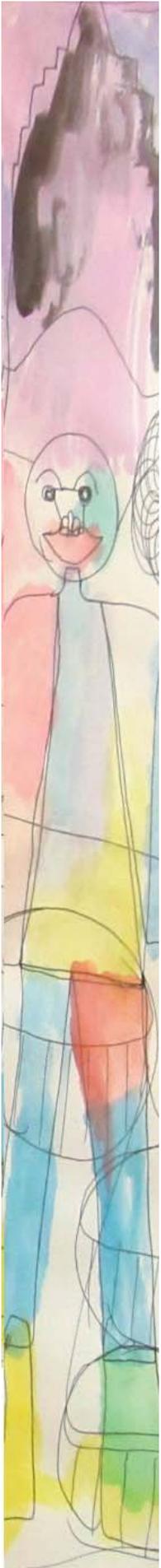




Protecting and promoting the rights of Kentuckians with disabilities

**2015 Annual Report**



# Kentucky Protection and Advocacy

Kentucky Protection and Advocacy (P&A) is a client-directed legal rights agency that protects and promotes the rights of persons with disabilities. Kentucky P&A is an independent state agency that derives its authority from both federal and state law; specifically the Developmental Disabilities Assistance and Bill of Rights Act (DD Act) 42 U.S.C. § 6000 et. seq.; the Protection and Advocacy for Individuals with Mental Illness Act (PAIMI Act) 42 U.S.C. §10801 et. seq.; and Kentucky Revised Statute 31.010 (2).

Kentucky P&A receives funding from the Administration on Intellectual and Developmental Disabilities, the Center for Substance Abuse and Mental Health Services Administration, the Rehabilitation Services Administration, the Health Resources and Services Administration, the Social Security Administration, and State General funds.

Congress gave the protection and advocacy system the authority to access individuals with disabilities, their records, and the locations where they receive services and supports to investigate abuse and neglect, monitor facilities, provide information and referral services, and pursue legal and other remedies on their behalf.

In 2015, P&A, with a total staff of 22, had many successes and accomplishments. In this report we share some of those successful outcomes for individuals and positive systemic changes.



*Art by Billy Cogswell: Billy is a prolific artist who works out of Creative Diversity Studio in Louisville, Kentucky. He is 33 years young and is Autistic.*



“If you want to identify me, ask me not where I live, or what I like to eat, or how I comb my hair, but ask me what I am living for, in detail, ask me what I think is keeping me from living fully for the thing I want to live for.” - Thomas Merton



Kentucky Protection & Advocacy is pleased to present the 2015 Annual Report. The mission of Kentucky Protection & Advocacy is to protect and promote the rights of Kentuckians with disabilities through legally based individual and systemic advocacy, and education. That mission in practice reminds me of the words of Thomas Merton and how Kentucky Protection & Advocacy works every day to remove barriers that keep Kentuckians with disabilities from living a full life.

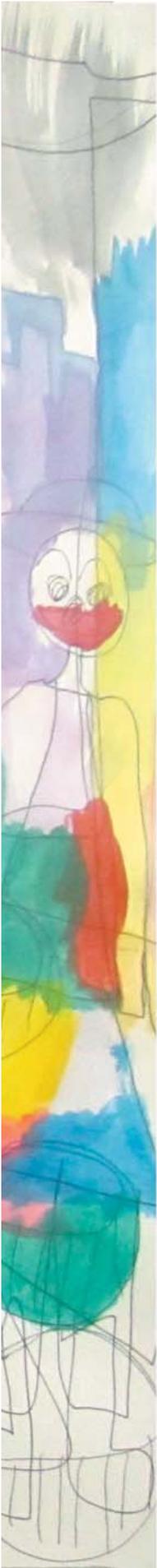
In the following pages you will read about historic changes to the delivery of mental health services in the community, children accessing educational services in the least restrictive environment, voter education, and unfortunately investigations into allegations of abuse, neglect and death. The dedication and continued support of the Protection & Advocacy for Individuals with Developmental Disabilities (PADD) Board and the Protection & Advocacy for Individuals with Mental Illness (PAIMI) Advisory Council is paramount to the success of Kentucky P&A.

While there are many reasons to celebrate, there is much work to be accomplished. Long standing policies, intuitional bias, and the failure to include Kentuckians with disabilities has resulted in adults and children languishing in nursing facilities and psychiatric hospitals. Children continue to be segregated in schools. Adults and children with disabilities are isolated in their communities and report feeling lonely. The growing waiting lists for Kentucky Medicaid waivers, lack of a consistent delivery of services, lack of service providers and community support services are issues that impact Kentuckians with disabilities and their families every day. Kentuckians with disabilities and their families live with the constant fear of services and funding being reduced or terminated. Many times decisions are made by government agencies, legislators, and other policy makers about Kentuckians with disabilities, and those impacted are not included in the conversation.

We hope you find this 2015 annual report informative and thank you for your continued support of the Kentucky Protection & Advocacy division and our mission.

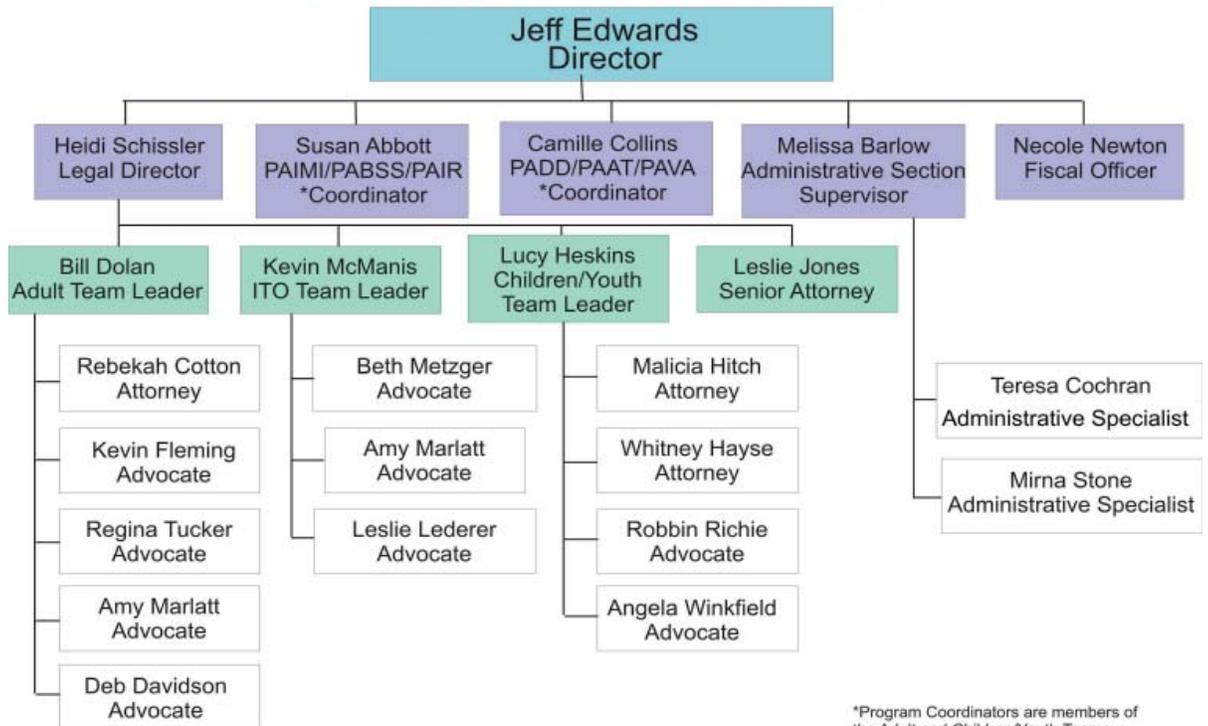
Sincerely,

Jeff Edwards, Director



Front row: Angela Winkfield, Melissa Bowman, Necole Newton; Second row: Leslie Lederer, Leslie Jones, Malicia Hitch, Lucy Heskings, Beth Metzger; Third row: Eddie Phillips, Teresa Cochran, Whitney Hayse, Rebekah Cotton, Mirna Stone, Camille Collins; Back row: Susan Abbott, Kevin Fleming, Bill Dolan, Heidi Schissler, Jeff Edwards  
Not pictured: Kelly Shyrock, Kevin McManis, Amy Marlatt

## Kentucky Protection & Advocacy



\*Program Coordinators are members of the Adult and Children/Youth Teams

This Organizational Chart is current as of March 2016

## Grant Descriptions

### **Protection and Advocacy for Individuals with Developmental Disabilities (PADD)**

authorized in the Developmental Disabilities Assistance and Bill of Rights Act, 42 U.S.C. §15001, Pub. L. No. 106-402

- created by the Developmental Disabilities Assistance and Bill of Rights (DD) Act of 1975
- administered by the Administration on Developmental Disabilities of the Administration for Children and Families, U.S. Department of Health and Human Services

### **Protection and Advocacy for Individuals with Mental Illness (PAIMI)**

authorized in the Protection and Advocacy for Mentally Ill Individuals Act, 42 U.S.C. §10801-10807, Pub. L. No. 106-310

- established by the PAIMI Act of 1986
- administered by the Center for Mental Health Services, U.S. Department of Health and Human Services

