



Quarterly Report

FY 2022, Quarter 4

Prepared for the
Mental Health Advisory Council (MHAC) Meeting
November 30, 2022

and

Indiana Protection and Advocacy Services (IPAS)
Commission Meeting
December 2, 2022

Equity Through Advocacy

The Protection and Advocacy System for the State of Indiana



Table of Contents

Strategic Plan At-A-Glance	4
Executive Director’s Report	5
Key Updates	5
Operations Updates	5
Diversity, Equity, and Inclusion	6
Key Updates	6
Client Demographics	7
Priorities and Objectives Progress	9
GOAL 1: Preventing, finding, and stopping abuse, neglect, and exploitation of persons with disabilities in facilities	9
1.1. Conduct systemic investigations at private secured facilities and psychiatric rehabilitation treatment facilities.....	9
1.2. Investigate suspected abuse, neglect, and exploitation in facilities or by a service provider.	10
1.3. Use monitoring authority to ensure appropriate treatment of residents in: children’s nursing homes, mental health facilities, nursing facilities, private psychiatric facilities, sheltered workshops, educational settings, waiver settings, juvenile detention centers, and jails and prisons.....	12
1.4. Investigate instances of discharge delays for individuals dually diagnosed with developmental disabilities and mental illness in mental health facilities.	13
GOAL 2: Breaking down barriers to ensure rights are respected and supports are available for persons with disabilities to participate in an equitable and inclusive society	14
2.1. Provide individual legal advocacy to ensure the protection of rights for individuals with disabilities in the areas of self-determination, health care, abuse and neglect, discharge from institutions, civil rights, education, employment, justice, and voting.	14
2.2. Civil Rights – Improve the accessibility of buildings and public services.	16
2.3. Education – Address education barriers for children in institutions (e.g., juvenile detention, private secure facilities).....	17
2.4. Employment – Advocate for increased VR funding and equitable service prioritization within order of selection.	18



2.5. Health Care – (1) Provide individual or systemic advocacy relating to policies or practices around COVID-19, including long-term consequences from those policies and practices. (2) Advocate for policy changes to ensure availability and access to Home and Community-Based Service (HCBS) providers..... 19

2.6. Self-Determination – Expand the knowledge and use of supported decision-making/less restrictive alternatives to guardianship.21

2.7. Voting – Ensure elections are accessible to voters with disabilities.....23

GOAL 3: Serving as a partner in rights issues and supporting self-advocates and disability-led organizations. 25

3.1. Provide easily accessible paths for the public to contact IDR for advocacy needs and to distribute information, referrals, and resources to individuals.....25

3.2. Support the self-advocacy and disability-led movement in Indiana through continued collaboration with self-advocates and disability-led organizations on voting initiatives, supported decision-making and other activities that align with the mission of IDR.26

3.3. Increase participation in the local, state and federal policy process including the monitoring of emerging trends in the area of disability rights, the use of strategic collaborations with other organizations, and educating legislators and policymakers regarding the impact of policies on people with disabilities.28

3.4. Ensure IDR’s services are inclusive and respectful of the intersectional identities of the people it serves and employs.29

3.5. Advocate for the inclusion of people with disabilities, those from marginalized communities, and people with lived experiences to be meaningfully included in policy workgroups at the agency/state/national level.30

3.6. Generate new partnerships with stakeholders that have not traditionally held a seat at the policy table (e.g., cultural or religious groups, legal or professional groups, community issue groups, e.g., homelessness, Veteran’s issues).....31

Acronyms 33

List of Common Acronyms33

IDR Teams35

IDR Staff35

Grant Programs35

State Hospitals.....35



Strategic Plan At-A-Glance

GOAL/PRIORITY	Type	Category	P&O	SP
Conduct systemic investigations at PSF/PRTF.	Substantive	AND	1.1	
Get people out of institutions.	Substantive	AND	1.4	2.1
Address barriers to exercising rights or accessing services.	Substantive	ALL	2.1	
Improve accessibility of buildings and public services	Substantive	Civil Rights	2.2	
Address education barriers for children in institutions	Substantive	AND, Education	2.3	
Advocate for increased VR funding.	Substantive	Employment	2.4	
Improve community integration and access to community-based services.	Substantive	ALL	2.5	2.3
Provide advocacy related to COVID-19	Substantive	Health care, Civil Rights, AND	2.5	
Strengthen use of SDM and LRAs.	Substantive	SD	2.6	2.2
Ensure elections are accessible.	Substantive	PSP, Civil Rights	2.7	
Strengthen education, outreach and communication efforts.	Operational	Programmatic	3.1	1.3
Partner with/support self-advocates and disability-led organizations.	Operational	Programmatic	3.2	
Increase participation in local, state, and federal policy advocacy.	Operational	Programmatic	3.3	
IDR Policies and processes are equitable, transparent, and accessible.	Operational	Compliance	3.4	1.4
Provide services to more BIPOC people with disabilities	Operational	DEI	3.4	1.1
Staff, Commission, MHAC reflect broad diversity of Indiana	Operational	DEI	3.4	1.2



Executive Director's Report

Key Updates

- The MHAC and IPAS membership forms have been updated to include IDR's new address. The MHAC application has also had all instances of "mental illness" changed to "mental health." Both applications have standard and large print versions of pdf and Word in the [publicly-searchable forms catalog](#) and are available on IDR's website.
- Teams updated their work plans based on the new FFY 2023 P&Os. The plans outline priority issues and case management procedures.
- Kudos to IDR's Rep Payee Reviewers – Indiana was identified as one of only 3 states to complete re-introduced cases by SSA's deadline. Reviewers have also worked hard to get current reviews caught up from the pandemic-related shutdowns.
- IDR's website is undergoing an update to improve accessibility and navigation. IDR is also using this time to review and update its resource catalogue and other documents available for download from the website.
- NDRN, our national technical assistance agency, named a new Executive Director, Marlene Sallo. Marlene is interested in visiting P&As in person in the coming year.

Operations Updates

- The Federal Fiscal Year ended on September 30, 2022. Federal reports are being completed and are due by the end of the 2022 calendar year.
- There are several fiscal impacts to IDR's work including:
 - Compensation study results
 - State reimbursement increases for travel
 - State contracting increases for insurance, MOUs and contracted prices
 - General inflation cost increases
 - Federal funding allocations unknown
- IDR's Special Projects Intern Maddie Nixon and Legal Intern and Lizzie Ford completed their internships.
- IDR welcomed Jason Rivich to the team. Jason is an Investigator/Advocate focused on Discharge advocacy funded by our Public Health Workforce grant from ACL.



