovery. Disability Rights Florida has discussed its concerns with the Florida Department of Corrections in the hope improvements to the conditions and provision of services in inpatient mental health units throughout the state will be forthcoming.



## JOSHUA SANTUCHE












In October of 2015, Joshua Santuche was arrested and brought to the Miami-Dade County Jail. Upon his arrival he attempted to communicate with the officers through hand gestures as he is deaf and in need of an interpreter, but he was ignored. At his hearing, an ASL interpreter was not provided. If his mother had not been there to interpret for him using "survival sign language," Joshua would have remained incarcerated. Joshua's mother contacted Disability Rights Florida to express her concern of how Joshua was treated, and an advocate was assigned to him right away. Co-counseling with a local disability advocacy group, a settlement was reached ensuring deaf inmates would be treated fairly. The settlement required Miami-Dade County provide qualified interpreters for all programs and services in the jails, and deaf inmates would be able to communicate with their lawyers and their families right away. Joshua is grateful for the service provided by Disability Rights Florida and is aware this settlement will help future deaf inmates in need.

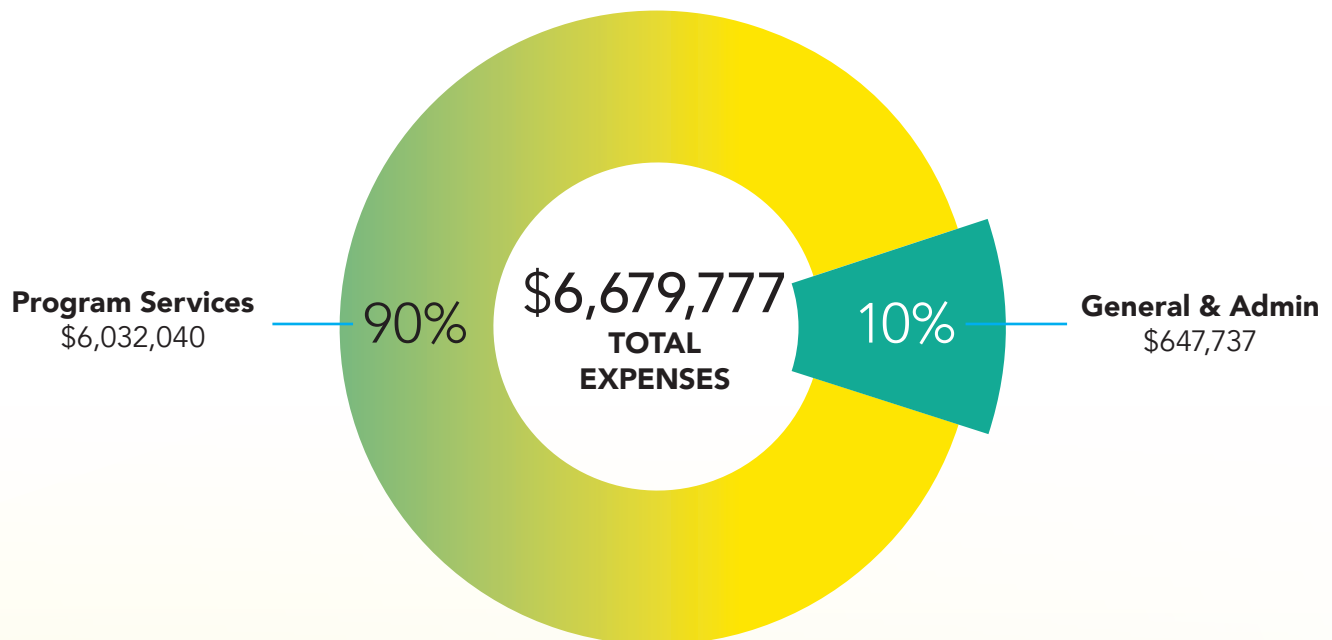


# FINANCIAL INFORMATION

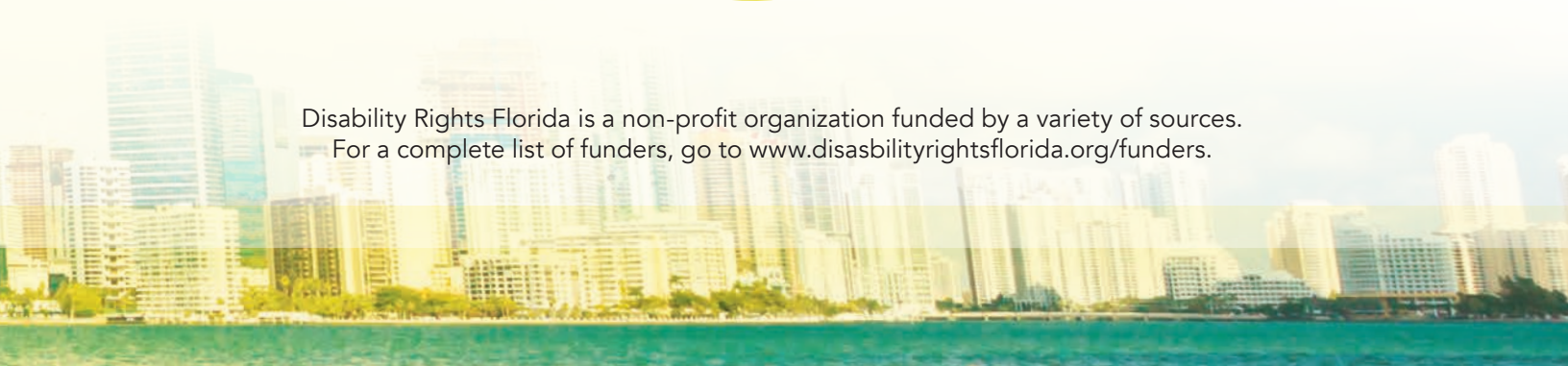


<b>Assistive Technology - PAAT</b>	\$221,784	<b>3%</b>	
<b>Beneficiaries of Social Security - PABSS</b>	\$277,893	<b>4%</b>	
<b>Client Assistance Program - CAP</b>	\$612,561	<b>9%</b>	
<b>Developmental Disabilities - PADD</b>	\$1,790,754	<b>27%</b>	
<b>Individual Rights - PAIR</b>	\$1,361,817	<b>21%</b>	
<b>Mental Illnesses - PAIMI</b>	\$1,727,570	<b>26%</b>	
<b>Traumatic Brain Injury - PATBI</b>	\$105,378	<b>2%</b>	
<b>Voting Access - PAVA</b>	\$244,554	<b>4%</b>	
<b>Other Grants, Donations, and Program Income</b>	\$280,845	<b>4%</b>	
<b>TOTAL REVENUES AND SUPPORT</b>	<b>\$6,623,156</b>	<b>100%</b>	

## PROGRAM VS. GENERAL AND ADMINISTRATIVE



Disability Rights Florida is a non-profit organization funded by a variety of sources.  
For a complete list of funders, go to [www.disabilityrightsflorida.org/funders](http://www.disabilityrightsflorida.org/funders).



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FLORIDA

Florida's Protection and Advocacy System  
850-488-9071 • Toll Free: 800-342-0823  
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[www.DisabilityRightsFlorida.org](http://www.DisabilityRightsFlorida.org)