

# PRIORITY SERVICE PLAN FY 2022

October 1, 2021 - September 30, 2022

DISABILITY RIGHTS MONTANA PROTECTS AND  
ADVOCATES FOR THE HUMAN, LEGAL, AND CIVIL  
RIGHTS OF MONTANANS WITH DISABILITIES WHILE  
ADVANCING DIGNITY, EQUALITY, AND SELF-  
DETERMINATION.

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**Disability Rights Montana has established  
the following priorities to achieve freedom from  
discrimination for people with disabilities.**

Following is a description of the priority areas, the rationale, and the work to be accomplished:

**CORE SERVICES**

Disability Rights Montana is required to provide information on and referral to people with disabilities and the public inquiring about services, programs, and the civil rights of people with disabilities. Timely and accurate information and referral services will be provided to every person that contacts Disability Rights Montana.

**ABUSE & NEGLECT**

Disability Rights Montana will work to protect from abuse and neglect all adults and children who are living in congregate living facilities such as residential care facilities, mental health facilities, and developmental disability facilities. Disability Rights Montana will review all reports of serious incidents, including abuse, neglect, death, seclusion, restraint (physical, mechanical, and chemical), and rights violations. Disability Rights Montana will assure proper investigations to identify system-wide failures and pursue legal strategies that target systemic change to assure safe, humane, and appropriate services and the least restrictive living environments.

**DISCRIMINATION, EMPLOYMENT, BENEFITS, AND ACCESS (DEBA)**

People with disabilities who want to work will have access to rehabilitation services and benefits. Disability Rights Montana will: provide assistance to people alleging discrimination while applying for work, seeking reasonable accommodations to maintain their employment, represent people who experience difficulty accessing vocational rehabilitation services, independent living services, and other services funded under the Rehabilitation Act.

Physical and program access can be a tremendous barrier for people with disabilities, especially when trying to access state, county and municipal services as well as private services such as hotels and motels. Disability Rights Montana will focus upon access to these services to assure that people with disabilities can fully participate in public life.

People with disabilities often experience difficulty in their return-to-work efforts. Disability Rights Montana will ensure that Social Security Beneficiaries (SSB) are

supported in their return-to-work efforts by providing accurate information or available work incentives and providing advocacy and legal representation when their rights are violated.

## **EDUCATION**

Every student deserves the opportunity to succeed in education. The purpose of the Individuals with Disabilities Education Act (IDEA) is to ensure that all children with disabilities are entitled to a free appropriate public education to meet their unique needs and prepare them for further education, employment, and independent living. Through collaboration, advocacy, and litigation, Disability Rights Montana will protect the rights of students with disabilities to access educational programs, services, activities, and benefits free from discrimination on the basis of disability and to receive a free and appropriate public education.

Among the education advocacy community, there has been an increased focus on inappropriate uses of Restraint and Seclusion and discriminatory disciplinary practices. Disability Rights Montana will focus on both issues for Fiscal Year 2022 through individual advocacy, tracking of the issues, and monitoring laws and policies regarding these issues.

## **REPRESENTATIVE PAYEE**

In March 2018, legislation was passed by the U.S. Senate to increase oversight and protection for some of our nation's most vulnerable citizens. The bill, called the Strengthening Protections for Social Security Beneficiaries Act (H.R. 4547), increased independent oversight of the Social Security Administration's Representative Payee Program.

Disability Rights Montana will conduct organizational and individual representative payee reviews as assigned by the Social Security Administration.

## **OUTREACH AND TRAINING**

In order to fully participate, exercise choice and self-determination, people with disabilities and the general public can benefit from disability rights and awareness training. Disability Rights Montana will sponsor disability rights and awareness training throughout the state with an emphasis on minority, under-served communities. Disability Rights Montana will produce and distribute an electronic newsletter quarterly and enhance its electronic presence.

## **POLICY**

Disability Rights Montana pursues policy work to preserve the gains made through individual advocacy and to address and correct system issues. Disability Rights Montana will monitor and participate in law, policy, and rule changes affecting the rights and opportunities of people with disabilities as well as the ability of DRM to serve people with disabilities, educate law and policy makers through oral and written communications in legislative and executive branch forums, and participate in discussions, committees, and task forces with the executive, policy makers, and stakeholders.