### **Protection and Advocacy for Individual Rights (PAIR)**

authorized in the Rehabilitation Act, 29 U.S.C. §794e, Pub. L. No. 106-402

- established by Congress as a national program under the Rehabilitation Act in 1993
- administered by the Rehabilitation Services Administration of the Office of Special Education and Rehabilitative Services, U.S. Department of Education

### **Protection and Advocacy for [Individuals in Need of] Assistive Technology (PAAT)**

authorized in the Assistive Technology Act, 29 U.S.C. §3004, Pub. L. No. 105-394

- created in 1994 when Congress expanded the Technology-Related Assistance for Individuals with Disabilities Act (Tech Act)
- administered by the Rehabilitation Services Administration of the Office of Special Education and Rehabilitative Services, U.S. Department of Education

### **Protection & Advocacy for Beneficiaries of Social Security (PABSS)**

authorized in the Ticket to Work and Work Incentives Improvement Act of 1999, 42 U.S.C. §1320b-21, P.L. 106-170

- created by the Ticket to Work and Work Incentives Improvement Act of 1999
- administered by the Social Security Administration

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

authorized in the Children's Health Act of 2000, 42 U.S.C. §300d-53, Pub. L. No. 106-310

- created by the Traumatic Brain Injury (TBI) Act authorized as part of the Children's Health Act of 2000
- administered by the Health Resources and Services Administration, U.S. Department of Health and Human Services

### **Protection and Advocacy for Voter Access (PAVA)**

authorized in the Help America Vote Act of 2002, 42 U.S.C. §15461-15462, Pub. L. No. 107-252

- created in 2002 when Congress enacted the Help America Vote Act (HAVA)
- administered by the Administration on Developmental Disabilities of the Administration for Children and Families, U.S. Department of Health and Human Services



## Protection & Advocacy for Individuals with Mental Illness (PAIMI) Advisory Council

Federal law requires P&A to have a PAIMI Advisory Council (PAC). The maximum numbers of members is 17, of which 60% must be a person with a mental health diagnosis. The remaining membership is comprised of family members of individuals who have a mental illness, providers of mental health service, or any other person who is interested in expanding the rights and services of individuals with a mental health diagnosis. The PAC meets quarterly and advises Kentucky P&A on policies and priorities to be carried out protecting and advocating for the rights of Kentuckians with disabilities, and educates and trains others in the community about the protection and expansion of rights for individuals who have a mental illness.

In 2015, the PAC continued to have an active presence in Kentucky's personal care homes by providing training to residents in 15 personal care homes about long term care rights and community supports and services made available under the Interim Settlement Agreement (ISA). PAC members attended Health and Welfare Committee Hearings about the proposed Assisted Outpatient Treatment (AOT) Order and met with legislators to discuss the legislation. Members of the PAC also:

- Attended the 874K Rally
- Attended Undressing Normal for Those of Us DisLabeled, an Unconference on Sexuality
- Participated in fundraising for Relay for Life and participated in the event, honoring a current PAC member
- Participated in the annual Frankfort State Hospital Cemetery Clean Up Event
- Created and distributed the PAC's position statement regarding the proposed Assisted Outpatient treatment legislation (statement can be viewed on [kypa.net](http://kypa.net))
- Wrote an editorial about community services available under ISA
- Attend the monthly Cabinet Level Transition meeting for the implementation of the ISA



*Front row: Ruth Marlatt, Robin Osborne, James Light, Becky Clark, Jackie May, Marty Wilhoite,  
Susan Abbott, PAIMI Coordinator*  
*Back row: Woody Moore, Gayla Hayes, Reggie Gentry, Robert Johnson, Melissa Mays*  
*Not pictured: Heather McNeil, Kelly Williams, Angela Childress, Brent Collins*

## Protection & Advocacy for Individuals with Developmental Disabilities (PADD) Advisory Board

The Protection and Advocacy for Individuals with Developmental Disabilities (PADD) Advisory Board is comprised of 17 citizens from across the Commonwealth of Kentucky. The majority of members are individuals with developmental disabilities who are eligible for services, or have received, or are receiving services through the system. Additional members are parents or family members of individuals with developmental disabilities. Members advise Kentucky P&A on policies and priorities to be carried out in protecting and advocating for the rights of individuals with developmental disabilities. They educate state and federal policy makers about the impact of regulations and policies. Each year PADD Advisory Board members create and work on priorities alongside Kentucky P&A staff. In 2015, PADD Advisory Board members participated in the following priorities:

- Educated students and parents about transition into life after high school by providing information through trainings and booths to students and parents at five transition events/conferences
- Educated legislators about the impact of Medicaid waiver changes and advocated for policy revisions regarding changes to the Supports for Community Living (SCL) Waiver with specific focus on the changes to the Participant Directed Services (PDS) option
- Held an annual clean- up event at the Frankfort State Hospital and School Cemetery
- Provided voter education at five SCL sites throughout the state
- Educated legislators and sought sponsorship to amend language in the Voter Assistance statute



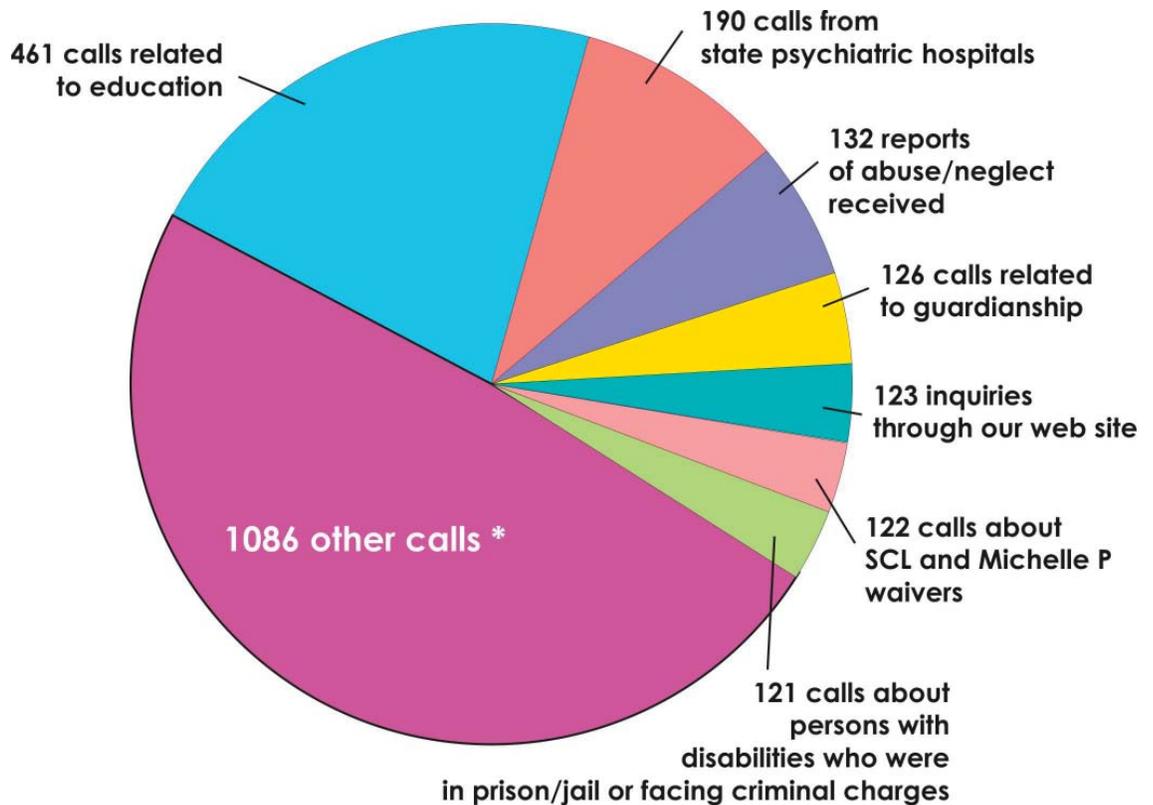
*Front Row: Ashley Layne (Chair), Amanda Stahl, Kelly Knoop, Grant Logsdon;  
Back Row: Mark Newton (Co-Chair), Mike Smith (Secretary), Chuck Woods; Middle Row: Cathy Jo Edwards, Lissette Johnson, Karen Ricci (Ky-Self Advocates for Freedom Representative), Nyketa Williams, Kevin Webb, Jay Tyner-Wilson, Tammy Mischler;  
Not pictured: Stephen Ward, Arthur Campbell,  
Tommy Malone, Katie Bentley*

## Information, Training and Outreach (ITO)

The ITO Team has primary responsibility for the provision of Information and Referral (I&R) services as requested by individuals with disabilities, family members, service providers, agencies, and the public at large. ITO also coordinates agency training and outreach activities. ITO consists of a Team Leader and three Disability Rights Advocates.

### Information & Referral (I&R) services provided in 2015

Total from all sources: 2361



\*related to housing, employment, benefits, transportation, voting, etc.

## Trainings and Outreach

Kentucky P&A provides trainings and presentations on a variety of disability-related topics to public and private organizations as requested. Kentucky P&A also staffs information tables at both disability and non-disability related conferences and events throughout the state.

