

Advocating for Crisis Services

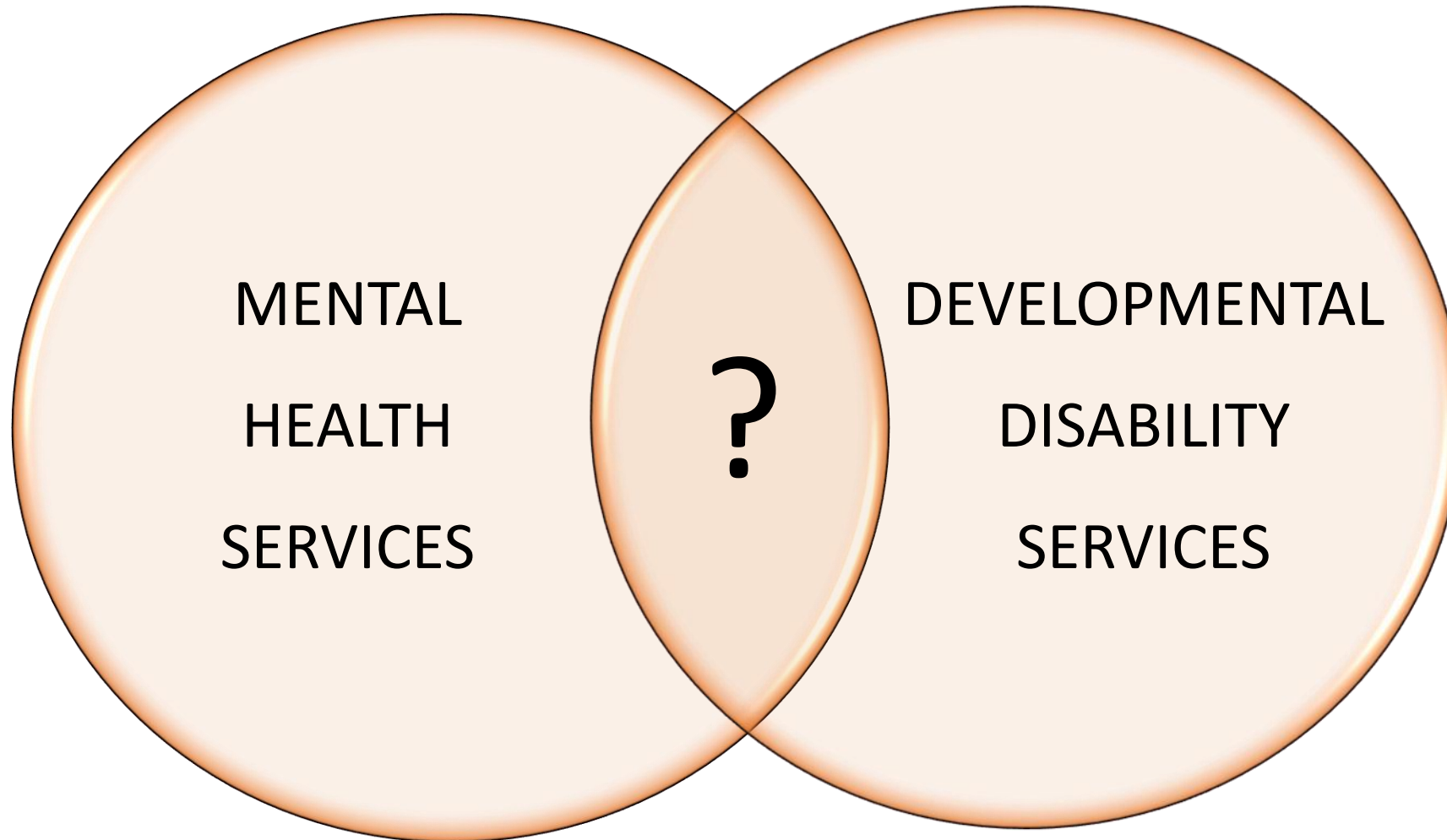
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Presentation Outline

1. Where have we been?
2. Where are we going?
3. Disability Rights
4. Advocacy Strategies
5. Participant Experiences

1. Where have we been?



2008

DOJ launched a CRIPA investigation at CVTC.