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## CORE SERVICES

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will provide information, referral, and short-term assistance. DRM will develop and provide resource materials to people with disabilities and assist people with disabilities to register to vote.**

<b>Objective 1:</b>	<b>Provide reliable, timely information and referral services to all callers.</b>	
	<b>Target Population:</b>	People calling Disability Rights Montana for information and referral
	<b>Target:</b>	100% of all callers (200 PAIMI)
	<b>Funding:</b>	*Eight Core Grants
<b>Objective 2:</b>	<b>Provide short-term assistance for non-priority issues to eligible persons with disabilities.</b>	
	<b>Target Population:</b>	People with disabilities requesting assistance with non-priority issues
	<b>Target:</b>	35 service requests (20 PAIMI)
	<b>Funding:</b>	PAIMI/PAAT/PAIR/PADD/PATBI/PAVA
* Eight Core Grants = PADD, PAIMI, PAIR, CAP, PAAT, PATBI, PABSS, PAVA		
<b>Objective 3:</b>	<b>Provide information, education, travel arrangements, and other assistance necessary for people with disabilities and caregivers regarding &amp; obtaining COVID-19 vaccination.</b>	
	<b>Target Population:</b>	People with disabilities and care givers in need of information and assistance in obtaining a COVID-19 vaccination
	<b>Funding:</b>	PAVAC

## ABUSE & NEGLECT

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will protect people with disabilities in facilities from abuse, neglect, seclusion/restraint, violations of civil rights and protect their right to receive appropriate services with privacy, dignity, and autonomy.**

<b>Objective 1:</b>	<b>Identify, monitor, and investigate select instances of abuse, neglect, seclusion, restraint (+chemical restraint), and egregious violation of civil rights, affecting people with disabilities receiving services in public and private institutions and facilities and pursue legal remedies. Pursue/address systemic issues to effect change in practice, policy, rule or law.</b>	
	<b>Target Population:</b>	PADD, PAIMI, PAIR, or PATBI-eligible youth and adults living in or receiving treatment from public and private institutions and facilities.
	<b>Target:</b>	Review 100% of allegations (5 PAIMI SRs and including 1 project)
	<b>Funding:</b>	PADD/PAIMI/PAIR/PATBI
<b>Objective 2:</b>	<b>Identify, monitor, and/or investigate select instances of abuse/neglect, seclusion, restraint (+chemical restraint), and egregious violation of civil rights at the Intensive Behavior Center (IBC) and pursue legal remedies. Pursue/address systemic issues to effect change in practice, policy, rule or law.</b>	
	<b>Target Population:</b>	All residents at IBC
	<b>Target:</b>	Review 100% of allegations
	<b>Funding:</b>	PADD

<b>2. PRIORITY/GOAL STATEMENT: Disability Rights Montana will protect people with disabilities living in community settings from abuse and neglect, violation of civil rights, and protect their right to receive appropriate services in the least restrictive environment.</b>							
<b>Objective 3:</b>	<b>Monitor, investigate, and bring legal action when appropriate against community service providers to protect people living in the community from abuse, neglect and rights violations and advocate for the provision of community services.</b>						
	<table border="1"> <tr> <td><b>Target Population:</b></td> <td>People with disabilities living in community services</td> </tr> <tr> <td><b>Target:</b></td> <td>2 service requests (1 PAIMI)</td> </tr> <tr> <td><b>Funding:</b></td> <td>PAAT/PADD/PATBI/PAIR/PAIMI</td> </tr> </table>	<b>Target Population:</b>	People with disabilities living in community services	<b>Target:</b>	2 service requests (1 PAIMI)	<b>Funding:</b>	PAAT/PADD/PATBI/PAIR/PAIMI
<b>Target Population:</b>	People with disabilities living in community services						
<b>Target:</b>	2 service requests (1 PAIMI)						
<b>Funding:</b>	PAAT/PADD/PATBI/PAIR/PAIMI						
<b>Objective 4:</b>	<b>To prevent premature death of people with disabilities as a result of the inappropriate use of Do Not Resuscitate (DNR) or Physician's Orders for Life-Sustaining Treatment (POLST) orders. Review all deaths reported to the Mortality Review Committee.</b>						
	<table border="1"> <tr> <td><b>Target Population:</b></td> <td>All PADD/PAIR/PATBI eligible people who are in medical or care facilities who are subject to the protection of the Montana Uniform Rights of the Terminally Ill Act.</td> </tr> <tr> <td><b>Target:</b></td> <td>Review 100% of reports and open as many service requests as needed.</td> </tr> <tr> <td><b>Funding:</b></td> <td>PADD/PAIR/PATBI</td> </tr> </table>	<b>Target Population:</b>	All PADD/PAIR/PATBI eligible people who are in medical or care facilities who are subject to the protection of the Montana Uniform Rights of the Terminally Ill Act.	<b>Target:</b>	Review 100% of reports and open as many service requests as needed.	<b>Funding:</b>	PADD/PAIR/PATBI
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<b>Target:</b>	Review 100% of reports and open as many service requests as needed.						
<b>Funding:</b>	PADD/PAIR/PATBI						