In 2015, Kentucky P&A:

- Provided 47 trainings to 1251 people on topics such as special education, guardianship, crisis intervention, long-term care rights and voting
- Staffed 11 information booths at conferences/events for agency outreach
- Distributed over 3000 P&A publications and agency brochures

## Information & Referrals (I&Rs) Service Request Cases



### Total I&R Services per CMHC Region

1. Four Rivers	111
2. Pennyroyal	168
3. River Valley	93
4. Lifeskills	136
5. Communicare	146
6. Seven Counties	507
7. NorthKey	149
8. Comprehend	8
9/10. Pathways	107
11. Mountain	53
12. Kentucky River	101
13. Cumberland	76
14. Adanta	119
15. Bluegrass	507
Unknown	71
<b>Total</b>	<b>2361</b>

### Total Services Request Cases per CMHC Region

1. Four Rivers	32
2. Pennyroyal	49
3. River Valley	32
4. Lifeskills	28
5. Communicare	28
6. Seven Counties	138
7. NorthKey	44
8. Comprehend	3
9/10. Pathways	23
11. Mountain	22
12. Kentucky River	11
13. Cumberland	12
14. Adanta	52
15. Bluegrass	130
<b>Total</b>	<b>604</b>

## Kentucky P&A's Annual Meeting of the PADD Advisory Board and PAIMI Advisory Council

The annual meeting of Kentucky P&A's two advisory bodies, the PADD Advisory Board and PAIMI Advisory Council, celebrated 50 years of the Voting Rights Act, 40 years of Individuals with Disabilities Education (IDEA) Act, and 25 years of the Americans with Disabilities Act (ADA). The meeting was held on May 22, 2015 at the Thomas D. Clark Center for Kentucky History. This meeting is not only an opportunity for Kentucky P&A, the PADD Board, and PAIMI Council to celebrate the progress made over the years in the expansion of the rights and services for individuals with disabilities, but also a platform to highlight the barriers that still need to be addressed for Kentuckians with disabilities. Stephanie Sterling from the Kentucky Department of Education and Lindsay Hughes Thurston with the Secretary of State's office were among the attendees.

During the meeting, Kentucky P&A honored two individuals for their years of service to Kentuckians with disabilities. Gerri Gordon-Brown received recognition for her years of services as Director of Kentucky's Client Assistance Program (CAP). The Kentucky CAP is an independent program established to provide advice, assistance, and information regarding benefits available from rehabilitation programs to individuals with disabilities.

Kentucky P&A also honored Dr. Harold Kleinert, Executive Director of the Human Development Institute (HDI). The Human Development Institute is Kentucky's University Center for Excellence in Developmental Disabilities Education, Research and Service. HDI works to improve lifelong opportunities and services for individuals with disabilities, their families, and the community. The Human Development Institute is part of Kentucky's Developmental Disabilities Network that also includes Kentucky P&A and the Commonwealth Council on Developmental Disabilities.

Kentucky P&A appreciates the work of both Gerri Gordon-Brown and Dr. Kleinert and wish them much happiness in their retirement.



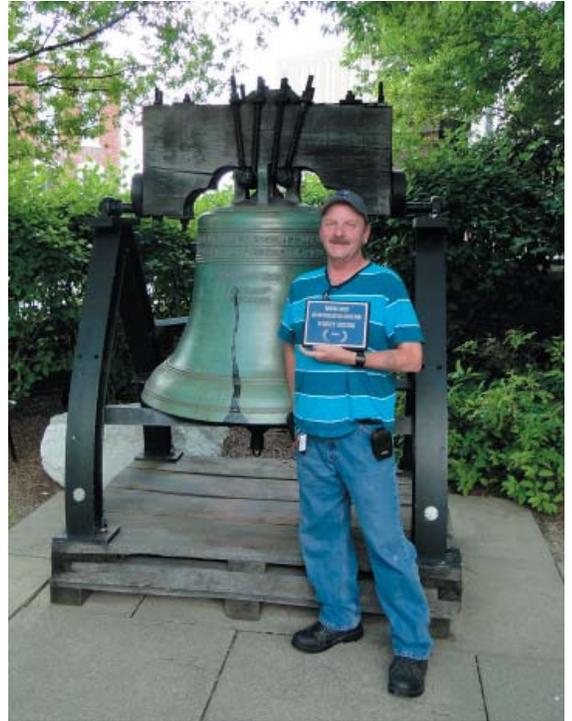
*Gerri Gordon-Brown and Jeff Edwards,  
Director of Kentucky P&A*



*Dr. Harold Kleinert*

## The Billy Cox/Victoria Scott Self-Advocacy Award

Each year, the PAIMI Advisory Council and the PADD Advisory Board choose someone they feel epitomizes the legacies of Billy Cox and Victoria Scott. Billy advocated for the rights of people with disabilities to make their own choices about where they lived and how they spent their time. Victoria's advocacy highlighted how persons of color were over represented on locked wards of state psychiatric hospitals. Woody Moore was the recipient of the Billy Cox/Victoria Scott Self-Advocacy Award for 2015. Woody has worked for Well-spring in Louisville as a Peer Specialist for the past eight years. He provides services and support, including housing, to the homeless many of which are veterans, regardless of the time of day or conditions of weather. Woody also serves as the PAIMI Advisory Council's representative at the monthly meeting between Kentucky P&A and the Cabinet for Health and Family Services. A member of the PAIMI Advisory Council for three years, Woody has never missed a meeting. In Woody's limited free time, he continues to extend his care for the world around him by gardening and feeding "his critters" which include wild cats, squirrels, raccoons, birds, ducks and opossums.



Woody Moore

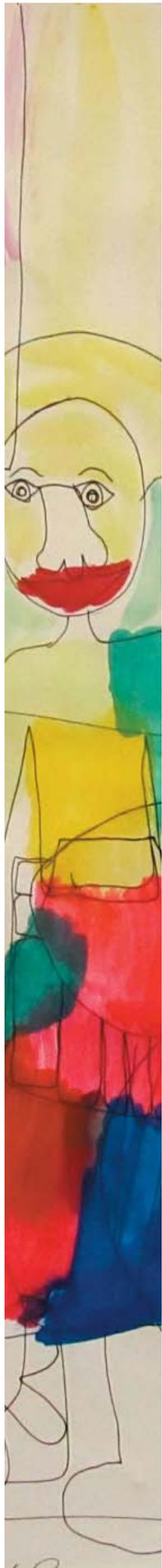
## The Jean Gossick Award

Kentucky P&A was honored to present former P&A Director, Marsha Hockensmith, with the 2015 Jean Gossick Advocacy Award. Jean Gossick served many years on the PADD Advisory board and she was the mother of a daughter with a disability. Jean was a strong advocate not only for her daughter, but for all individuals with disabilities. She fought hard to ensure individuals with disabilities received services and supports they needed. Marsha dedicated her entire career to advocating for individuals and their families, with 20 years advocating for individuals with disabilities. During her tenure at Kentucky P&A, Marsha had a huge impact on systems affecting individuals with disabilities including, regulations of the use of restraint and seclusion in schools, the Adult



Marsha Hockensmith

Abuse Registry, the creation of the State Mortality Review team, and the Interim Settlement Agreement between Kentucky P&A and the Department of Behavioral Health, Developmental and Intellectual Disabilities. Marsha has improved the quality of life for thousands of individuals through individual and systemic work in Kentucky.



# Highlights of Systemic Advocacy for FY 2015

## Internal Abuse and Neglect (IAN) Team

The Developmental Disabilities Assistance Bill of Rights Act (DD Act) and Protection and Advocacy for Individuals with Mental Illness (PAIMI) Act authorizes P&A to conduct abuse/neglect investigations for eligible individuals if incidents are reported to P&A or if P&A has probable cause to believe the incidents occurred. 42 USC § 15043(a) (2) (B); 42 USC §10801(a) 910(A). This is to ensure the safety and protection of all individuals with disabilities from abusive and neglectful practices in public and privately owned facilities, including institutions and community placements.

In 2010, Kentucky P&A created an Internal Abuse and Neglect (IAN) team that investigates all suspicious deaths and serious injuries, including those sustained during the use of physical restraint/seclusion at schools, facilities, and community programs providing services to individuals with disabilities. IAN determines if the incident reported results in serious harm, death, or failure to provide adequate and appropriate treatment or care.

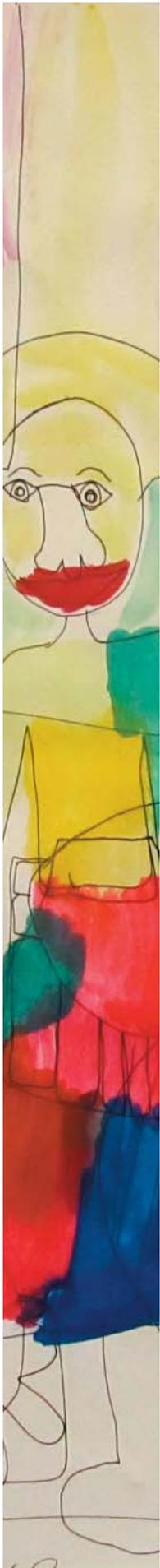
Kentucky P&A receives notification of allegations of abuse, neglect and exploitation from anonymous referrals, media reports, Type A/B Citations issued by the Office of Inspector General (OIG), facility incident reports, victims and concerned persons who call Kentucky P&A to report an allegation of abuse and neglect. The IAN team investigated 56 incidents of abuse and neglect out of 102 referrals.