2010

DOJ expanded its CVTC investigation to include other training centers and community based care.

2011

DOJ completed its investigation and issued a findings letter.

2012

A federal judge approved the settlement agreement reached by DOJ and Virginia.

2011 DOJ Findings Letter

The Commonwealth also places individuals currently in the community at risk of unnecessary institutionalization at CVTC and other training centers, in violation of the ADA. Systemic failures that cause this violation include:

The Commonwealth's failure to develop a sufficient quantity of community services to address the extremely long waiting lists for community services, including the 3,000 people designated as "urgent" because their situation places them at serious risk of institutionalization; and

The Commonwealth's failure to ensure a sufficient quantity of services, including crisis and respite services, to prevent the admission of individuals in the community to training centers when they experience crises.

2012 Settlement Agreement

The Commonwealth shall develop a statewide crisis system for individuals with [I/DD]. The crisis system shall:

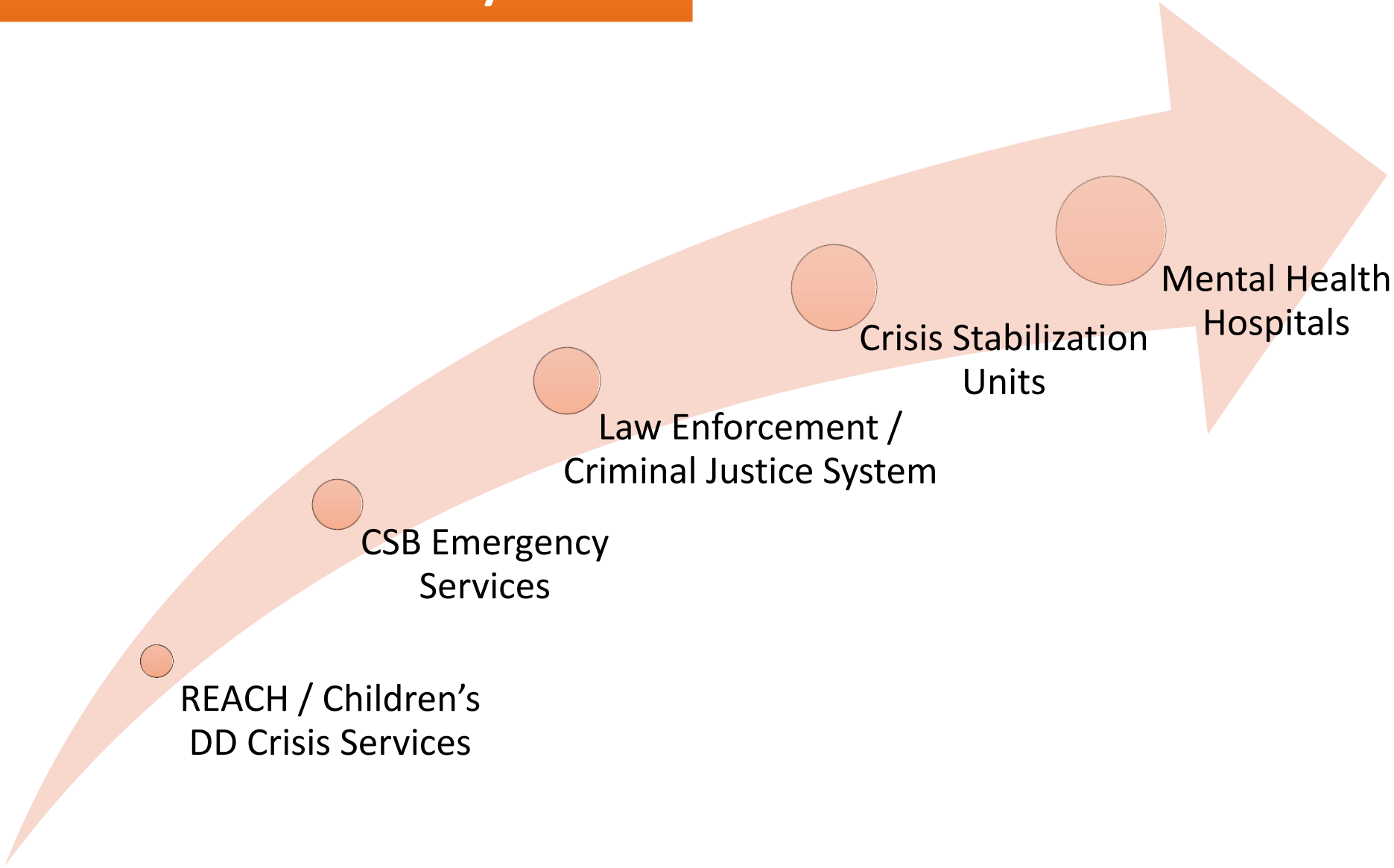
Provide timely and accessible support to individuals with [I/DD] who are experiencing crises, including crises due to behavioral or psychiatric issues, and to their families;

