



**d+cv** disABILITY  
LAW CENTER  
OF VIRGINIA  
Protection & Advocacy for Virginians with Disabilities

2022

# ANNUAL REPORT

Protection and Advocacy for Virginians with Disabilities

# DIRECTOR'S REPORT

2022 was a great year for the disAbility Law Center of Virginia (dLCV), but one that truly underscored the challenges that lie ahead for people with disabilities. For example, dLCV successfully advocated for the creation of targeted case management services, under Medicaid, for people with serious brain injuries. The community of people with brain injuries has long struggled to cobble together services and supports wherever they can find them. Most often, they are unable to find them at all. Many have had to go out of state to get necessary services, while hundreds more have simply had to do without. So, it was with great relief that we were able to get millions in new Medicaid dollars directed towards this desperately needy sector.

But our work did not end there - now we are tasked with assisting state agencies in the design of the case management program, ensuring that the voices of those most affected by the program are at the table. We were determined to ensure that the Commonwealth designs these services in a way that brings the most benefit to the community without compromising the existing services, however inadequate they may be.

This is how we carry out our mission at dLCV - we identify necessary systems change, based on our work with individual clients, we pursue that systems change, and then we stay with it, to be sure that the systems change actually solves the problem.

I hope you will enjoy learning about our work on the pages that follow. You can also visit our website at [www.dlcvt.org](http://www.dlcvt.org) to learn even more. We have great educational resources on the website, plus information about volunteer opportunities at dLCV. And, of course, you can visit our website to make a donation to support our work!



**COLLEEN MILLER**  
**EXECUTIVE**  
**DIRECTOR**

# 2022 DISABILITY RIGHTS AND RESOURCES SUMMIT

## A JOURNEY OF DISABILITY THROUGH THE AGES

dLCV hosted its annual DisAbility Rights and Resources Summit on September 22, 2022. This virtual event began with a Welcoming Address from dLCV's Executive Director, Colleen Miller, and an Opening Keynote session by Jill Jacobs, Commissioner of ACL's Administration on Disabilities. This was followed by 20 different breakout sessions and workshops in the following five tracks: systemic, childhood, transition, adulthood, and elder.

Continuing to host the annual summit virtually allowed for increased safety during the COVID-19 pandemic, but also, allowed for more people to view and attend the event. This year, dLCV invested in a new virtual platform to ensure the event was fully accessible to all Virginians. The investments paid off, as dLCV exceeded expectations with over 300 registered attendees for the annual summit - a 50% increase from the prior year. Of these 300, over 60% of the attendees were new supporters with whom dLCV was able to effectively connect and engage.

**6,625**  
ENGAGEMENTS  
WITHIN THE EVENT  
PLATFORM

**2,578**  
EVENT REGISTRATION  
PAGE VIEWS

**8,112**  
REACHED VIA FB &  
INSTAGRAM WITH  
INFORMATIONAL  
SUMMIT POSTS

**1,251**  
DLCV TWITTER  
PROFILE VIEWS DURING  
SUMMIT MONTH, UP  
OVER 100%

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# EMPLOYMENT

**Maha needed assistance from the Department of Aging and Rehabilitative (DARS) services. dLCV empowered her to advocate for herself to get the services she needs.**

Maha has had several Traumatic Brain Injuries (TBIs). She contacted dLCV because she felt as though the Department for Aging and Rehabilitative Services (DARS) did not take her seriously and did not really want to help her. dLCV and Maha met with DARS staff and management two times. In these meetings, Maha was a great self-advocate for her services. At the end of the two meetings, DARS agreed to provide Maha with a Neuropsychological Evaluation (NE), a Vocational Evaluation (VE), and an Assistive Technology (AT) evaluation.

Maha reported to dLCV that, at the time, she had a Vocational Rehabilitation (VR) case with DARS for over a year. Yet, she had never had access to so many services before. Maha said this never would have happened without dLCV's assistance.