## Monitoring of Children's Facilities

Kentucky P&A's Children and Youth team completed monitoring at 28 facilities serving children and youth with disabilities, including Level 1 Psychiatric Residential Treatment Facilities, Private Child Caring facilities, Children's Psychiatric Hospitals, and Department of Juvenile Justice (DJJ) facilities. These facilities house both children who are committed to the state and those who are in the custody of their parents/guardians. The facilities monitored encompassed both the urban and rural areas of the Commonwealth. A total of 243 children and youth were interviewed ranging from 4 to 18 years of age. Kentucky P&A found the census was down at most of the facilities, particularly at the DJJ facilities. In 2015, Kentucky passed Senate Bill 200 which revamps Kentucky's Juvenile Justice System. Under SB 200, many youth who were once charged as status offenders and placed in detention or youth development centers will now receive community based services. Kentucky is also undergoing a change to the delivery of its system of care which will place more emphasis on community supports for all children.

## The Implementation of Kentucky's System of Care for Children with Disabilities

Kentucky P&A attended monthly meetings of the State Interagency Council (SIAC) to monitor the progress that the state was making in changing the way children with disabilities receive services in Kentucky's system of care. The Financial, Training and Technical Assistance, System Structure, Service Array, and the Continuing Quality Improvement Subcommittees of the SIAC were formed to address specific issues that may arise in Kentucky's system of care for children with disabilities. Kentucky P&A staff participated in the Continuing Quality Improvement Subcommittee and provided input about what data was needed to show





whether or not the changes in the system of care were preventing children from being unnecessarily hospitalized. Comments were made on a regulation that allowed children with disabilities to receive a targeted case manager to assist in the coordination of services and on a regulation allowing a new type of organization called a Behavior Health Service Organization to provide services to children with disabilities. These efforts ensured that Kentucky's system of care is changing, so that children with disabilities are more likely to receive more community based services rather than hospital-based services.

## Senate Bill 200, Juvenile Justice Reform

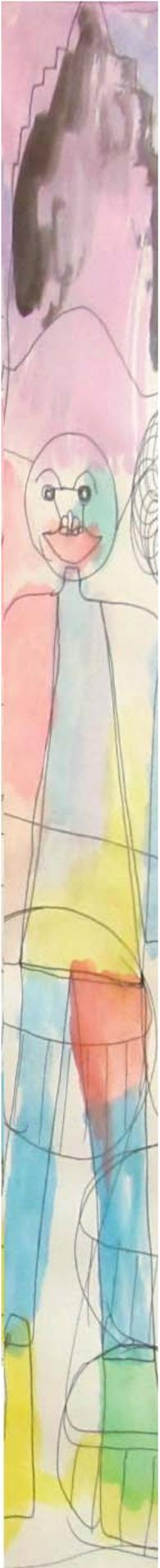
Kentucky P&A monitored the implementation of Kentucky's Juvenile Justice system. This includes attending the Juvenile Justice Oversight Committee meetings that discussed the changes in the juvenile justice reforms and submitting comments to Kentucky's Department of Juvenile Justice's (DJJ) proposed changes to its policies. Based on Kentucky P&A's comments, DJJ has agreed to reform its policies and procedures to ensure an individual's disability is considered while in contact with DJJ.

## Identifying Barriers to Transition to the Community for Nursing Facility Residents

Kentucky P&A monitored 35 nursing facilities and spoke with over 90 residents and nursing facility personnel about the P&A system and services available to residents, including information about Kentucky Medicaid waiver programs. Many facility residents were referred to programs that provide support and services in the community either by direct referrals by Kentucky P&A staff or by educating residents and nursing staff on the referral process. Cases were opened to assist residents with eligibility determinations and transitioning to the community.

## Criminal Justice

- Kentucky P&A developed an anonymous participant survey with cooperation from the mental health court administrators. Staff administered the survey in one mental health court and compiled the information received by the participants.
- Kentucky P&A participated in the Decriminalization of Mental Illness workgroup stationed at the Eastern State Hospital and provided detailed information to them concerning housing, services, and regulations regarding mental health services in Kentucky.
- Kentucky P&A also participated in the Kentucky Mental Health Coalition and advocated for the expansion of advocacy efforts in Kentucky toward de-criminalization of serious mental illness.
- Kentucky P&A reviewed and provided comments to the Department of Corrections' policies on special management units, where inmates live 23 hours per day in a cell, and policies on mental health service provision in Kentucky's 13 state prisons. A comprehensive records request was sent to the Kentucky Department of Corrections (DOC) seeking information on the number of individuals with mental illness who are currently housed in special management units in Kentucky's prisons. information was also requested on the number of mental health treatment professionals employed and their training level. Kentucky DOC reports there are currently 350 inmates in Kentucky who have a severe mental illness residing in segregation units in Kentucky's prisons. This accounts for one-tenth of all inmates residing in segregation units in Kentucky's prison.



## Eliminating the Use of Hobbles

Kentucky P&A became aware that inmates housed on a psychiatric unit within a state prison were spending weeks restrained in hobbles. Hobbles are metal cuffs on the ankles and wrists with a 12-18 inch chain that connects them. Staff from Kentucky P&A visited inmates who were in hobbles and confirmed they spent weeks in them for self-injurious behaviors. The inmates stated they slept in hobbles, used the toilet in hobbles, and ate their meals in hobbles. They also spent 23-24 hours a day in their cells.



Kentucky P&A could not find research that supports the use of hobbles for therapeutic reasons other than to transport an inmate. Kentucky P&A met with the Kentucky Department of Corrections (DOC) to discuss this practice and requested policies about the use of hobbles. While the policies were never received, DOC eliminated the use of hobbles as a mechanical restraint for inmates.

## Sheltered Workshops Trainings

Kentucky P&A presented trainings at four sheltered workshops. Section 14 (c) of The Fair Labor Standards Act allows employers to pay sub-minimum wages to workers with disabilities by obtaining a certificate from the U.S. Department of Labor. These certificates are most often used in sheltered work settings. Approximately 200 individuals with developmental disabilities attended the training. Topics included: Ticket to Work, Vocational Rehabilitation, Individual Plan for Employment, Client Assistance Program, Certified Work Incentive Coordinators, Post-secondary educational opportunities, Plan to Achieve Self-Support (PASS), Impairment Related Workforce Expenses (IRWE), work place accommodations, and Adult Education programs.

## Other Employment Trainings

Kentucky P&A presented trainings on employment and How to Go to Work to Opportunity for Work and Learning Center, Carl D. Perkins Vocational Center staff and participants, parents, students and staff at Fairview High Transition Fair, the Northern Kentucky mini conference, the Deaf/Blind Transition Institute, Ahrens Transition Program, the Spina Bifida Regional Conference and the Developmental Disabilities Certification Class and to the Occupational Therapy Students at Spalding University.

## Representative Payee Visits

Kentucky P&A reports representative payees, conservators, and other providers to Social Security Administration's (SSA) Kentucky state office when under suspicion that they have used beneficiaries' benefits in such a way that discourages or prevents beneficiaries from living in the least restrictive setting possible. Kentucky P&A referred one PCH, which was also serving in the role of rep payee for their residents, to Kentucky's state SSA office based on information from a resident indicating the facility was managing their benefits in a way that discouraged or prevented the resident from living more independently. In addition, Kentucky P&A referred four rep payees for consideration of a rep payee monitoring visit based on various sources indicating they were not utilizing residents' benefits appropriately. One of these referrals was approved as a wildcard rep payee monitoring visit to be completed by Kentucky P&A and another was referred to the local SSA office for immediate review by said office.

## Medicaid Expansion

Kentucky P&A requested and received copies of the new 2015-2016 Community Mental Health Center (CMHC) contracts with the Department of Behavioral Health and reviewed the contracts for substantive changes. Kentucky P&A corresponded with the contract coordinator at the Department regarding questions about some of the changes and requested further information. Kentucky P&A updated the CMHC PowerPoint, developed in 2014, by checking the legal references and including new information derived from the contract reviews. Kentucky P&A presented the new information in a presentation to staff and uploaded the new CMHC power point to the Kentucky P&A website.

## Patient Liability

Kentucky P&A continued to ensure that individuals who paid patient liability in error for their waiver services were reimbursed for those payments. Kentucky P&A worked with the Cabinet for Health and Family Services (CHFS) to ensure letters were sent by CHFS to individuals who paid in error. Initially there were some issues with providers paying the initial reimbursement, however, the majority of individuals now have received reimbursement dating back to January 1, 2011.

## Suspending Rather than Terminating Medicaid Eligibility upon Admission to a Prison or Jail

Kentucky P&A contacted the Cabinet for Health and Family Services (CHFS) about the possibility of Kentucky suspending rather than terminating Medicaid eligibility upon admission to an institution like a prison, jail, or an institute for mental disease (IMD). Kentucky P&A helped educate the Cabinet for Health and Family Services (CHFS) staff about how suspending would benefit Kentuckians by allowing uninterrupted access to health care. CHFS created, in fiscal year 2015, a new Medicaid category styled "incarcerated" that suspends benefits for recipients that are in jail or prison. For fiscal year 2016, Kentucky P&A is again communicating with CHFS about suspending Medicaid when recipients are admitted to an Institute for Medical Disease (IMD).