Provide services focused on crisis prevention and proactive planning to avoid potential crises; and

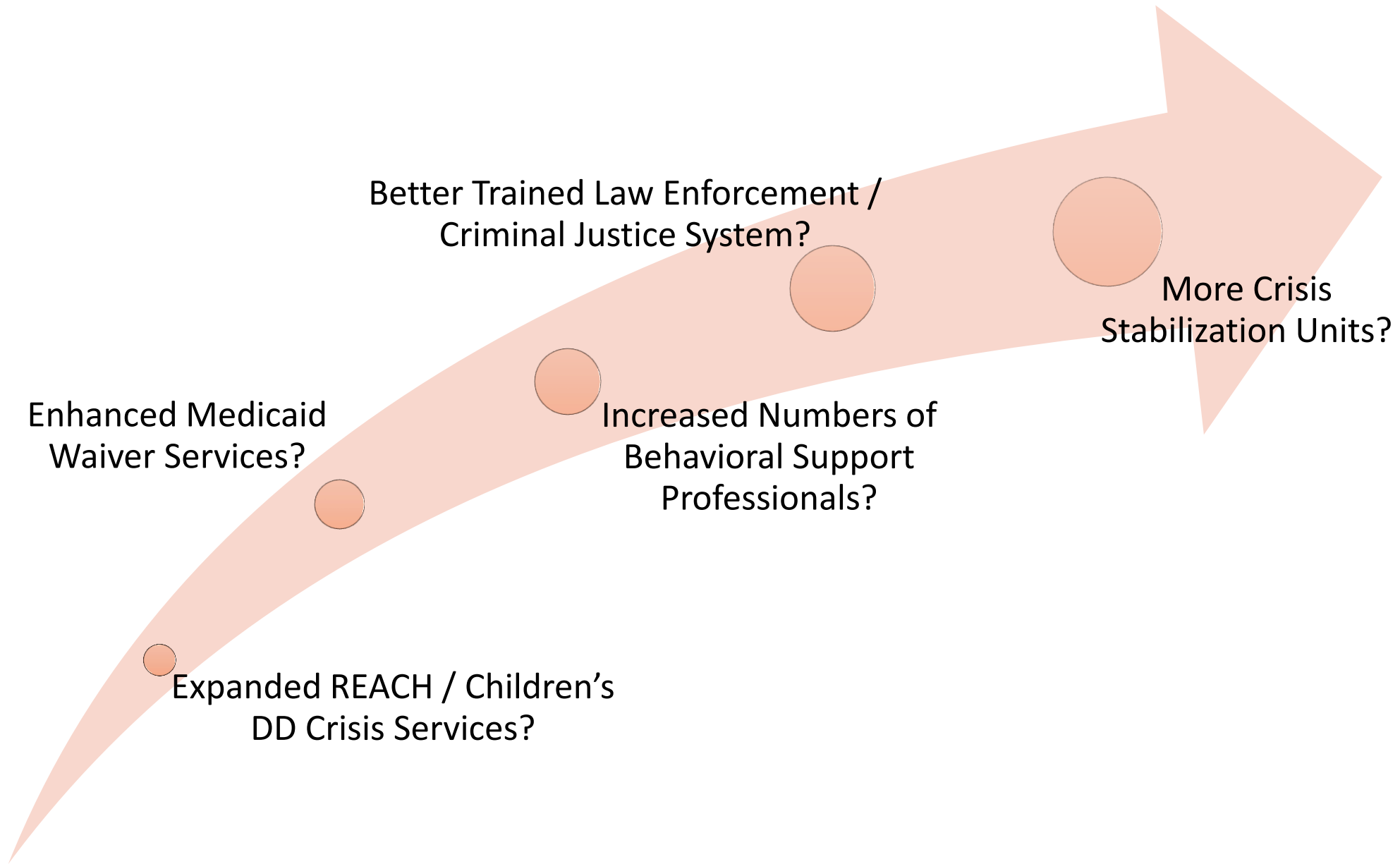
Provide in-home and community-based crisis services that are directed at resolving crises and preventing the removal of the individual from his or her current placement whenever practicable.