Diversity, Equity, and Inclusion

Key Updates

- IDR received the results of its state-conducted Affirmative Action review for 2021. IDR exceeded the state's expectations for diversity in race, women, and disability status compared to other state agencies. Other notable results include:
 - IDR had 62% of job applicants identify as people of color and 8.9% identify as a person with a disability. Of its 3 positions filled in 2021, 2 identified as a person of color and 1 identified as a person with a disability.
 - The state would like for IDR to also target people with a veteran's status for future positions.
- IDR continues to utilize its internal Diversity and Cultural Competency Workgroup. There are approximately 12 members of our 30 staff who regularly attend. Work on internal policy and practice, recommend and update on community connections, and training opportunities.
- Bilingual Paralegal Carmen Ledezma was [interviewed by Telemundo Indy](#) two times during Q4 about IDR's services and supported decision-making.
- IDR signed up to join the Cultural Humility program through the FISA Foundation.
- IDR had all staff participate in training from Joseph Pinnell in the Governor's Office on Diversity and Equity on Diversity, Equity and Inclusion.
- IDR conducted a demographics survey of current staff, MHAC and Commission members. De-identified results are below.

	N	Disability	BIPOC
IDR Staff	30	15 (50%)	9 (30%)
MHAC	8	6 (75%)	1 (12%)
Commission	11	8 (73%)	6 (54%)



Client Demographics

Hispanic Ethnicity Demographics

	Q1 Count	Q1 Percent	Q2 Count	Q2 Percent	Q3 Count	Q3 Percent	Q4 Count	Q4 Percent	Total Count	Total Percent
Hispanic	6	2%	6	2%	7	3%	3	1%	22	2%
Not Hispanic	50	19%	44	16%	202	87%	229	91%	525	51%
Blank	209	79%	232	82%	23	10%	19	8%	483	47%
Total	265		282		232		251		1,030	

Figure 1 – Client Hispanic Ethnicity Demographics

Gender/Sex Demographics

	Q1 Count	Q1 Percent	Q2 Count	Q2 Percent	Q3 Count	Q3 Percent	Q4 Count	Q4 Percent	Total Count	Total Percent
Female	49	18%	53	19%	74	32%	85	35%	261	25%
Male	95	36%	100	35%	132	57%	154	57%	481	47%
Other	0	0%	1	0%	0	0%	2	0%	3	0%
Unknown	3	1%	2	1%	1	0%	0	0%	6	1%
Blank	118	45%	126	45%	25	11%	10	8%	279	27%
Total	265		282		232		251		1,030	

Figure 2 – Client Gender/Sex Demographics



Race Demographics

	Q1 Count	Q1 Percent	Q2 Count	Q2 Percent	Q3 Count	Q3 Percent	Q4 Count	Q4 Percent	Total Count	Total Percent
Asian	2	1%	2	1%	2	1%	2	0%	8	1%
Black/African American	29	11%	27	10%	35	15%	41	17%	132	13%
Race Unknown	2	1%	0	0%	7	3%	2	0%	11	1%
White	99	37%	116	41%	150	65%	179	72%	544	53%
Blank	131	49%	134	48%	31	13%	14	6%	310	30%
Two or More Races	2	1%	3	1%	7	3%	10	4%	22	2%
Native Hawaiian/Other Pacific	0	0%	0	0%	0	0%	0	0%	0	0%
American Indian/ Alaskan Native/ Indigenous	0	0%	0	0%	0	0%	0	0%	0	0%
Unknown-Declined	0	0%	0	0%	0	0%	3	1%	3	0%
Total	265		282		232		251		1,030	

Figure 3 – Client Race Demographics

Age Demographics

	Q1 Count	Q1 Percent	Q2 Count	Q2 Percent	Q3 Count	Q3 Percent	Q4 Count	Q4 Percent	Total Count	Total Percent
1 to 3	0	0%	4	1%	3	1%	4	2%	11	1%
4 to 10	21	8%	31	11%	23	10%	20	8%	95	9%
11 to 21	61	23%	65	23%	55	24%	63	25%	244	24%
22 to 40	65	25%	59	21%	47	20%	53	21%	224	22%
41 to 65	71	27%	81	29%	69	30%	76	30%	297	29%
66 to 80	14	5%	12	4%	15	6%	21	8%	62	6%
81 and above	0	0%	1	0%	3	1%	3	2%	7	0.5%
Blank	30	11%	27	10%	16	7%	11	4%	84	8%
Data errors	3	1%	2	1%	1	0%	0	0%	6	0.5%
Total	265		282		232		251		1,030	

Figure 4 – Client Age Demographics



Priorities and Objectives Progress

GOAL 1: PREVENTING, FINDING, AND STOPPING ABUSE, NEGLECT, AND EXPLOITATION OF PERSONS WITH DISABILITIES IN FACILITIES.

PRIORITIES TO ADDRESS:

1.1. Conduct systemic investigations at private secured facilities and psychiatric rehabilitation treatment facilities.

Educate

Presentations – Know Your Rights

- IDR staff completed 2 presentations to a total of 51 attendees.
- **Outcomes:**
 - At one presentation, two youths reported sexual misconduct allegations by another peer. They stated that they did not report these to staff and were only comfortable reporting to IDR. IDR assisted the two youth to report to the proper person and the allegations were swiftly handled.
 - IDR provided posters to one facility to place around units. Youth in this facility are now able to access IDR contact information independently of their staff.

Material – Know Your Rights Handbook:

The Know Your Rights Coloring/Activity Book is currently under a second round of editing. Once complete the book will be going to the graphic designer for layout.

Monitor and Investigate

Monitoring – PRTFs and PSFs

- 9 facility visits completed
- 3 reports filed with overseeing entities
- **Outcomes:**
 - IDR filed complaints with DCS/CPS regarding care and treatment of youth in residential treatment. These complaints included staff abuse, inappropriate restraints, group punishment, and lack of adequate staff. IDR has not been informed of the results of these allegations.

Advocate

Systemic Litigation

Ashley W. et al v. Holcomb et al (3:19-cv-00129-RLY-MPB; U.S. District Court, Southern District of Indiana)

The case was closed following the Seventh Circuit Court of Appeals' reversal of the denial of the Defendants' motion to dismiss.



Community Connections

- IDR began working regularly with staff from DCS to address issues in DCS licensed facilities.
 - **Outcome:** changes to policy, greater attention and enforcement of issues at facilities, regular communication to address systemic issues and better coordination across IDR and DCS.