*advocacy*

to change "what is"  
into "what should be"

## Public Forums

Kentucky P&A held two public forums where the public was invited to make comment about the work and priorities of Kentucky P&A. Notices were placed in the local newspapers, on Kentucky P&A's website, Facebook, and Twitter. The first forum was held in Lexington, Kentucky at the Summer Institute in Assistive Technology. Over 100 participants attended the conference and the forum. Areas identified of concern were: assistive technology, employment, access to community supports, education, and healthcare. The second public forum was held at the Accessing Your Power conference in Louisville, Kentucky.



*P&A Attorney, Malicia Hitch, conducting a Medicaid Mock Hearing training at the Summer Institute in Assistive Technology*



*Matt Davis, Student Accessibility Resource Center Coordinator and P&A Director, Jeff Edwards*

About 100 individuals attended the conference and forum. Areas of concern identified were: abuse/neglect, access to community supports, education, employment and healthcare. Kentucky P&A staff takes public comment forms to trainings, and they are available when Kentucky P&A has a booth at an outreach event. The Internet survey tool, Survey Monkey, was also used to obtain public comment. Kentucky P&A received 187 public comment forms. The top five areas of concern are abuse/neglect, access to community supports, education, employment and healthcare. The comments also listed strengths of Kentucky P&A, including being the voice of the person with a disability, visibility, keeping apprised of current laws and regulations, helping families and clients to navigate complicated systems, knowledgeable and committed to the expansion of the rights of individuals with disabilities.

## Kentucky P&A provided comments on:

### State Olmstead Plan

Kentucky P&A provided comments last year on the draft of the updated Kentucky's Olmstead Compliance Plan. The state updated the plan in response to public comments it received. Kentucky P&A commented again this year on the revised draft. One highlight is that Kentucky agreed to suspend rather than terminate Medicaid benefits upon incarceration. This change will allow Medicaid recipients to have uninterrupted access to community-based care. The state also eliminated the special service provider type for Early and Periodic Screening, Diagnostic and Treatment (EPSDT). Consumers under the age of 21 will now have much greater access to EPSDT services. Kentucky P&A asked that the Plan focus on consumer choice and include information about waiting lists.

### Petition to Modify/Restore Rights (AOC-795)

Kentucky P&A provided information and comment to the Administrative Office of the Courts (AOC) staff attorney who was amending the AOC-795 form the Petition to Modify/Restore



rights under guardianship. Kentucky P&A provided copies of proposed amendments to the PAIMI Advisory Counsel who in turn provided comments to the draft process. Kentucky P&A researched and met with AOC concerning issues with the form statewide. Kentucky P&A received confirmation that the form would be amended and released to the clerks' statewide. <http://courts.ky.gov/resources/legalforms/LegalForms/795.pdf>

## Assisted Outpatient Treatment Legislation

The PAIMI Advisory Council provided information to legislators regarding the proposed Assisted Outpatient Treatment (AOT) legislation and the potential effects on the rights of Kentuckians who have a mental illness. Members of the PAIMI Advisory Council attended a legislative hearing for AOT and were prepared to offer testimony, however, they were not given the opportunity to speak.



*PAIMI Advisory Members Reggie Gentry and Heather McNeil, P&A Staff Susan Abbott and Jeff Edwards meeting with Senator Julie Raque Adams about proposed AOT legislation*

## Home and Community Based Waiver Regulation

Kentucky P&A monitored the amendments to Kentucky's Home and Community Based Waiver which targets individuals that meet nursing facility level of care. Kentucky P&A and PADD Advisory Board provided public comments about the regulatory changes as well as changes to the Waiver and attended multiple public forums. One of the positive changes to the Waiver is that applicants will no longer be denied the Waiver when their individual budgets exceed the average costs of nursing facility care.

## Amendments to the Kentucky's Hart Supported Living Program

Kentucky P&A submitted internal written comments on the amendments to Kentucky's Hart Supported Living Program. The Hart Program provides state general funds for services which allow individuals to remain in their community. Kentucky's Department for Aging and Independent Living (DAIL) administers Hart. DAIL agreed with Kentucky P&A's comment that individuals should not be denied Hart funding while going through the Medicaid eligibility process.

## Highlights of Protection & Advocacy for Voting Access in Kentucky 2015

- Provided information, referrals, and education to nearly 700 individuals in Kentucky about voting access and rights.
- Hosted a voter hotline for the general and primary elections to ensure voting access and rights
- Worked with Kentucky State Board of Elections to ensure that polling places were physically accessible throughout the state
- Educated policy makers and others about the impact of the passage of HB 212 that would add people with disabilities to the list of voters who wish to vote early by absentee machine
- Continued to provide education on accessible elections to County Clerks and precinct election officers through the instructional video created in fiscal year 2014
- Assisted 30 individuals with disabilities with registering to vote



*P&A staff Beth Metzger with Lindsay Hughes Thurston, Assistant Secretary of State to Secretary of State Alison Lundergan Grimes, at our Annual Joint Meeting on May 22*

### Collaborations with Other State Agencies

Kentucky P&A has a working relationship with the State Board of Election a division of the Commonwealth's Secretary of State's Office. These relationships allow those involved to utilize limited financial resources in the most meaningful and productive ways that benefit individuals with disabilities and to ensure equal access to voting throughout the Commonwealth of Kentucky.

This year, Kentucky P&A worked with the Kentucky ADA Coordinator, the State Board of Elections, and the Secretary of State's Office to create a polling place accessibility checklist for precinct election officers to use on Election Days. The two-sided document was laminated so that officers may use dry erase markers to actually write on the checklist. County clerks were given enough copies so that each precinct would have one.

# VOTE

## Interim Settlement Agreement

Kentucky P&A entered into the Interim Settlement Agreement (ISA) with the Cabinet for Health and Family Services (CHFS) in August 2013. This agreement has provided much needed community supports and services to eligible individuals living in a personal care home (PCH) who want to live in the community or who are at risk of living in a PCH. The ISA calls for CHFS to provide community based supported housing assistance and services, including Assertive Community Treatment (ACT), Peer Support Services, Crisis Services, and Supportive Employment to 600 individuals over a three year period.

Kentucky P&A has been involved in the implementation of these services by attending monthly Cabinet level transition meetings, Regional transition meetings, and person centered planning meetings. In addition, Kentucky P&A staff attended trainings about these services and supported employment. Individuals who have been institutionalized most of their adult life now have access to services that will assist them in maintaining independence in their own home in the community of their choice. The Department for Behavioral Health, Developmental and Intellectual Disabilities (within CHFS) hired a supported employment staff to focus on assisting the Community Mental Health Centers throughout Kentucky to ensure individuals who would like to work and need assistance with going back to work will have those supports. As of September 30, 2015, two hundred twenty-five (225) individuals with serious mental illness have received housing assistance and services as described in the Agreement. In 2015, CHFS and Kentucky P&A successfully negotiated to extend the terms of the Agreement.

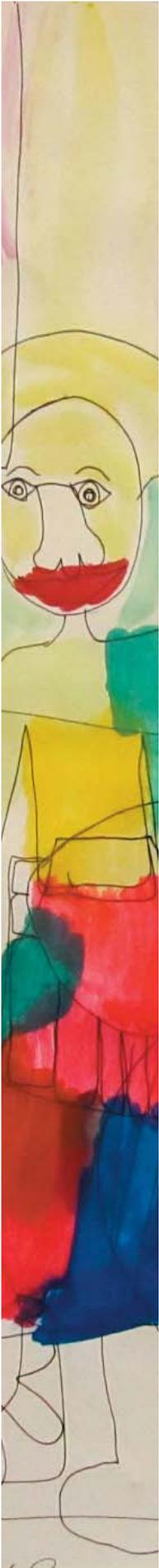


*PAIMI Advisory Council Member Ruth Marlatt conducting a training about the Interim Settlement Agreement at a personal care home*



*PAIMI Advisory Council Member Marty Wilhoit conducting a training about the Interim Settlement Agreement at a personal care home*

***The following narratives are examples of how services made possible by the Interim Settlement Agreement have had a positive impact on the lives of two individuals who were living in a personal care home. The services provided by two Community Mental Health Centers, Seven Counties Services Rural and LifeSkills, Inc., and funding provided by the Olmstead Housing Initiative and the Kentucky Housing Corporation, and the Community Integration Supplement administered by the Department for Community Based Services, are examples of agencies working together to prevent institutionalization.***



*Assertive Community Treatment (ACT) is an Evidence-Based Practice Model designed to provide treatment, rehabilitation and support services to individuals who are diagnosed with a severe mental illness and whose needs have not been well met by more traditional mental health services. The ACT team provides services directly to an individual that are tailored to meet his or her specific needs. ACT teams are multi-disciplinary and include members from the fields of psychiatry, nursing, psychology, social work, substance abuse, and vocational rehabilitation.*

*The staff-to-recipient ratio is small (one clinician for every ten recipients), and services are provided 24-hours a day, seven days a week, for as long as they are needed.*

## Robert Griffin

*“I Felt Like I Won the Publishers Clearing House Sweepstakes.”*

Robert Griffin, age, 44, shared very personal aspects of his life to Kentucky P&A. When asked if he wanted this information to be part of the narrative for Kentucky P&A’s annual report, he said he wanted to help others who are facing similar struggles.