**3. PRIORITY/GOAL STATEMENT: Disability Rights Montana will protect people with disabilities from abuse, neglect, seclusion/restraint, violations of civil rights and protect their right to receive appropriate services with privacy, dignity and autonomy during the COVID-19 pandemic.**

<b>Objective 5:</b>	<b>Monitor public and private institutions and community service providers for conformance with accepted policies, practices and protocols related to COVID-19 and identify and investigate select instances of abuse, neglect, seclusion/restraint and egregious violations of civil rights which are directly related to COVID-19 and affect people with disabilities and pursue legal remedies where appropriate. Pursue/address systemic issues to effect change in practice, policy, rule or law related to the COVID-19 response.</b>	
	<b>Target Population:</b>	All people with disabilities living in or receiving treatment from public and private institutions and those living in the community.
	<b>Target:</b>	2 service requests (1 PAIMI) / 1 project
	<b>Funding:</b>	PADD/PAIMI/PAIR/PATBI

**DISCRIMINATION, EMPLOYMENT, BENEFITS,  
AND ACCESS (DEBA)**

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will promote independent living, meaningful employment, and access to governmental services and programs and public accommodations, for people with disabilities.**

**Objective 1: Review and address cases where people have been discriminated against on the basis of disability by employers. We will focus on cases where there is discrimination in the application and hiring process, and when there is a clear denial of a reasonable accommodation.**

<b>Target Population:</b>	People with disabilities who are employed or seeking employment
<b>Target:</b>	8 service requests (1 PAIMI)
<b>Funding:</b>	CAP/PAAT/PADD/PAIMI/PAIR/PATBI

**2. PRIORITY/GOAL STATEMENT: Ensure that people with disabilities receive appropriate services from Montana Vocational Rehabilitation, Independent Living Centers, and other programs funded by the Rehabilitation Act.**

**Objective 2: Represent qualified individuals in accordance with the Client Assistance Program (CAP) program requirements to include applicants and clients of the State Vocational Rehabilitation Program.**

<b>Target Population:</b>	People with disabilities receiving or seeking services from Vocational Rehabilitation and other programs funded by the Rehabilitation Act
<b>Target:</b>	20 service requests
<b>Funding:</b>	CAP/PABSS

<b>Objective 3:</b>	<b>Address institutional concerns and issues with the delivery of services by the State Vocational Rehabilitation Program through periodic communication with the Chief of Field Services for Montana Vocational Rehabilitation and participation on the State Vocational Rehabilitation Program.</b>	
	<b>Target Population:</b>	People with disabilities receiving or seeking services from Vocational Rehabilitation and other programs funded by the Rehabilitation Act
	<b>Target:</b>	2 projects
	<b>Funding:</b>	CAP/PABSS
<b>Objective 4:</b>	<b>Participate in training, outreach, and communication to address services to under-served populations including American Indians and individuals age 14 - 24.</b>	
	<b>Target Population:</b>	People with disabilities receiving or seeking services from Vocational Rehabilitation and other programs funded by the Rehabilitation Act
	<b>Target:</b>	2 projects
	<b>Funding:</b>	CAP/PABSS
<b>3. PRIORITY/GOAL STATEMENT: Challenge discrimination on the part of government entities and ensure that people with disabilities enjoy equal access to all governmental benefits and services.</b>		
<b>Objective 5:</b>	<b>Review cases, provide technical assistance, and represent individuals who have been denied meaningful access to benefits or services or otherwise discriminated against on the basis of disability by governmental entities, using such individualized strategies as filing administrative complaints, lawsuits, and appeals.</b>	
	<b>Target Population:</b>	People with disabilities who are using or seeking access to government benefits or services
	<b>Target:</b>	5 service requests (1 PAIMI)
	<b>Funding:</b>	PAAT/PADD/PAIMI/PAIR/PATBI/PAVA