**In 2022:**

*dLCV completed **60 service requests** for the Client Assistance Program (CAP) and Vocational Rehabilitation (VR) services.*



# COMMUNITY RESOURCES

**dLCV helps individuals with disabilities live, work, and spend time in the community.**



Johnny is a baseball fan who happens to use a wheelchair. One of his favorite activities is enjoying snacks and watching a sports game live in the stadium with other fans. Johnny contacted dLCV when he attempted to attend a Minor League Baseball game in support of the Richmond Flying Squirrels. At the game, Johnny found the restroom to be inaccessible. dLCV arranged an accessibility survey and worked with the team's management to get the necessary changes made in every bathroom onsite. The team even corrected the concerns before the start of the 2022 baseball season, and invited dLCV to return in order to ensure accessibility standards were met. Johnny was thrilled and cannot wait to get out to the ballpark!

**To ensure people with disabilities have equal access to public accommodations, dLCV:**

*provided ADA training for senior centers, reaching a total of **30 individuals**. These trainings increased awareness about the rights of people with disabilities under Title III of the ADA.*

# INSTITUTIONAL RIGHTS

**dLCV ensures people with disabilities are free from abuse and neglect and can access all appropriate services.**

Sam had been severely injured during a restraint at Western State Hospital (WSH). He stated that WSH staff subjected him to restraint, despite not being at risk of harming himself or others; and six security guards then tackled him to the ground, resulting in his broken ankle. dLCV submitted a human rights complaint, alleging violations of the human rights complaint process, improper use of seclusion, and abuse and neglect. After WSH declined to substantiate any of the violations, dLCV submitted an appeal to the Local Human Rights Committee (LHRC), which substantiated the allegations. However, the LHRC did not recommend that WSH abolish the use of public safety officers. While the LHRC did not change or add any recommendations, dLCV was able to represent Sam's story and discuss the dangerous ramifications of having security guards used as the physical arm of clinical staff.

**During this Fiscal Year, dLCV's direct advocacy:**  
*reduced the use of restraint at WSH from 2,019 hours (2021) to 459 hours; and, reduced the use of seclusion from 1,496 hours (2020) to 561 hours - a **62% reduction.***



# VOTING

In preparation for the November 2021 general election, dLCV sent 18 blasts through our social media outlets and email newsletter. These content blasts focused on voting rights, as well as instructions on how to file a complaint if voting rights were violated or if there were access issues at a polling location. This content reached over 2,200 individuals during this election season.

dLCV also distributed 300 voting business cards across the Commonwealth to let individuals with disabilities know of their right to vote and how to file a complaint if their rights were violated

In August and September of 2022, dLCV began voter outreach for the upcoming November 2022 General Election. dLCV participated in a resource fair for the underserved Latino Community, as well as a "Celebrate Communications" event for the Deaf community. dLCV also gave out voter information at Assisted Living Facilities (ALFs) across the Commonwealth and held a voting rights training with the Rev-Up voting coalition.

**dLCV protected the right to vote by:**

*distributing **1300 voting fact sheets** and providing direct training and outreach to **500 individuals and agencies** on voting rights.*



# HEALTHCARE

**dLCV ensures that people with disabilities have equal access to appropriate and necessary healthcare.**

Hazel contacted dLCV after she unsuccessfully attempted to restart her Medicaid waiver services. Fearing exposure to COVID-19, Hazel chose to stop formal in-home supports and instead relied upon unpaid family supporters. However, as the pandemic dragged on, Hazel was left with minimal support to remain safely at home. As a brain injury survivor, Hazel needed help with daily tasks like like communication, ambulation, and personal care. Hazel contacted her local health department to restart the long-term care she had received for more than a decade, but was confoundingly told that she no longer qualified. With dLCV's assistance, the Commonwealth Coordinated Care (CCC) Plus advocate quickly uncovered a processing error by the Department of Medical Assistance Services (DMAS) which had resulted in the improper denial of waiver services to Hazel. Within days, this error was corrected, Hazel's waiver was reinstated, and in-home waiver support commenced. Hazel once again has the services in place she needs to remain safely at home!