1.2. Investigate suspected abuse, neglect, and exploitation in facilities or by a service provider.

Educate

No education activities tied to this priority.

Monitor and Investigate

Rep Payee – IDR presented 34 Rep Payee reviews to SSA which are now in end stages of review.

Investigations – The number of investigations opened and closed in Q4 are detailed below.

Investigations in Q4	Opened	Closed
Client-to-Client Abuse	0	1
Death of Patient	0	6
Environmental & Facility Safety	0	1
Neglect	2	2
Physical Abuse	0	1
Sexual Abuse	0	1
Unnecessary Restraint	0	1
Other Abuse	0	0
TOTAL	2	13

Outcome: Three investigations were substantiated and 4 partially substantiated. 6 referrals for additional action were made.

Advocate

Individual Representation

- 22 cases opened in Q4
- 21 cases closed in Q4



Individual Investigation Outcome

Raven – Abuse, Neglect, and Discharge

Following “Raven’s” death, IDR investigated her care providers. IDR reviewed Raven’s records and found that her care team had neglected to transport Raven to the ER for medical care following direction from supervisors. Additionally, supervisory staff neglected to follow-up to ensure Raven had been transported to the hospital. IDR substantiated the investigation. The issue has also been investigated by local police and criminal charges brought against Raven’s care providers.

Advocacy Project – CRMNF Marion

IDR continues to monitor the CRMNF in Marion. Environmental issues were noted and addressed with facility directors. Additionally, IDR filed 1 complaint with IDOH regarding a report that an individual had been moved to a seclusion room and was being inappropriately restrained. Staffing shortages remain an issue. There were no active investigations during this quarter. Discussions with facility administration and BDDS staff are ongoing to address systemic issues identified by IDR’s investigations.

Advocacy Project – Madison State Hospital

Through monitoring, IDR learned that Madison State Hospital has in effect an informal, unwritten policy prohibiting patients from purchasing more than 4 personal items per month, irrespective of size or cost, from their own money in apparent violation of their conditional statutory right to spend a reasonable amount of their own money. IDR is presently gathering information from the physician who has created the informal rule along with staff and patients to confirm the existence of the informal rule and to determine how and how broadly it is being applied. Upon obtaining all necessary information, IDR will advocate for the informal rule to be revoked or revised to allow patients to spend a reasonable amount of their own money.

Policy Advocacy

Workgroups

- BQIS Incident Reporting Process Workgroup Collaborative Workgroup
- Mortality Review Committee (MRC)
- Residential Facilities Community of Practice (NDRN)

Community Connections

- IDR Rep Payee Team provided information to DDRS, Child Advocates, and several other providers about Rep Payee roles and responsibilities.
- Tina Frayer met with administration and toured a new behavioral hospital in Fort Wayne.



1.3. Use monitoring authority to ensure appropriate treatment of residents in: children’s nursing homes, mental health facilities, nursing facilities, private psychiatric facilities, sheltered workshops, educational settings, waiver settings, juvenile detention centers, and jails and prisons.

Educate

Each month of Q4, Natasha Henry gave an overview of IDR’s services to new staff members at the ESH/EPCC New Staff Orientation. Details are below.

ESH/EPCC New Staff Orientation

Month	New Staff
July	11
August	12
September	16

Monitor and Investigate

Monitoring – State-Operated Facilities

IDR conducted 39 monitoring visits at 11 facilities.

Outcome: See Advocacy Project – Madison State Hospital on page 11.

Advocate

Advocacy Project – Prison Monitoring Project

IDR requested and reviewed the IDOC’s administrative policies. IDR staff began contacting IDOC facilities to learn more about and build relationships with staff and offenders in each IDOC facility.

Systemic Litigation

Indiana Protection and Advocacy Services Commission et al v. Commissioner, Indiana Department of Correction (1:08-cv-01317-TWP-MJD; Southern District of Indiana)

The settlement monitoring period was extended. IDR is continuing the prison monitoring project, as detailed above, that will cover multiple topics, including mental health treatment.

Policy Advocacy

Workgroup

- Facility-based human rights committees

Community Connections

- No new connections from this quarter tied to this priority.



1.4. Investigate instances of discharge delays for individuals dually diagnosed with developmental disabilities and mental illness in mental health facilities.

Educate

No education activities tied to this priority.

Monitor and Investigate

Monitoring

- At the CRMNF in Marion, discharges continue to occur. IDR staff participated in three discharge calls this quarter. The same individuals remain discharge ready, yet the lack of movement toward discharge is only explained as the process needing more time.
- IDR did encourage the CRMNF Marion team to begin using a newly created transition document this quarter with the DD Ombudsman, BDDS, and the facility about discharge issues. More specifically, IDR staff provided feedback on CRMNF discharge criteria and forms.

Advocate

Policy Advocacy

Workgroup

- ResCare Marion Bureau of Developmental Disabilities Services (BDDS) Transition Meeting

Community Connections

- No new connections from this quarter tied to this priority.

Success Story – Goal 1:

When DCS unexpectedly closed a residential treatment center due to hazardous environmental conditions, IDR sent AND Team members to the site on the same day. IDR staff monitored the closure process and spoke with the youth in transition. IDR addressed several concerns with DCS regarding the closure process, including overnight discharges, using transporters unfamiliar to the youth, and youth leaving belongings due to lack of transportation space. By the end of the day, all but four youth had been transported off campus. IDR's presence enabled concerns to be addressed on-site and in a more immediate manner.



GOAL 2: BREAKING DOWN BARRIERS TO ENSURE RIGHTS ARE RESPECTED AND SUPPORTS ARE AVAILABLE FOR PERSONS WITH DISABILITIES TO PARTICIPATE IN AN EQUITABLE AND INCLUSIVE SOCIETY.

PRIORITIES TO ADDRESS:

2.1. Provide individual legal advocacy to ensure the protection of rights for individuals with disabilities in the areas of self-determination, health care, abuse and neglect, discharge from institutions, civil rights, education, employment, justice, and voting.

Educate

Presentation

On September 15, 2022, Keith Butler and Justin Schrock presented “Disability Laws and Accommodations in Schools and the Community” at the annual IARCA conference. 15 child and family frontline staff attended and provided great feedback from the event.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Individual Representation

267 individual client cases were opened or remained open during this quarter. While some cases require more than one quarter for resolution, the numbers of cases opened and closed in Q4 are detailed below.