Since age 15, Robert struggled with alcoholism and a mental health diagnosis. For years he cycled in and out of treatment centers. His addiction led to altercations with the law where he ended up in jail. Robert had long periods of sobriety where he maintained steady employment including work as a painter and production worker. However there were also periods when he relapsed and due to the alcohol infused behaviors Robert found himself in and out of treatment centers, psychiatric hospitals, the streets, and jail. At one point, when Robert was homeless, he recalled a staff at a psychiatric hospital mentioned Colonial Hall Personal Care Home as possible placement. Robert called Colonial Hall Personal Care Home in Shelbyville, Kentucky to inquire if he could live at the personal care home.



Colonial Hall Personal Care Home

Initially Robert felt it was a good place for him to stay. The food was good, except there was not enough of it. For the most part, he got along with the staff and residents. During the day, he tried to find employment without success. It was not too long before he felt overwhelming feelings of despair and hopelessness. There wasn’t enough to keep him busy at the personal care home. The daily activity at Colonial Hall was bingo or a ring toss game and many residents slept all day. Robert did not enjoy the lack of privacy at the personal care home. He had a roommate who turned on the TV in the room every morning at 6 am and all residents shared the bathrooms at the facility. Robert kept thinking “is this all there is?” and “is this where it ends?”

During this time, he met Susan Harris, a member of the Seven Counties Services (SCS) Rural ACT team, who visited Colonial Hall each week and met with residents to inform them about the services made available through the Interim Settlement Agreement. Seven Counties Services is the community mental health provider for Sheperdsville, Kentucky. Robert told Susan he wanted to move into the community and he said she interviewed him the same day. Within three weeks he met Jonna Meyer and Sherry Brown, members of the SCS Rural ACT Team. Sherry and Jonna applied for an Olmstead Housing voucher though the



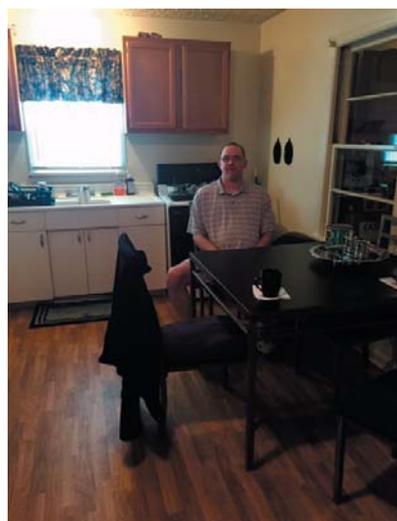
Kentucky Housing Corporation and soon thereafter, Robert moved into his own house in Shepherdsville, Kentucky. Robert enjoys where he lives due to the close proximity to Louisville, Kentucky where his family resides. He is within walking distance to SCS Rural, stores, and restaurants and can access transportation through TARC, which has services from Shepherdsville to Louisville. Robert receives ACT services, crisis services, and supported housing through SCS Rural ACT team. He also receives the Community Integration Supplement, which assists him in securing services and supports to maintain independence in the community.

Robert said he felt like he won the Publishers Clearing House Sweepstakes when he moved into his new home. He was thrilled when he walked into his home and saw that his new home mirrored his taste. The SCS Rural ACT Team works with a local furniture company that sells rental furniture at a reasonable rate to SCS. He could not believe it when a washer and dryer were delivered a few days later. Robert enjoys buying items for his home and takes much pride in taking care of his home. Members of SCS Rural ACT team visit as much as three times a week. The ACT team provided an iPad for Robert that enables him to have face to face contact with Jonna. Robert loves living independently. He attends AA meetings, has a girlfriend, loves working on his laptop computer, and playing the guitar. He enjoys having company over to his home, and his family visits regularly for dinner and card games. Robert manages his own money and attends the Recovery Support Center at SCS in Shepherdsville, Kentucky. He stated he is now ready to pursue part time employment.

Robert gives full credit to the SCS Rural ACT team for the confidence to live independently. He stated the consistency of the visits, the services provided and knowing that they are always accessible via face time with his iPad, has helped him focus on all aspects of his treatment. Robert expressed his appreciation to Jonna and to SCS Rural ACT team. Jonna responded “you deserve this” and stated her work is motivated by the words “the biggest gift you can give anyone is a chance.”



*Jonna Meyer, Team Project Coordinator, Seven Counties Services Rural ACT Team and Robert Griffin*



*Robert in his kitchen*



*Robert's home*

## Karen Tardif

*“My faith and the support of LifeSkills saved my life.”*

Karyn said her depression became so severe that she was no longer able to care for herself or her daughter. She previously attended Western Kentucky University for several years and worked part time while caring for her daughter. During this time, she was living at the Potter Children and Family Ministries in Bowling Green, Kentucky. Karyn was hospitalized at a Crisis Stabilization Unit in Bowling Green for one week and then was placed at Scottsville Personal Care Home in Scottsville, Kentucky. Her sister became her guardian and Karyn lost custody of her daughter.



*Cornerstone Personal Care Home, Scottsville*

While at Scottsville Personal Care Home, Karyn stated she had a roommate who stole from her and she said she had little privacy. There was little for residents to do at the facility, so most of the residents sat outside and smoked cigarettes. The rest of the time the residents watched TV in the day room. A highlight of living at the personal care home was when a church group visited and played bingo with the residents. Residents could buy soft drinks with the money they won from bingo. Karyn wanted to move out of the facility, but she felt she did not have a choice and had

little hope. She said outside visitors often asked her why she was living at the facility. During this time, Karyn’s family visited her several times a year.

After three and a half years, Karyn moved to Cornerstone Personal Care Home, another facility in Scottsville. Karyn stated while she lived at Cornerstone she became active with a Church that visited the facility. She also felt the staff treated residents in a respectful manner. Again, there was little to do during this time other than to watch TV. Privacy was a tremendous problem at Cornerstone. Karyn shared that male residents would come into her room without consent. She stated after residents were supposed to be in their own rooms at night, staff did not check on residents. It was during this time that a male resident entered Karyn’s room without her consent and physically assaulted her while sleeping. She stated she screamed and it awakened her roommate. Karyn wanted to share this because she felt there was not enough staff at night to check on the residents.

While living at Cornerstone, Karyn attended Wish-ing Well Clubhouse, a therapeutic rehabilitation program operated by LifeSkills, Inc., the local community mental health services provider. Karyn became aware of services available to help individuals move into the community from personal care homes.



*Karyn outside of her apartment*

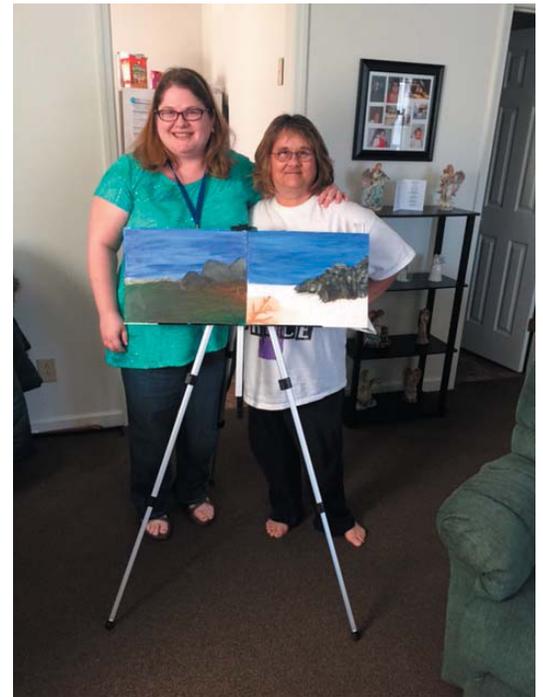


*Karyn in Haiti, Helping Hands for Haiti mission trip*

Karyn met TJ Miller who works for LifeSkills as a coordinator for the Interim Settlement Agreement services. TJ has a weekly presence in the personal care homes in the region and meets with residents who would like assistance from LifeSkills to move into the community. Karyn informed TJ that she would like to move into the community and Karyn's sister was supportive of this decision. Karyn met with TJ to determine what services and supports she needed to transition to the community. TJ applied for an Olmstead Housing Voucher through the Kentucky Housing Corporation and secured an apartment for her. She also applied for the Community Integration Supplement which helps Karyn maintain her independence in the community.

Three months later, Karyn moved into her own apartment in Scottsville. After living in personal care homes for over five years, Karyn was thrilled to live independently. Her case manager and her Peer Support Specialist, Shannon McPherson, each visit Karyn every week. Shannon provides support to Karyn by spending time with her. Karyn enjoys the time spent with Shannon, including teaching her how to paint. It has been over a year since Karyn has moved into her apartment. During this year she successfully petitioned the Court to have her rights restored, travelled to Haiti with her Church on a mission trip, saved her money and bought a car, located her daughter through Facebook and reconnected with her. Karyn's daughter, now an adult, spends weekends with her. It had been over three years since she last saw her daughter.