2. Where are we going?

Current Crisis Services System



Future Crisis Services System?



3. Disability Rights

Rights: Federal

US Constitution

Americans with
Disabilities Act
(ADA)

Civil Rights of
Institutionalized
Persons Act
(CRIPA)

Medicaid Home
and Community
Based Services
(HCBS)

Individuals with
Disabilities
Education Act
(IDEA)

Section 504 of the
Rehabilitation Act

Rights: State

[Code of Virginia: Title 37.2. Behavioral Health and Developmental Services » Chapter 4. Protection of Consumers](#)

[Human Rights Regulations](#)

[DMAS Medicaid Handbook](#)

[DBHDS Children's Residential Facilities Rules and Regulations](#)

[DBHDS Licensing Regulations for Providers \(Except Children's Residential\)](#)

Rights & Standards: Local & Programmatic

REACH Program
Standards

Children's DD Crisis
Services Program
Standards

Private Providers

Community
Services Boards
(CSBs)

4. Advocacy Strategies

Power Poses



Strategies: Your Advocacy

- Be clear about what you want
- Fight the urge to tell your entire story
- Prioritize your concerns and address one at a time
- Use written communication when possible
- Request responses in writing
- Direct your communication to the entity that holds responsibility to “fix” your problem
- If you don’t get a response “bump it up!”

Strategies: Your Advocacy

- Get to know the system and key players
- Attend public meetings and use the public comment period:
 - [Settlement Agreement Stakeholder Meetings](#)
 - [Local Human Rights Committee Meetings](#)
 - [State Human Rights Committee Meetings](#)
 - REACH Advisory Council Meetings
 - Legislative committee meetings
- Contact [state](#) and local law makers

Helpful Contacts

- Russell Payne, Constituent and Stakeholder Relations, Behavioral Health Services, 804-786-1395, russell.payne@dbhds.virginia.gov
- Heather Norton, Community Support Services, Developmental Services, 804-786-5850 heather.norton@dbhds.virginia.gov
- [Community Resource Consultants](#)
- [Regional Support Teams](#)
- [Critical and Complex Consultation Team](#)

Strategies: dLCV's Advocacy

- dLCV filed an [amicus brief](#)
- [Public reports](#)
- Collaboration with advocacy partners
- Educating stakeholders and legislators
- Formal complaint mechanisms
- [Written requests](#) / negotiation

dLCV Crisis Services Portal



dLCV Crisis Services Portal

- www.dlcv.org/crisis
- Complaints processes available for:
 - REACH
 - Office of Human Rights
 - Office of Licensing
 - Virginia Department of Health
 - Virginia Department of Health Professions
 - Medicaid Fraud Unit
 - Virginia Department of Social Services
 - Office of the State Inspector General

5. Participant Experiences

Contact Information

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