Individual Advocacy Case Data

	Opened	Closed
Civil Rights	38	38
COVID-19 Vaccine	0	0
Education	19	43
Employment	20	17
Health Care	13	10
Self-Determination	10	7
TOTAL	100	115

Individual Representation Select Outcomes

Tracy – Civil Rights

“Tracy” requested a reasonable accommodation from her Homeowner’s Association (HOA) to: remove trees from her yard that exacerbated her allergies; change the rock



garden in her yard which she couldn't weed to an organic plant garden; and install a portable dog pen in her backyard for her service animal. After Tracy had not heard back from the HOA Board in a reasonable amount of time, she contacted IDR for assistance. IDR negotiated with the HOA and client's requests were approved.

Lindsey – Education

When twelve-year-old “Lindsey” was expelled due to a behavior related to her emotional disability, she and her mother requested IDR's assistance. IDR attended a case conference meeting at which the school determined the behavior had been a manifestation of Lindsey's disability and allowed her to return to school full-time. Additionally, IDR advocate for an evaluation to determine eligibility to move from a 504 plan to an IEP. Lindsey was found eligible and an IEP established.

Litigation

Crumley v. Forestall et al. (1:19-cv-04110-TWP-DML; U.S. District Court, Southern District of Indiana)

Plaintiff and MSCO reached an agreement to settle the case prior to trial, and the case has been dismissed with the client's objective met.

HHC v. Talevski (21-806; U.S. Supreme Court)

On September 26, 2022, IDR, through the work of Emily Munson, filed its first amicus brief to the U.S. Supreme Court in *HHC v. Talevski*. The brief provides the Court with: an overview of how Hoosiers have successfully used Section 1983 to enforce their rights in programs like Medicaid and SNAP; a description of the ineffective administrative procedures available to nursing home residents in Indiana; and other reasons for the Court to affirm precedent permitting federal courts to hear Section 1983 claims arising from programs that Congress created to trigger the Spending Clause. The accompanying social media post reached 748 individuals across social media platforms. IDR received numerous press requests stemming from the amicus brief.

Advocacy Project – Police Pursuit Policies

IDR continued researching police pursuit policies after meeting with members of the community about interactions between police and people with disabilities. The goal is supporting the community in advocating for policy change. Research this quarter focused on Indiana specific policies and practice as well as possible pathways to policy change. Next steps include convening a stakeholder group to discuss strategy.

Policy Advocacy

Workgroups

- Disability Employment Technical Assistance Center (DETAC) Grantee Advisory Workgroup
- Fair Housing Center of Central Indiana Board of Directors



- Indiana Association of People Supporting Employment First (INAPSE) Public Policy Committee
- Medicaid All Hands
- National Board of Directors for Association of People Supporting Employment First (APSE)
- State Personnel Department (SPD) Employees with Disabilities Workgroup
- Department of Justice Civil Rights Roundtable

Community Connections

- Riley Hospital to provide information on youth with mental health needs.
- Melissa Keyes was invited to attend a meeting with the Department of Justice and other national stakeholders to discuss a strategy to address the use of sheltered workshops for people with mental health conditions.
- Bonnie Bomer's involvement in the Work to Include Coalition resulted in IDR helping organize and present during the first Indianapolis Disability Talent Showcase. At least 2 jobseekers connected with employers.

2.2. Civil Rights – Improve the accessibility of buildings and public services.

Educate

Technical Assistance

- Assisted group home resident with filing complaints with government agencies concerning cleanliness and sanitation
- Provided TA to inmate who previously received SSA about restarting benefits after release from jail

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Individual Representation Outcome

Patrick – Civil Rights

“Patrick,” an individual with disabilities, was denied an emotional support animal by his apartment landlord. IDR assisted Patrick in completing the landlord-required paperwork and successfully receiving written approval of his emotional support animal from the landlord.

Systemic Litigation

Indiana Protection and Advocacy Services Commission v. Indiana Family and Social Services Administration et al (1:22-cv-00906-JRS-TAB; Southern District of Indiana)

IPAS, represented by IDR and the ACLU of Indiana, brought suit on behalf of criminal defendants found incompetent to stand trial and placed in the custody of the Indiana Department of Mental Health and Addiction (DMHA), alleging



unlawful delays in the start of competency restoration services. Plaintiff filed a motion for preliminary injunction, which the district court denied. Plaintiff has appealed the denial of the preliminary injunction to the U.S. Court of Appeals for the Seventh Circuit. Briefing is underway.

IDR staff met with several stakeholders to discuss the issue and possible solutions.

Policy Advocacy

IDR provided public testimony to the Independent Committee on Counsel for Children on the importance of access to independent counsel for children in need of services placed in institutions.

Workgroups

- ADA-Indiana Steering Committee
- Back Home in Indiana Alliance Steering Committee
- Carmel Advisory Committee on Disability – Melissa Keyes connected Carmel City Council members with Work to Include to support NDEAM activities in the area. Melissa provided input on outreach for the City of Carmel relating to accessibility and disability awareness.
- Division of Disability and Rehabilitative Services (DDRS) Advisory Council
- Fishers Advisory Committee on Disability
- Indiana Department of Transportation (INDOT) Americans with Disabilities Act (ADA) Community Advisory Working Group
- Indianapolis Mayor’s Advisory Council on Disability (MAC-D)
- Indiana Counsel for Kids Coalition

Community Connections

- IDR staff met with representatives from the Office of Federal Contractor Compliance to establish a referral process and opportunity to share information with staff about the availability of OFCCP to assist with employment discrimination complaints.

2.3. Education – Address education barriers for children in institutions (e.g., juvenile detention, private secure facilities).

Educate

No education activities tied to this priority.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.



Advocate

Advocacy Project – FAPE in Institutions

No update this quarter.

Community Connections

- DCS Education Director to discuss education barriers for children in institutions.

2.4. Employment – Advocate for increased VR funding and equitable service prioritization within order of selection.

Educate

Presentation

On August 29, 2022, Tash Crespo presented “Competitive Integrated Employment” to Empowered Together. It was recorded and placed online to be viewed later. So far, there have been 3 viewers.

Materials – Competitive Integrated Employment (CIE) Initiative – Three videos about CIE, informed choice, and how to leave a sheltered workshop were created. Each video is between 3 to 5 minutes in length and is hosted by an interview from a person with a disability speaking on their lived experience regarding the topic of the video. The factsheets are being translated into ASL with a voiceover.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Individual Representation Outcome

Jessica - Employment

After applying for vocational rehabilitation (VR) services, “Jessica” was placed on a waiting list pursuant to VR’s Order of Selection process. Jessica requested an administrative review and, when she did not hear back from VR, contacted IDR for assistance. IDR began fact-finding and determined that Jessica was qualified to receive VR services and should not have been placed on the waitlist. VR subsequently offered Jessica immediate services.