**In 2022, dLCV advocated for legislation that would:**

*enable DMAS to offer targeted case management for persons with brain injury. HB 680 was approved and more than **\$4.5 million** were appropriated to this service.*



# COVID-19 ADVOCACY



As the COVID-19 pandemic continued in FY2022, dLVCV responded to prevent discriminatory policies and practices which had emerged, dLVCV opened multiple cases involving improper application of hospital visitation prohibitions for people with developmental disabilities, and several cases for people who require face mask accommodations due to their disabilities. One hospital visitation case was so egregious that dLVCV developed and distributed new self-advocacy tools for people with developmental disabilities and their supporters to utilize. Additionally, dLVCV distributed a letter to self-advocates, families, and disability service providers, describing their right under state law to be accompanied by a support person during hospital admissions – even when COVID-19 visitor restrictions are in effect.

Furthermore, dLVCV advocated for change at the federal level by co-filing a lawsuit that challenged Governor Youngkin’s Executive Order 2. This Order allowed parents of students attending Virginia public schools to elect for their children to not be subjected to mask mandates at their schools. dLVCV argued that forcing schools to repeal their mask mandates effectively excluded students with disabilities from public schools,

**Due to dLVCV's advocacy:**

*the Commonwealth of Virginia affirmed peer masking in public schools as a reasonable modification for students with disabilities.*

# SPECIAL EDUCATION

## IEP eligibility approved, and hope restored for Luis and his mother

Luis's mother contacted dLCV to request assistance in advocating for her son to receive special education services and specialized instruction due to his multiple disabilities. Luis's mother stated that Luis had received special education when they lived in Puerto Rico. dLCV attended an Individualized Education Program (IEP) meeting with Luis and his mother. The IEP team determined Luis was eligible for special education and discussed next steps of IEP development.

Luis's mother cried genuine tears of joy as she began to explain how hard she had tried to make this happen before dLCV's intervention. She explained how Luis had been through so much at such an early age. From horrific earthquakes a few years prior in Puerto Rico to the abandonment Luis felt after his parents divorced and his father left, never to hear from him again. *"I am overjoyed to know something is going right for my son in his life!"*

**During this Fiscal Year, dLCV:**

*provided virtual trainings on "Children with Disabilities in Foster Care," reaching over **66 Virginians.***



# REPRESENTATIVE PAYEE PROGRAM

**When Social Security beneficiaries are subject to fraud or exploitation, dLCV's Representative Payee program can help.**

This year, dLCV assessed every Adult Protective Services (APS) report, Computerized Human Rights Information System (CHRIS) report, Critical Incident Report (CIR), and Psychiatric Residential Treatment Facility (PRTF) report involving financial exploitation. This included analysis of over 160 reports. These reports were then referred to the Representative Payee program and investigated as appropriate.

Additionally, dLCV modified an existing Social Security Administration (SSA) brochure called "When a Representative Payee Manages Your Money," to include information on requesting help from dLCV. This brochure was widely distributed across the Commonwealth to eight representative payee community providers and over 30 Assisted Living Facilities (ALFs) during the year.