When asked what helped her most to transition successfully from living in a personal care home to living independently, Karyn credits her faith and the support of LifeSkills for her success and happiness. Having a Peer Support Specialist, a case manager, a therapist and psychiatrist have helped her to have the confidence to live independently. Karyn slowly began to trust they were there to help her regain her independence. She said LifeSkills helped her to find her voice, and to show that she had a choice about how she would like to live her life. Karyn stated at her lowest point she felt worthless and hopeless, and through the support she has received, she has learned to be successful and to love herself again.



*Shannon McPherson, LifeSkills Peer Support Specialist, and Karyn*



*Karyn and her car*

# Highlights of Case Narratives for FY 2015

## From Nursing Home to the Community

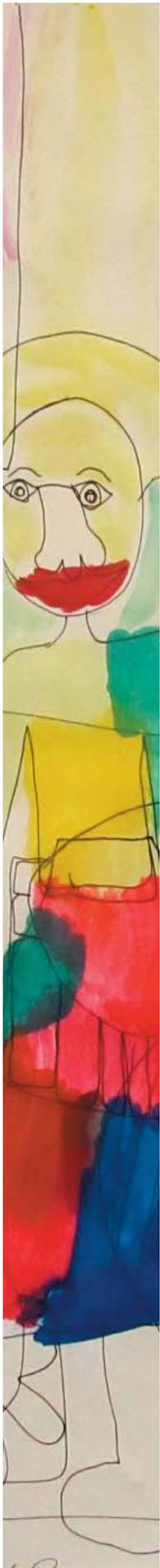
Kentucky P&A met DW, age 50, who was living in a nursing facility due to complications from a stroke. An application made to Kentucky Transitions was denied due to insufficient resources available through the Home and Community Based Waiver (HCBW) program due to an inability to meet DW's needs. Kentucky P&A spoke with him to explore other options available in order to move to the community. It was discovered after speaking with his mother that she was willing to relocate to provide natural supports so her son could return to the community. Another application was made to Kentucky Transitions and it was determined that he was eligible for the HCBW. The next challenge was to find accessible housing. Kentucky Transitions worked with the state's housing agency to find housing. A new apartment complex was under construction and DW's name was placed on the list for an accessible apartment. Unfortunately, when the housing unit became available, DW's mother could no longer provide natural support. Because of the financial limitations of the HCBW, he again became ineligible and could not return to the community. Kentucky P&A continued to consult with DW to obtain further client direction. He reiterated a desire to move from the nursing facility in order to live in the community. Kentucky P&A staff reviewed that situation again. This time, Kentucky P&A staff encouraged Kentucky Transitions to determine whether DW would be eligible for the Traumatic Brain Injury Long Term Care Waiver. He was eligible for this Waiver and transitioned to the community with appropriate supports and services and he is joyous and appreciative of the independence.

## Revising an Individualized Education Plan (IEP) Helped to Prevent School Detention

JT had only been to school for five days when the elementary school approached his mother about placing him on home bound instruction due to behaviors at the school. JT is eight years old with a diagnosis of ADHD. His mother reported that the school resource officer was making threats to send JT to detention and the principal told him that the "State" was coming to take him into custody. Kentucky P&A opened the case due to the school not following JT's Individualized Education Program (IEP) and refused to do further assessments. Kentucky P&A attended Admissions and Release Committee (ARC) meetings and advocated for a re-evaluation and revisions to JT's IEP and Behavior Intervention Plan (BIP). JT made tremendous progress academically after revisions were made to both the IEP and BIP. JT and his mother are pleased with his progress.

## Utilizing the ADA to Access to the Kentucky State Parks

CS contacted Kentucky P&A because she was told she would have to pay a daily fee to use her Cricket golf cart around Kentucky's state parks. SM has a degenerative disc disease and her husband has disabilities due to a stroke. They enjoy taking their RV to Kentucky's state parks and depend on the golf cart for mobility. They were told by the state parks that they could only use their golf cart to use the restroom and would have to pay a fee. Kentucky P&A worked with the state ADA office to obtain an accommodation for CS. Now CS and her husband can use their cart freely around the state parks without a fee.



## Supported Employment through the Michelle P Waiver

RS was dissatisfied with his current supported employment job coach and was seeking new employment services when he called Kentucky P&A. He is a 28 year old man with a developmental disability. RS quit his current job and was applying for other jobs, but did not want to work at a fast food restaurant. He also did not want to work on Sundays because he attended church with his parents. RS also depends on his parents for transportation. The Kentucky P&A advocate suggested working with a new job coach, one that would work within his schedule. Through the Michelle P Waiver, RS was able hire his sister as his supported employment coach. RS's sister received training and now works with him at his new job at Save-A-Lot.

PW is a 48-year-old woman with an intellectual disability who lives in an urban city and receives services and supports through a Medicaid Waiver program. She was previously employed at a fast food restaurant chain but was laid off. Through advocacy, Kentucky P&A worked with the supported employment provider to ensure they were providing appropriate services to obtain another job in the community. Kentucky P&A also advocated for transportation to be provided through other services through the Waiver. PW is successfully employed at the same chain but at another, busier location and is working more hours than before.

## Cycling Out of the Juvenile Justice System to College

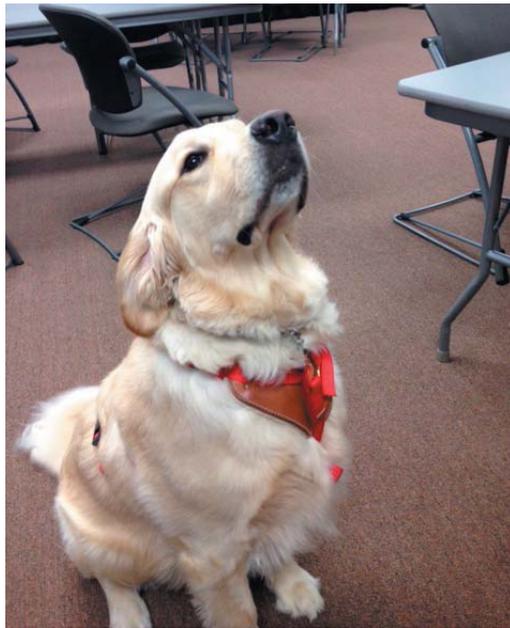
When Kentucky P&A met AF, she was committed to the Department for Juvenile Justice for charges of menacing and resisting arrest. AF was 17 years old with diagnoses of Depression and Oppositional Defiant Disorder. She had a history of self-harm and substance abuse. After many psychiatric hospitalizations and placements in Juvenile Justice facilities, AF was sent out of state to a treatment facility, but later returned to a Juvenile Justice facility in Kentucky. AF was facing additional charges for an incident that occurred at the out of state facility. Kentucky P&A provided technical assistance to AF's court appointed public defender in Kentucky. The charges were dismissed and the out of state Court and the Kentucky Public Defender reached an agreement that AF would transition to college. AF applied and was accepted to Western Kentucky University. Many supports were put in place for AF, including mental health services and AF is now living on campus and attending school.

## Moving from Personal Care Home into Community through the Traumatic Brain Injury Waiver

When Kentucky P&A meet 19-year old, CT, she was living in a personal care home in a rural city which was not physically accessible. At 15, CT had a stroke while pregnant, which resulted in a brain injury and affected her ability to walk without assistance. She eventually became a ward of the state and at the time Kentucky P&A met her, she did not have insurance, including Medicaid. This limited her access to healthcare and services.

With Kentucky P&A involvement, Medicaid was finally obtained and community services through the Brain Injury Waiver began, and the appropriate health care needs were provided. Kentucky P&A worked cooperatively with state guardianship to properly address the housing, program, and medical needs.





*Hopper*

## Gaining Access to Allow Seizure Alert Dog in Public School

The parents of NS, a 15-year-old boy with multiple developmental disabilities, contacted Kentucky P&A after the public school he attended did not allow his seizure alert dog, Hopper, to accompany him to school. Hopper is trained to alert prior to seizures, behavior modifications, and search and rescue. In addition, Hopper assists NS with balance.

Due to a disability, NS is not able to be Hopper's "handler." The child and the dog are accompanied by an adult who gives the commands and performs many of the duties of a traditional handler. The school was prohibiting school personnel from performing in this role. Kentucky P&A worked with parents to advocate for a three unit team in school with staff giving commands and assisting with handling duties. Advocacy included meeting with the districts, discussing individualized service animal plans, and ultimately filing complaints with the Office of Civil Rights (OCR).

As a result of self-advocacy and mediation efforts, NS now attends school with Hopper. The OCR complaints were successfully resolved. Kentucky P&A worked with parents and school employees to complete individualized service animal plans that would work for NS and school.

## Collaboration with State ADA Office Resulting in Teen Joining High School Marching Band



*Emmi Fish*

The Kentucky ADA Coordinator contacted Kentucky P&A for collaboration when the parent of Emmi Fish, a student who is autistic was not allowed to join her high school band. The public high school in Northern Kentucky was denying her the right

to join the competitive marching band solely on her diagnosis. Kentucky P&A advocate and ADA Coordinator met with the assistant superintendent about the violations of the ADA, Section 504, and the Individual with Disabilities Education Act (IDEA). Through the combined intervention, the teen became a successful member of the high school marching band.