Advocacy Project – Sheltered Workshop Project

IDR’s participation in DDRS’s Building Independence workgroup concluded in September 2022, as DDRS requested final products from initial CIE workgroups before pivoting to the next phase its Employment Systems Transformation Plan. The Building Independence workgroup provided DDRS with a list of the top four barriers to increased participation in CIE, as well as recommendations for addressing them. The workgroup also noted that several of its recommendations could be implemented by amending Medicaid waiver service definitions.



Policy Advocacy

Public Comments

- In April, IDR submitted written comments to the AbilityOne Commission, regarding its Strategic Plan for Fiscal Years 2022-2026. IDR emphasized the importance of competitive, integrated employment (CIE) opportunities, as defined by the Workforce Innovation and Opportunity Act.
- IDR's Policy Director continues to participate on the National Board of Directors for the Association of People Supporting Employment First (APSE). In June, she participated in strategic planning and APSE's 2022 Annual Conference. These activities informed IDR about CIE initiatives around the country and provided valuable networking opportunities.

Workgroups

- Vocational Rehabilitation (VR) Commission
- Work to INclude Advisory Committee
- Work to INclude Coalition
- DDRS Advisory Council CIE Workgroups

Community Connections

- IDR connected with Empowered Together, a parent education organization through a fellow P&A.

2.5. Health Care – (1) Provide individual or systemic advocacy relating to policies or practices around COVID-19, including long-term consequences from those policies and practices. (2) Advocate for policy changes to ensure availability and access to Home and Community-Based Service (HCBS) providers.

Educate

The COVID-19 vaccine project closed in Q4 with all success criteria met and funding fully spent down. Education outcomes from that project as a whole include:

- Print materials provided to 6 monitors who visit 10 facilities
- Print materials provided to 4 PSFs
- 20+ social media posts
- One event (Walking for the Health of It)
- Outreach to minority partners, including:
 - Telemundo
 - Little Hoosiers
 - Kphrew Institute



Monitor and Investigate

Monitoring and investigation outcomes from the COVID-19 vaccine project as a whole include:

- 82 facility contacts and 205 people asked about vaccines with 90% mean vaccination rate
- 6 presentations in PSFs with 211 attendees that resulted in 27 individual meetings
- DCS records requested, received, and reviewed; no procedural barriers identified

Advocate

Advocacy outcomes from the COVID-19 vaccine project as a whole include:

- Systemic
 - Met with IDOH Chief Medical Officer
 - Reviewed NEMT regulations; no procedural barriers identified
- Individual
 - 3 cases completed

Workgroups

- Center for Youth and Adults with Conditions of Childhood (CYACC) Advisory Board
- Long-Term Care Coalition - The Coalition received updates about the Long-Term Care Ombudsman's volunteer program and initial rights trainings conducted at nursing homes in Northwest Indiana. Coalition members also discussed FSSA's plans to begin transitioning older Hoosiers to managed care.
- National Center on Advancing Person-Centered Practices and Systems' Self-Direction Learning Collaborative – Members of the Collaborative continue to participate in monthly coaching calls to learn about participating teams' projects and status toward meeting project goals. The Indiana team met separately to discuss DDRS's plan to implement self-direction through a Section 1915(j) Medicaid waiver.
- CMS Stakeholders – IDR participated in several calls with stakeholders in anticipation of CMS's visit to Indiana. IDR supported people with disabilities to lead the discussion and provided substantive written comments to CMS.

Community Connections

- In July 2022, IDR was invited to participate in a remote meeting hosted by Advocates for Personal Care. Attendees shared information about the group they represent and recognized that many Hoosiers with disabilities have not yet been connected to disability-related services.
- Melissa Keyes provided information and resources to the *Indiana Lawyer* on issues relating to long-Covid.
- IDR met with staff from FSSA to discuss Medicaid waiver program changes.



2.6. Self-Determination – Expand the knowledge and use of supported decision-making/less restrictive alternatives to guardianship.

Educate

Presentations

- On July 7, 2022, Melissa Keyes presented “Decision Making and Guardianship” to 462 providers and case managers on behalf of BDDS.
- On July 19, 2022, Melissa Keyes presented “Decision Making and Guardianship” to 393 providers and case managers on behalf of BDDS.
- On August 30, 2022, Melissa Keyes, Emily Munson, and Tash Crespo comprised a panel at the Indianapolis Bar Association’s headquarters, presenting about IDR’s Advanced Directives Project that won the Indianapolis Bar Foundation’s Community Empowerment Grant. The trio provided a brief overview of end-of-life planning tools used in Indiana and discussed best practices for assisting clients with intellectual and developmental disabilities in using these tools. Attendees were invited to volunteer at the Project’s first event, taking place at a booth at SAI’s Annual Picnic in Plainfield. Details from the event are below.

Technical Assistance

IDR provided TA regarding issues within guardianship cases to multiple attorneys, providers, and families. Additionally, IDR provided TA to the following entities:

- Medicaid Waiver Ombudsman
- DMHA
- Arc of Indiana
- Center for Youth and Adults with Conditions of Childhood
- Indiana Legal Services
- Indiana Adult Guardianship Office
- Indiana Adult Protective Services
- Unity of Indiana
- Indiana Area Agencies on Aging

Monitor and Investigate

IDR began monitoring guardianship court filings to provide input about the implementation of Indiana’s supported decision-making legislation and to support Guardianship Code modernization efforts. So far 12 guardianship case files have been reviewed. The results will be used to support efforts in policy advocacy.

Advocate

Event

- On September 23, 2022, IDR staff and 2 volunteers from the Indianapolis Bar Association hosted a booth at SAI’s Annual Picnic in Plainfield. Attendees with intellectual and developmental disabilities were invited to discuss and/or create



advanced directives. 4 individuals left the event with fully executed advanced directives and 20+ signed up for follow-up services.



From left to right: Kristin Dulaney, Tash Crespo, Leah Grandy, Tina Frayer, Emily Munson, and Melissa Keyes at the SAI Picnic.

Individual Representation Outcome

Robby – Self-Determination

“Robby” contacted IDR after her former DSP had obtained guardianship over her. IDR provided Robby with legal representation to have the guardianship terminated. Following termination, IDR provided technical assistance to Robby regarding options for less restrictive alternatives and assisted her with establishing a Health Care Representative.