<b>4. PRIORITY/GOAL STATEMENT: Challenge discrimination on the part of places of public accommodation and ensure that people with disabilities enjoy equal access, particularly physical access, to places of public accommodation.</b>		
<b>Objective 6:</b>	<b>Review and address cases where people have been discriminated against on the basis of disability by places of public accommodation. We will focus on discrimination in services provided by hotels and motels.</b>	
	<b>Target Population:</b>	People with disabilities seeking access to places of public accommodation
	<b>Target:</b>	5 Service Requests (1 PAIMI)
	<b>Funding:</b>	CAP/PAAT/PADD/PAIMI/PAIR/PATBI
<b>5. PRIORITY/GOAL STATEMENT: Ensure that Social Security Beneficiaries (SSB) are supported in their return-to-work efforts by providing accurate information or available work incentives and providing advocacy and legal representation when their rights are violated.</b>		
<b>Objective 7:</b>	<b>Investigate and review any complaint of improper or inadequate services provided to Social Security Beneficiaries (SSB) with disabilities by service providers, employers, or other entity involved in the SSB return to work effort.</b>	
	<b>Target Population:</b>	SSB with disabilities with a complaint of improper or inadequate services by service providers, employers, or other entities
	<b>Target:</b>	5 Service Requests
	<b>Funding:</b>	CAP/PABSS
<b>Objective 8:</b>	<b>Provide information and referral to Social Security Beneficiaries (SSB) with disabilities about work incentives and employment, and other SSA-related issues.</b>	
	<b>Target Population:</b>	SSB with disabilities calling about work incentives and employment
	<b>Target:</b>	100% of all SSB callers
	<b>Funding:</b>	CAP/PABSS

<b>Objective 9:</b>	<b>Provide consultation to and legal representation on behalf of Social Security Beneficiaries with disabilities to protect their rights.</b>	
	<b>Target Population:</b>	SSB with disabilities desiring to work
	<b>Target:</b>	5 Service Requests
	<b>Funding:</b>	CAP/PABSS
<b>6. PRIORITY/GOAL STATEMENT: DRM will promote independent and private voting for people with disabilities.</b>		
<b>Objective 10:</b>	<b>Work with Secretary of State, Clerks and Recorders, election officials, disability community, and the general public to ensure that people with disabilities have equal access to the voting process.</b>	
	<b>Target Population:</b>	People with disabilities who vote or seek to vote
	<b>Target:</b>	1 Project
	<b>Funding:</b>	PAIR/PAVA

## EDUCATION

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will protect the rights of students with disabilities in accessing educational programs, services, activities, and benefits free from discrimination and in receiving a free and appropriate public education in the least restrictive environment.**

**Objective 1: Review individual cases, provide information and referral, technical assistance, and/or short-term assistance to students and families to obtain the support and services they need to progress in their education.**

<b>Target Population:</b>	Students with disabilities who are denied a FAPE.
<b>Target:</b>	100% of all education related calls (15 PAIMI service requests)
<b>Funding:</b>	CAP/PAAT/PADD/PAIMI/PAIR/PATBI

**Objective 2: Provide individual advocacy and/or legal representation in cases that present education and school related issues of particular severity, with emphasis given to cases that have the potential for systemic impact.**

<b>Target Population:</b>	Students with disabilities that present issues with the potential for systemic impact.
<b>Target:</b>	2 Service Requests
<b>Funding:</b>	PADD/PAIR/PATBI