*Emmi Fish*



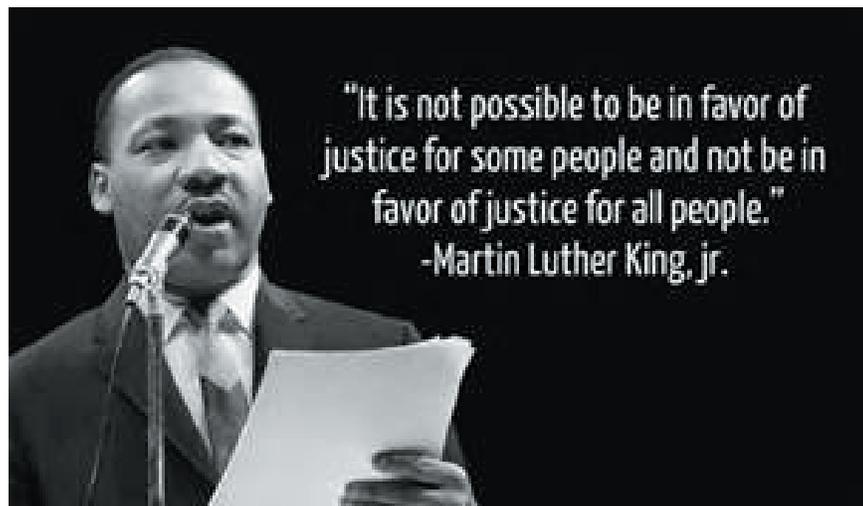
## Facility Agrees to Purchase Resident New Bike

WS is a 48-year-old man living at an Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF-ID) who was in need of a new bicycle, due to the disrepair of his old one. Kentucky P&A requested that the facility purchase a new bicycle for him due to the treatment team agreeing that WS benefited socially and physically from riding his bike. The facility was initially hesitant in incurring the costs and Kentucky P&A explained that the facility received hundreds of thousands of dollars yearly to provide services to the client and that they could address the cost of the bike. The facility then agreed to purchase the new bike and helmet. WS reported that he was very happy about the outcome.



*WS and his bicycle*

## Disability Rights = Civil Rights



"It is not possible to be in favor of justice for some people and not be in favor of justice for all people."  
-Martin Luther King, jr.



*PADD Advisory Board Member Kelly Knoop, 874K Rally*



*PAIMI Advisory Council Member, Reggie Gentry, giving the invocation at the 874K Rally*



*Council on Developmental Disabilities and former PADD Advisory Board Member Sherry Sanders and Joe Cowan*



*Communicare and Kentucky P&A at 874K Rally: Cheri Tivitt, Tony Blair, Dan Simpson, Calvin Jackson, Jeff Edwards, and Jerry Sanders*



*P&A client featured on video for the 874K Rally to demonstrate the "Return on Investment" to policy makers*



*PADD Advisory Member, Amanda Stahl, speaking at the 874K Rally on February 5, 2015 at the Frankfort Civic Center*



*PADD Advisory Board Member Mike Smith at the 874K Rally*



*P&A Advocate Kevin Fleming presenting at the National Disability Right's Network Conference in Indianapolis*



*P&A Advocate Angela Winkfield at Children's Awareness Day*



*Volunteers who participated at the Frankfort State Hospital and School Cemetery Annual Clean-up Event*



*PADD Advisory Board Members & PAIMI Advisory Council Members participating at the Frankfort State Hospital and School Cemetery Annual Clean-up Event*



*P&A staff Beth Metzger and PADD Advisory Board Chair Cathy Jo Edwards*



*Annual meeting attendees watching the documentary, "If I Can't Do It," featuring Arthur Campbell*



*Public Advocate, Ed Monahan, at the Annual Meeting*



*PAIMI Advisory Council Member, Becky Clark, speaking at the Annual meeting*

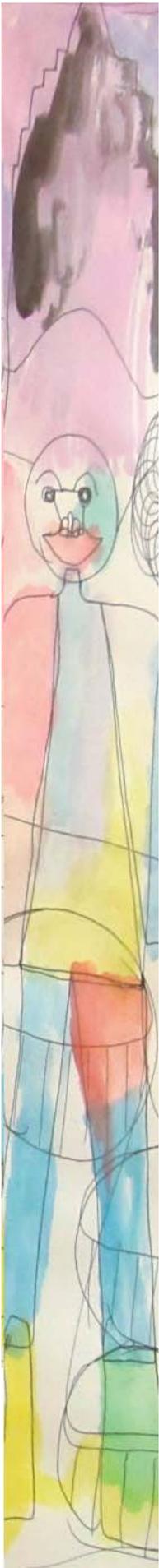


*P&A Attorney Leslie Jones, Accessing Your Power*



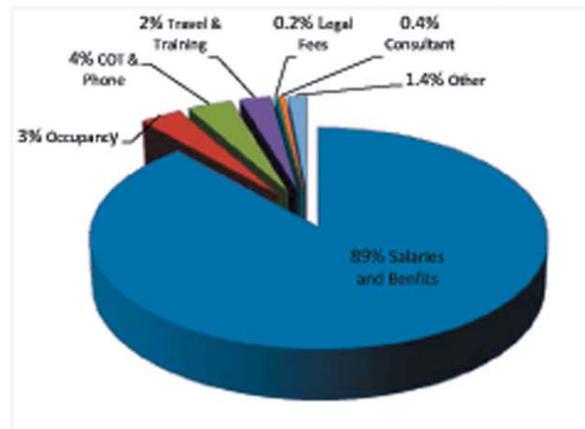
*PAIMI Advisory Council Member Jackie May, Relay for Life*

## 2015 Financial Information



### Revenue

PADD-	578,171	28%
PAIMI-	428,000	20%
PAIR-	203,589	10%
PABSS-	115,761	6%
PAVA-	70,000	3%
PAAT-	50,000	2%
PATBI-	50,000	2%
State General Funds	503,200	24%
Carry-Over Funds	89,095	4%
<b>TOTAL</b>	<b>\$ 2,087,816</b>	



### Expenditures

Salaries and Benefits	\$ 1,848,480
Occupancy	68,554
COT* & Phone Service	73,545
Travel & Training	51,844
Legal Fees	4,410
Consultant	10,268
Other	30,716
<b>Total</b>	<b>\$ 2,087,816</b>

\*COT- Commonwealth Office of Technology

Salaries and Benefits used to average 80% of the budget, but within the last 4 years employer retirement contribution has almost doubled from 19.82% to 38.77% in fiscal year 2015.

Protection and Advocacy receives federal funding from the U.S. Department of Education, the Social Security Administration, U.S. Department of Health and Human Services, and State General Funds.

## Highlights of 2016 Priorities

### Kentucky Protection and Advocacy will:

- investigate all serious injuries and deaths including those sustained during the use of physical restraint/seclusion at schools and other facilities and community programs to individuals with disabilities
- monitor PRTFs and children psychiatric hospitals annually
- continue to visit nursing facilities in each of the 15 Community Mental Health regions to obtain information and data to identify barriers to individuals with disabilities moving into a lesser restrictive environment.
- monitor the implementation of the Amended Settlement Agreement between the Cabinet for Health and Family Services and P&A
- develop a web page and/or training on transition and meaningful employment, post-secondary options and resources available for youth to gain meaningful employment
- continue to monitor the state's implementation of Kentucky's System of Care and create informational material on the system of care changes and how they relate to consumer
- the PAIMI Advisory Council and P&A staff will monitor all legislation that impacts Kentuckians with mental illness
- will monitor the implementation of Senate Bill 200, Juvenile Justice Reform
- will monitor the 13 Kentucky Department of Corrections facilities and units where individuals with a severe mental illness or other disabilities who are housed in segregation other special management units.
- monitor Juvenile Justice Facilities
- along with self-advocates, will provide training about employment at sheltered workshops
- will educate Amended Settlement Agreement participants about supported employment
- along with the PAIMI Advisory Council will provide training about the Amended Settlement Agreement to residents at personal care homes
- will monitor ICF-ID facilities in Kentucky
- the PADD Advisory Board will create a video for P&A YouTube channel on self-advocacy, transition-to-work, or transition to higher education and adulthood
- hold two public forums



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Please follow Kentucky P&A on our Twitter Account: [https://twitter.com/kyadvocacy!](https://twitter.com/kyadvocacy)

## Mission

Kentucky Protection and Advocacy will protect and promote the rights of Kentuckians with disabilities through legally based individual and systemic advocacy and education.

## Vision

Kentucky Protection and Advocacy has a vision of a just society where all people are treated with dignity and respect for their expressed choices and have equal opportunities to participate in an integrated and inclusive society where different abilities are valued.

## Values

Kentuckians with disabilities have a right to self-determination including, but not limited to, the right to refuse, the right to participate, and the right to choose.

Kentuckians with disabilities have the same inherent rights as Kentuckians without disabilities.

Kentuckians with disabilities will live and receive services in integrated and inclusive settings.

Kentucky Protection and Advocacy values and accepts differences and diversity.



5 Mill Creek Park  
Frankfort, KY 40601  
502-564-2967  
800-372-2988  
Fax 502-695-6764  
[www.kypa.net](http://www.kypa.net)