Advocacy Projects

- Transition-Aged Youth – IDR worked with 4 youth with disabilities from July through October attending weekly meetings with members from other states as well as bi-weekly state-specific meetings, and monthly state team meetings with the CYVYC staff. IDR and SAI are working with the youths on their projects to develop outreach materials targeted towards their peers and families about the importance of self-determination and options to support decision-making in adulthood.
- ACL Court Improvement Grant – IDR learned that the Indiana Courts were not selected to receive this grant. IDR is working with the Courts and other stakeholders to discuss alternate options for supporting work to improve Indiana’s guardianship process.



Policy Advocacy

Legislative

- Melissa Keyes is working with members of the Indiana State Bar Association's Probate Section to review the Uniform Code and make recommendations for modernization to Indiana's code.
- IDR provided feedback to ISBA's Probate Section on their effort to enhance access to medical records prior to guardianship. IDR's feedback ensured that people under guardianship or at risk of guardianship were also expressly stated to have equal access to medical records. The bill language was provided to the General Assembly's Probate Study Committee for review with the hope of it being introduced in the 2023 Legislative Session.

Workgroups

- Indiana Adult Guardianship State Taskforce (WINGS)
- Indiana SDM Coalition
- Indiana Traumatic Brain Injury Advisory Board
- National Coalition for a Civil Right to Counsel
- Uniform Guardianship Act Subcommittee for Probate Review Committee

Community Connections

- No new connections from this quarter tied to this priority.

2.7. Voting – Ensure elections are accessible to voters with disabilities.

Educate

Presentation

On August 9, 2022, Sam Adams provided overview of accessible absentee voting litigation and voting options for future elections to 9 participants from the National Federation of the Blind.

Technical Assistance

Based on the presentation reported in Q3 at the annual County Clerk Conference, IDR received requests for technical assistance from the Monroe and Porter County Clerks. The TA was provided in Q4, assisting those Clerks and their staff in preparing their polling sites to be accessible for the November election.

Digital Media

- Over 50% of Q4 website visits were to a voting-related webpage.
- In Q4, IDR created an 8 post social media campaign created for the General Election. A corresponding 4 post partner toolkit shared with our IDR community partners. These posts included the information on voter registration, ways to vote, and know your rights.



Monitor and Investigate

Monitoring – Polling Place Accessibility Surveys

IDR revised training and survey materials for use in the General Election. IDR recruited surveyors who will be trained and complete early voting site visits in FFY 2023 Q1.

Advocate

Systemic Litigation

American Council of the Blind of Indiana et al. v. Indiana Election Commission et al. (1:20-cv-03118-JMS-MJD; U.S. District Court, Southern District of Indiana)

IDR continues to litigate with co-counsel from Disability Rights Advocates under the ADA and the Rehabilitation Act, alleging that Indiana’s absentee voting options are inaccessible to voters with print disabilities. Discovery closed on April 8. The parties filed cross-motions for summary judgment, which will be fully briefed by July 11, 2022. The district court granted the parties motions in part and denied them in part. The court granted summary judgment in favor of the Plaintiffs and found that Indiana’s absentee voting options discriminate against voters with print disabilities. The court granted summary judgment to the Defendants and found that Plaintiff’s requested relief, a remote accessible vote by mail system with electronic return, constituted a fundamental alteration of Indiana’s voting procedures. The district court granted a preliminary injunction making the use of the traveling board optional for the November 2022 election and reserved ruling on permanent relief for future proceedings. The parties are discussing settlement. Plaintiffs have retained three experts to support their positions.

Policy Advocacy

Press

- IDR and Disability Rights Advocates issued a [press release](#) to highlight the federal ruling discussed above. The story received publication via 11 platforms and the accompanying social media post reached 571 individuals across social media platforms.

Workgroup

- Indiana Voting Coalition

Community Connections

- Reviewed the disability rights content used by the [Election Protection Hotline](#) to answer questions before and on Election Day.



Success Story – Goal 2:

“Ted’s” employer denied his reasonable accommodation request for a reduced work schedule and time off for medical treatment. After Ted was forced to sign a resignation letter, he contacted IDR for assistance. IDR filed a charge of discrimination with the EEOC and Ted reached a settlement with his former employer, including back pay, monetary damages, and recovery of IDR’s attorney’s fees.

GOAL 3: SERVING AS A PARTNER IN RIGHTS ISSUES AND SUPPORTING SELF-ADVOCATES AND DISABILITY-LED ORGANIZATIONS.

PRIORITIES TO ADDRESS:

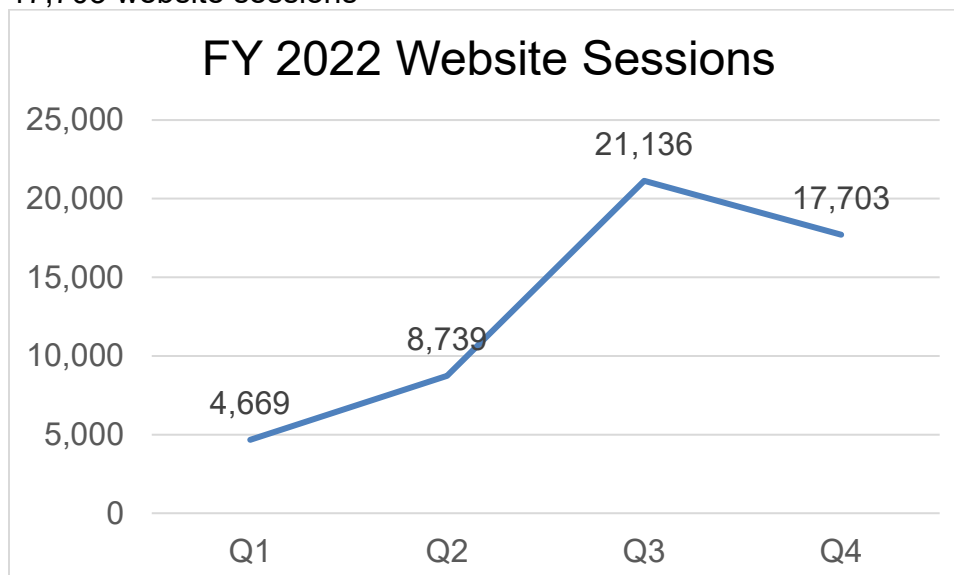
3.1. Provide easily accessible paths for the public to contact IDR for advocacy needs and to distribute information, referrals, and resources to individuals.