**2. PRIORITY/GOAL STATEMENT: Disability Rights Montana will advocate for students in public schools to be protected against discriminatory disciplinary practices on the basis of their disability and the inappropriate use of Restraint and Seclusion.**

**Objective 3: Provide individual advocacy for students who have been subjected to discriminatory informal removal practices, and/or actions taken by the school which contribute to the School to Prison Pipeline, including referrals to SROs and the juvenile justice system.**

<b>Target Population:</b>	Students with disabilities who have been subjected to discriminatory discipline.
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	<b>Target:</b>	3 Service Requests (1 PAIMI) / 2 Projects
	<b>Funding:</b>	PADD/PAIMI/PAIR
<b>Objective 4:</b>	<b>Provide individual advocacy to protect students with disabilities from inappropriate use of Restraint and Seclusion, with emphasis give to cases that have the potential for systemic impact.</b>	
	<b>Target Population:</b>	Students with disabilities subjected to restraint and/or seclusion practices.
	<b>Target:</b>	2 Service Requests (1 PAIMI) / 1 Project
	<b>Funding:</b>	PADD/PAIMI/PAIR
<b>3. PRIORITY/GOAL STATEMENT: Disability Rights Montana will provide targeted outreach to ensure that students with disabilities in underserved communities have access to FAPE in the least restrictive environment.</b>		
<b>Objective 5:</b>	<b>Provide outreach to public schools on reservations, working with the Montana Advisory Council on Indian Education members to inform advocacy and outreach decisions and better understand the needs and desires of Indigenous families and students with disabilities.</b>	
	<b>Target Population:</b>	Indigenous families and students with disabilities.
	<b>Target:</b>	0 Service Requests / 1 Project
	<b>Funding:</b>	CAP/PAAT/PADD/PAIMI/PAIR/PAVA
<b>4. PRIORITY/GOAL STATEMENT: Disability Rights Montana will provide targeted outreach to promote independence of students with disabilities in preparing them for further education, employment, and independent living.</b>		
<b>Objective 6:</b>	<b>Provide information and training for students, families, and educators on student-led IEPs.</b>	
	<b>Target Population:</b>	Students with disabilities, families, and educators.
	<b>Target:</b>	0 Service Requests / 1 Project
	<b>Funding:</b>	PADD/PAIMI/PAIR

<b>Objective 7:</b>	<b>Provide information and training for students, parents, and educators on House Bill 233, allowing certain students with disabilities up to 21 years of age to remain in public school and be provided a FAPE.</b>	
	<b>Target Population:</b>	Students with disabilities ages 18-21, families, and educators.
	<b>Target:</b>	0 Service Requests / 1 Project
	<b>Funding:</b>	PADD
<b>Objective 8:</b>	<b>Provide information and training on least restrictive alternatives to guardianship, focusing on Supported Decision Making, to students with disabilities, families, and educators.</b>	
	<b>Target Population:</b>	Students with disabilities during transition of educational rights programming.
	<b>Target:</b>	0 Service Requests / 1 Project
	<b>Funding:</b>	CAP/PABSS/PADD/PAIMI/PAIR/PAVA
<b>5. PRIORITY/GOAL STATEMENT: Disability Rights Montana will participate and engage with stakeholders on coalitions, task forces, advisory panels, etc., to improve outcomes for students with disabilities and further DRM's mission of enhancing dignity, equality, and self-determination.</b>		
<b>Objective 9:</b>	<b>Continued engagement with the Special Education Stakeholders Coalition of Montana Empowerment Center and the Office of Public Instruction to improve services and supports in public schools for students with disabilities.</b>	
	<b>Target Population:</b>	
	<b>Target:</b>	1 Project
	<b>Funding:</b>	CAP/PAAT/PABSS/PADD/PAIMI/PAIR/PAVA
<b>Objective 10:</b>	<b>Continued engagement as a designated member on the State Special Education Advisory Panel.</b>	
	<b>Target Population:</b>	
	<b>Target:</b>	1 Project
	<b>Funding:</b>	CAP/PAAT/PADD/PAIMI/PAIR/PAVA



## OUTREACH/TRAINING

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will promote disability rights and awareness and keep the public informed of its activities.**

