



Fact Sheet and Eligibility Guidelines

FY 2016

Disability Rights Nebraska is a private, not-for-profit organization established to assist people with disabilities and their families in protecting and advocating for their rights. Disability Rights Nebraska, the protection and advocacy system in Nebraska, serves people throughout the State. Disability Rights Nebraska takes a four-tier approach to advocacy through legal advocacy, public policy, self-advocacy, and citizen advocacy.

Legal Advocacy

- Legal representation to ensure that the rights of citizens with disabilities are not being violated.
- Advice on legal rights and remedies.

Public Policy

- Analysis of state and federal legislation impacting people with disabilities.
- Addressing issues with lawmakers.

Self-advocacy

- Working with groups of people with disabilities to facilitate the development of effective consumer directed advocacy organizations that further the growth, empowerment, and strength of the advocacy efforts of people with disabilities.
- Providing training in self-advocacy skills to people with disabilities.

Citizen Advocacy

- Independently operated citizen advocacy offices arrange for the development of personal relationships between members of the community and citizens with disabilities who are at risk of abuse or neglect.
- Disability Rights Nebraska provides consultation on program development, training and program evaluation.

In order to determine whether an individual qualifies for services, an intake needs to be conducted. Individuals may contact Disability Rights Nebraska using any of the following methods:

Mail or in person:

	Main Office	Western Nebraska Office
	134 S. 13 th St., Suite 600 Lincoln, Nebraska 68508	1425 1st Avenue Scottsbluff, NE 69361
Phone:	(402) 474-3183 (TTY available) (800) 422-6691	Phone: 308-633-1352 Cell: 308-631-5367
Fax:	(402) 474-3274	

You can complete a Request for Assistance form in the on-line forms section of our website at:
www.disabilityrightsnebraska.org

Or you can e-mail us at:
info@disabilityrightsnebraska.org

The following objectives are used in conjunction with client eligibility requirements to determine the acceptance of cases for investigation.

Objective 1.1

Investigate and respond to 25 new allegations of practices that cause or contribute to the physical and/or emotional abuse, neglect or death, or financial exploitation of any individual with a disability in Nebraska.*

Objective 1.2

Investigate and respond to 15 new allegations of rights violations.
(Note: includes PAVA cases)*

Objective 1.3

Investigate and respond to 15 new allegations of failure to provide for equal and complete access to a full range of services and support in the most integrated and socially inclusive environment(s).*

Objective 1.4

Monitor two (2) new community residential facilities for violations of health, safety, living and/or working conditions once every six (6) months.*

Objective 1.5

Monitor six (6) sheltered workshop facilities for violations of health, safety, and/or working conditions and compliance with requirements under the Home and Community-Based Waiver.*

*These numbers do not reflect cases carried over from last fiscal year.

Eligibility Requirements

Protection and Advocacy for Individuals with Developmental Disabilities (PADD)

A developmental disability means that an individual must have a severe mental or physical impairment which occurs before the age of 22, is likely to be life-long, results in functional limitations in at least three areas of major life activity (self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living and economic self-sufficiency), and needs an individually tailored plan for care, treatment or other services for an extended period of time.

Protection and Advocacy for Individuals with Mental Illness (PAIMI)

Any person with a significant mental illness, as determined by a Licensed Mental Health Professional, who is currently an inpatient or resident of a facility providing care and treatment for mental illness, including persons who have been discharged from a facility within the last 90 days or who present an issue that arose during their stay at a facility, or within 90 days after discharge, or the person lives in the community. Disability Rights Nebraska can provide services to people who are confined in a jail for reasons other than serving a criminal sentence.

Protection and Advocacy for Individual Rights (PAIR)

Any person with a physical or mental disability that substantially limits one or more major life activities, or with a record of such impairment, or who is regarded by others as having such impairment and who is ineligible for assistance under the CAP (Client Assistance Program), PADD and PAIMI programs.

Protection and Advocacy for Assistive Technology (PAAT)

Any person denied assistive technology devices or services designed to meet the specific needs of an individual with disabilities.

Protection and Advocacy for Beneficiaries of Social Security (PABSS)

Any person with a disability receiving Social Security Income or Social Security Disability Insurance and the person has return to work issues.

Protection and Advocacy for Voting Access (PAVA)

Disability Rights Nebraska will use the PAVA funding to ensure that individuals with disabilities participate in the electoral process, including registering to vote, casting a vote and accessing polling places.

Protection and Advocacy for Individuals with Traumatic Brain Injury (PATBI)

This program focuses on information, referral, advice, outreach, self-advocacy, family advocacy, and legislative advocacy to individuals with traumatic brain injury.

Case Acceptance Criteria Which Applies to all Disability Rights Nebraska Programs

Disability Rights Nebraska reserves the right to refuse to accept a case under the following circumstances:

- The problem or issue does not arise from the individual's disability.
- An ethical or professional conflict exists within Disability Rights Nebraska.
- The individual is currently represented by an attorney.
- Legal action was started at the time the individual contacted Disability Rights Nebraska.
- There is another agency "better equipped" to handle the case.
- The legal issues are clearly established and a system is established in which non-legal advocates can effectively pursue enforcement of rights.
- No legal remedy is available.

Regardless of the individual's disability or their initial eligibility, Disability Rights Nebraska will not accept cases, but will only provide information and referral services, when the following issues are presented:

- divorce, child custody, and adoption;
- estate planning (wills and trusts);
- criminal defense;
- mental health board commitment;
- tax law, corporate or business law, consumer law, debtor-creditor law;
- personal injury (other than injuries arising from abuse and neglect);
- initiation of guardianship or conservatorship of a person; and