Educate

I/R and Website

573 Intake requests

17,703 website sessions





Presentations

Total of 9 presentations and 980 total participants. Presentations are noted throughout this report under their corresponding priority area.

Projects

Accessibility Checklist

- The Accessibility Checklist was reviewed during Q4 and is expected to be finalized and implemented during Q1 of FY 2023.

Communication Plan

- IDR began working with IOT to improve its website. IOT completed a thorough evaluation including navigation, accessibility, and use of best practices. Based on the results, IOT has begun supporting IDR in re-organizing the website header, footer, and navigation menu.
- The PSP Team is developing a communication plan as part of their team plan for 2023.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Workgroups

- PANDA Improvement Workgroup
- TASC Advisory Group (TAG) Advocacy Working Group

Community Connections

- No new connections from this quarter tied to this priority.

3.2. Support the self-advocacy and disability-led movement in Indiana through continued collaboration with self-advocates and disability-led organizations on voting initiatives, supported decision-making and other activities that align with the mission of IDR.

Educate

Throughout Q4, Leah Grandy presented a series of Voter Empowerment Trainings in partnership with SAI. Details are on pages 27 and 32.



Voter Empowerment Trainings

Date	Location	Participants	Notes
July 27	Hancock, Rush, & Shelby Counties (virtual)	125	
August 3	Monroe County	18	Clerk Nicole Browne attended and shared how each vote is counted.
August 11	Elkhart County	82	Clerk Christopher Anderson attended and brought accessible voting machines for participants to practice voting.
August 11	Noble County	17	
September 19	Boone County	5	
September 20	Marion County	15	
September 21	Marion County	13	
TOTAL		275	

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Workgroups

- Self-Advocate Innovation Collaborative
- HIV Advocacy Coalition

Policy Advocacy

Public Comment

- On August 24, 2022, Melissa Keyes sent a letter to Representative Wendy McNamara, Chair of the House Committee on Courts and the Criminal Code, explaining that Indiana's laws providing harsher penalties for people with HIV are discriminatory. The laws were passed prior to many scientific findings about HIV and require modernization.
 - **Outcome:** A potential client reached out to IDR after reading IDR's comments.

Partner Support

- HIV Modernization Movement – IDR staff attended meetings to discuss strategy for 2023 legislative session and how IDR can best support the HIV community.
- Helped share leadership and training opportunities with people with disabilities in our network.



Community Connections

- On July 11, 2022, Emily Munson participated in a meeting of ACL's Disability Employment Technical Assistance Center (DETAC) Grantee Advisory Committee. DETAC staff shared that the release of its first learning management system (LMS) course, geared toward centers for independent living, was generally successful. Staff and Advisory Committee members discussed how to provide grantees with valuable materials, such as LMS courses, despite coming budget reductions.

3.3. Increase participation in the local, state and federal policy process including the monitoring of emerging trends in the area of disability rights, the use of strategic collaborations with other organizations, and educating legislators and policymakers regarding the impact of policies on people with disabilities.

Educate

- Provided technical assistance to 2 state legislators regarding constituent concerns.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Policy Advocacy

- IDR worked extensively with a network of advocates and state and national organizations to advocate for HHC to dismiss its petition before the Supreme Court.
- IDR provided comments to several reporters across multiple media formats relating to *HHC v. Talevski*.
- Emily Munson urged Executive Committee members of the Indianapolis Mayor's Advisory Council on Disability to consider writing a letter to the Mayor and City-County Council to educate them about the potential detrimental effects of the Supreme Court's ruling in *HHC v. Talevski*. The Chairman never called for a vote from the membership, so no letter was written.

Public Comment

- On August 5, 2022, Emily Munson submitted comments to the Federal Reserve Board of Directors, Federal Deposit Insurance Corporation, and Office of the Comptroller of the Currency regarding federal regulations to implement the Community Reinvestment Act.

IDR's public comments are listed above in Goals 2.4, 3.2, and 3.3.



Workgroups

- Governor’s Council for People with Disabilities
- Helen Keller Advisory Board
- Indiana Disability Advisory Group - State of Indiana Office Chief Equity, Inclusion and Opportunity
- National Alliance on Mental Illness (NAMI)-Indiana Public Policy Committee
- NDRN External Relations Committee
- NDRN Technical Assistance Advisory Committee
- NDRN – CEO Meetings, Legal Director Meetings, Policy Meetings
- State/Local Education Equity Resource Group
- Training and Advocacy Support Center (TASC) Advisory Group
- Transition Partners of Northeast Indiana
- United States Attorney’s Office (USAO) Disability Rights Roundtable
- Indiana Advisory Committee to the US Commission on Civil Rights
- International Initiative for Disability Leadership

Community Connections

- Coda Story – Connected a reporter to people with disabilities and other state P&As for input on a story to raise awareness about systemic issues in child services for children with disabilities.

3.4. Ensure IDR’s services are inclusive and respectful of the intersectional identities of the people it serves and employs.

Educate

Professional Development

IDR staff completed 37 hours of professional development in following areas:

- 19.5 Agency/Job/Mission Related
- 15.5 Diversity and Cultural Competency
- 2 Ethics

Digital Media

IDR’s partner social media kit was sent to partners in both English and Spanish.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Individual Representation

Client demographics listed on pages 7-8.



Policy Advocacy

IDR advocated for the inclusion of employees with disabilities in the State's training initiatives to ensure that state-mandated trainings are accessible. IDR supports several employees with disabilities to participate and provide feedback in this effort.

Workgroups

- Diversity Roundtable of Indianapolis
- DCC Workgroup

Community Connections

- No new connections from this quarter tied to this priority.

3.5. Advocate for the inclusion of people with disabilities, those from marginalized communities, and people with lived experiences to be meaningfully included in policy workgroups at the agency/state/national level.

Educate

Professional Development

- Legal Interns Lizzie Ford and Madi Hernandez continued to provide valuable support to IDR staff. Before leaving in August 2022 to return to school, Lizzie drafted a transition guide for students leaving high school. The guide is currently in review and should soon be available on IDR's website. Madi is continuing her internship through the Fall 2022 semester and has worked on individual advocacy cases involving CIH Waiver eligibility and non-emergency medical transportation.
- Special Projects Intern Maddie Nixon concluded her internship with IDR by completing a series of videos detailed under goal 2.4. Maddie also assisted with the Voter Empowerment Trainings described in goal 3.2, as well as general website and social media development.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Advocacy for Meaningful Leadership & Inclusion of Individuals with Lived Experience

- IDR provides on-going support to the Work To Include network, who has recently begun presenting a Talent Showcase to connect individuals with disabilities with employers.
- Melissa Keyes recommended several members from marginalized communities to be included on state and national workgroups including: MHAC, IPAS Commission, and the NDRN Board of Directors.