<b>Objective 1:</b>	<b>Provide and sponsor disability-rights-related awareness and training events throughout the state to include people with disabilities, minority, under-served persons with disabilities, providers, and the general public.</b>	
	<b>Target Population:</b>	People with disabilities, minority groups, first responders, and the general public.
	<b>Target:</b>	5 events (2 PAIMI)
	<b>Funding:</b>	*Eight Core Grants
<b>Objective 2:</b>	<b>Produce and disseminate an electronic newsletter and publications.</b>	
	<b>Target Population:</b>	People with disabilities and the general public
	<b>Target:</b>	Quarterly Electronic newsletters and other publications
	<b>Funding:</b>	*Eight Core Grants
<b>Objective 3:</b>	<b>Enhance DRM's interactive electronic presence (website) to leverage technology to distribute information and receive input.</b>	
	<b>Target Population:</b>	People with disabilities and the general public
	<b>Target:</b>	Enhance website and participate in social media
	<b>Funding:</b>	*Eight Core Grants
* Eight Core Grants = CAP, PAAT, PABSS, PADD, PAIMI, PAIR, PATBI, PAVA		

## POLICY

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will promote policies, statutes, and regulations in the State of Montana that are reflective and responsive of the equal, civil, and legal rights of people with disabilities.**

<b>Objective 1:</b>	<b>Monitor and respond to state and federal legislative proposals affecting the rights, safety and opportunities of people with disabilities.</b>	
	<b>Target Population:</b>	People with disabilities who are impacted by state legislative proposals.
	<b>Target:</b>	7 projects (1 PAIMI)
	<b>Funding:</b>	*Eight Core Grants; Unrestricted Funds
<b>Objective 2:</b>	<b>Monitor and respond to proposed administrative rule changes affecting the rights, safety and opportunities of people with disabilities.</b>	
	<b>Target Population:</b>	People with disabilities who are impacted by state administrative rules.
	<b>Target:</b>	3 projects (1 PAIMI)
	<b>Funding:</b>	*Eight Core Grants; Unrestricted Funds
<b>Objective 3:</b>	<b>Identify and participate in discussions with the executive, stake holders and other policy makers regarding the implementation of initiatives, policies and procedures, etc. that impact people with disabilities.</b>	
	<b>Target Population:</b>	People with disabilities who are impacted by the state executives' initiatives, policies and procedures.
	<b>Target:</b>	2 projects
	<b>Funding:</b>	*Eight Core Grants; Unrestricted Funds
* Eight Core Grants = CAP, PAAT, PABSS, PADD, PAIMI, PAIR, PATBI, PAVA		

## CIVIL RIGHTS

**1. PRIORITY/GOAL STATEMENT: Disability Rights Montana will increase protection and recognition of the rights of people with disabilities through advocacy and/or legal representation.**

**Objective 1:** Provide advocacy and/or legal representation for people with disabilities in cases with the potential for establishing precedent, enforcing and clarifying constitutional and other rights. *This can only be used with prior approval of the Executive Director.*

<b>Target Population:</b>	All people with disabilities who are eligible for DRM services.
<b>Target:</b>	1 PAIMI
<b>Funding:</b>	*Eight Core Grants

\* Eight Core Grants = CAP, PAAT, PABSS, PADD, PAIMI, PAIR, PATBI, PAVA

## REPRESENTATIVE PAYEE

**1. PRIORITY/GOAL STATEMENT: Strengthens oversight of representative payees by performing onsite reviews of payee performance, on behalf of the Social Security Administration (SSA).**

<b>Objective 1:</b>	<b>Target Population:</b>	Organizational and individual representative payees as identified by the SSA.
	<b>Target:</b>	All SSA required reviews
	<b>Funding:</b>	PABRP
<b>Objective 2:</b>	<b>Target Population:</b>	Organizational and individual representative payees identified and nominated by DRM for review.
	<b>Target:</b>	1 representative payee identified by DRM
	<b>Funding:</b>	PABRP

Service Request/Eligibility Criteria will be inserted here  
after priorities are approved.

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DRM Staff/Board of Directors Calendar will be inserted here  
after September meeting when meeting dates are set.

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