## **In 2022:**

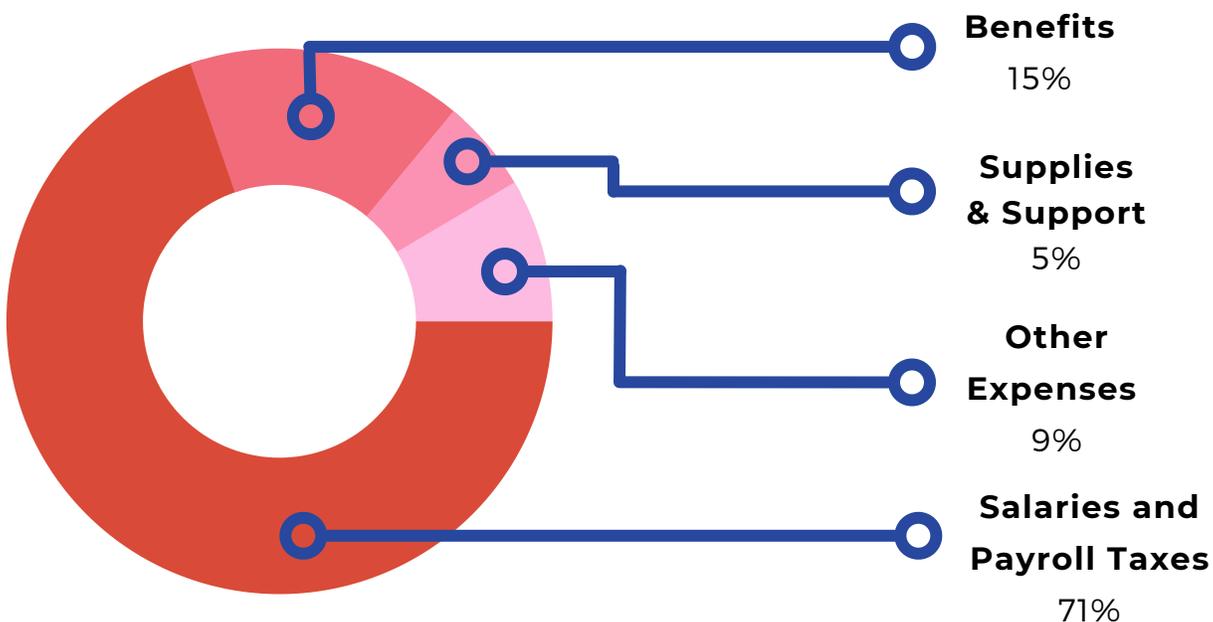
*dLCV's Representative Payee program led **89 reviews** of representative payees, with **90%** of these reviews reaching the corrective action phase*



# FINANCIAL SUMMARY

REVENUE AND SUPPORT	FY 2022	% OF TOTAL
Developmental Disabilities – PADD	\$ 802,999	22%
Mental Illness – PAIMI	\$ 793,018	21%
Representative Payee – PABRP	\$ 657,810	18%
Individual Rights – PAIR	\$ 388,325	11%
Client Assistance Program – CAP	\$ 312,016	8%
Other Grants & dLCV Fundraising	\$ 290,488	8%
Voting Access – PAVA	\$ 148,435	4%
Beneficiaries of Social Security – PABSS	\$ 108,667	3%
Assistive Technology – PAAT	\$ 102,779	3%
Traumatic Brain Injury – PATBI	\$ 87,378	2%
<b>TOTAL REVENUES</b>	<b>\$3,691,915</b>	<b>100%</b>

## Expenses by Category



# FINANCIAL PICTURE

The disAbility Law Center of Virginia receives support from core federal grants that provide the basic foundation for our work as the protection and advocacy system. We also receive additional funding from individual donors and corporate sponsors to provide additional programs and services that advance our mission.

## Core Federal Grants

**PADD:** Advocacy for individuals with developmental disabilities to promote full inclusion.

**PAIMI:** Advocacy for individuals with mental illness to address conditions in mental health facilities.

**PABRP:** Advocacy to protect beneficiaries of Social Security who have representative payees to be free from exploitation.

**PAIR:** Protection and advocacy for individual rights to enforce the Americans with Disabilities Act and other federal laws.

**CAP:** Client Assistance Program to help people with disabilities to be employed.

**PAVA:** Voting rights advocacy to ensure that people with disabilities have full access to voting.

**PAAT:** Advocacy to assist people with disabilities to find appropriate assistive technology.

**PABSS:** Advocacy to assist beneficiaries of Social Security to be able to return to work.

**PATBI:** Advocacy for improved services for people with traumatic brain injuries.

# 2022 LEADERSHIP

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## JOIN US IN OUR MISSION

Our mission is to advance independence, choice and self-determination; protect legal, human and civil rights; and eliminate abuse, neglect and discrimination of people with disabilities through zealous and uncompromising legal advocacy and representation.

We envision a Commonwealth free of legal barriers for individuals with disabilities.

With your support, the disAbility Law Center of Virginia is able to continue to provide legal rights protection PAIMI Council members: and advocacy services for individuals with disabilities.



# Connect with us



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