Internal Policies

The DCC Workgroup is currently gathering relevant policies and procedures, both internal and external/statewide, and placing them within one convenient database for IDR employees to easily access. This will aid employees in being comfortable as an IDR employee, having access to policies such as how to utilize EAP assistance, what benefits are afforded to them under funeral leave, community service leave, etc.

Community Connections

- No new connections from this quarter tied to this priority.

3.6. Generate new partnerships with stakeholders that have not traditionally held a seat at the policy table (e.g., cultural or religious groups, legal or professional groups, community issue groups, e.g., homelessness, Veteran's issues).

Educate

Presentation

On August 6, 2022, Sam Adams provided an overview of IDR programs and services to 48 individuals from Little Hoosiers.

Monitor and Investigate

No monitoring/investigating activities tied to this priority.

Advocate

Press

Details are in the Diversity, Equity, and Inclusion Updates on page 6.

Partnerships/Workgroups

- Immigrant Welcome Center
- Project Azul
- Mexican Consulate
- Indiana State Bar Association Diversity Committee
- Indiana Educational Equity Coalition

Community Connections

- On August 26, 2022, Emily Munson attended the inaugural meeting of the Mobility Management Network. The goal is for state agencies engaged in the provision of transportation services to create a more coordinated system to better meet the needs of Hoosiers, including those with disabilities, those who are low-income, and those from other vulnerable populations.



Success Story – Goal 3:

Throughout Q4, Leah Grandy worked with SAI to present a series of Voter Empowerment Trainings. Following the training in Elkhart County, Leah spoke with an attendee who shared that he had never voted before. Leah asked if the training had changed his view of his ability to vote and he hesitantly agreed it might be more possible now. Leah encouraged him to try using the accessible voting machine the Clerk had brought; he approached Leah after practicing and shared that he now thought he would be able to vote in the election.



Acronyms

List of Common Acronyms

504 -	Section 504 of the Rehabilitation Act of 1973-504
ACF -	Administration for Children and Families
ACLU -	American Civil Liberties Union
ADA -	Americans with Disabilities Act
AIDD -	Administration on Intellectual and Developmental Disabilities
APS -	Adult Protective Services
ARC -	State and local organizations for developmental disability advocacy
ARTICLE 7 -	Special Education Regulations (Indiana)
BDDS -	Bureau of Developmental Disabilities Services
BQIS -	Bureau of Quality Improvement Services
CEO -	Chief Executive Officer
CIH Waiver -	Community Integration and Habilitation Waiver
CMS -	Center for Medicare and Medicaid Services
CPR -	Center for Public Representation
CRMNF -	Comprehensive Rehabilitative Management Needs Facility
CYVYC	Center on Youth Voice/Youth Choice
DCC -	IDR Diversity and Cultural Competency Workgroup
DCS -	Department of Child Services
DD -	Developmental Disabilities
DD Act -	Developmental Disabilities Assistance and Bill of Rights Act
DD Council -	Developmental Disabilities Council
DDRS -	Division of Disability and Rehabilitative Services
DMHA -	Division of Mental Health and Addictions
DOC -	Indiana Department of Correction
DOE -	Indiana Department of Education
EEOC -	Equal Employment Opportunity Commission
FBA -	Functional Behavioral Assessment
GCPD -	Governor's Council for People with Disabilities
HAVA -	Help America Vote Act
HMM -	HIV Modernization Movement
HRSA -	Health Resources and Services Administration
I&R -	Information and Referral
ICF -	Intermediate Care Facility
ICRC -	Indiana Civil Rights Commission



ID -	Intellectual Disability
IDD -	Intellectual or Developmental Disabilities
IDR -	Indiana Disability Rights
IDEA -	Individuals with Disabilities Education Act (Federal)
IDOH -	Indiana Department of Health
IEP -	Individualized Education Plan
IIDC/Institute -	The Indiana Institute on Disability and Community
IN*SOURCE -	Indiana's Parent Training Information Project
IPE -	Individual Plan for Employment
LD -	Learning Disability
MI -	Mental Illness
NDRN -	National Disability Rights Network
OCR -	Office of Civil Rights
OMB -	Office of Management and Budget
OMPP -	Office of Medicaid Policy and Planning
P&A -	Protection & Advocacy System
PPR -	Program Performance Report
PRTF -	Psychiatric Residential Treatment Facility
PSF -	Private Secure Facility
PTSD -	Post-Traumatic Stress Disorder
RSA -	Rehabilitation Services Administration
RULE7 -	Part of Nursing Home Regulations (Indiana) concerning the facility's requirements for programming for MR residents used in QMRP-D Training
SAI -	Self-Advocates of Indiana
SAMHSA -	Substance Abuse and Mental Health Services Administration
SDM -	Supported Decision-Making
SGL -	Supervised Group Living
SSA -	Social Security Administration
TA -	Technical Assistance
TASC -	Training and Advocacy Support Center
TBI -	Traumatic Brain Injury
UCEDD -	University Centers for Excellence in Developmental Disabilities
USDOE -	United States Department of Education
VA -	Veterans Affairs
VR/Voc Rehab -	Vocational Rehabilitation Services



IDR Teams

- Abuse, Neglect, and Discharge (AND)
- Civil Rights
- Education
- Employment
- Health Care
- Policy and Special Projects (PSP)
- Self-Determination
- Representative Payee

IDR Staff

Please visit <https://www.in.gov/idr/staff/our-staff/> to view a current staff list.

Grant Programs

CAP -	Client Assistance Program
PAAT -	Protection & Advocacy for Obtaining Assistive Technology
PABSS -	Protection & Advocacy for Beneficiaries of Social Security
PADD -	Protection & Advocacy for Persons with Developmental Disabilities
PAIMI -	Protection & Advocacy for Individuals with Mental Illness
PAIR -	Protection & Advocacy for Individual Rights
PATBI -	Protection & Advocacy for Persons with Traumatic Brain Injury
PAVA -	Protection & Advocacy for Voting Access

State Hospitals

LCH -	Larue Carter Hospital
LSH -	Logansport State Hospital
EPCC -	Evansville Psychiatric Children's Center
ESH -	Evansville State Hospital
MSH -	Madison State Hospital
RSH -	Richmond State Hospital