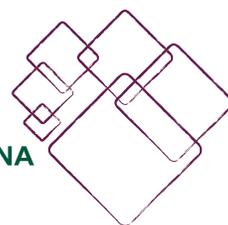


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**DISABILITY RIGHTS**  
NORTH CAROLINA

*Champions for Equality and Justice*



**Volume 14 • Winter 2012-13**



## Meeting the Candidates

On September 25, Disability Rights North Carolina hosted its first Candidate Meet and Greet with co-sponsor The Coalition. All candidates for election in North Carolina were invited to attend and speak with voters who have a special interest in protecting the rights of individuals with disabilities.

Thank you to all the candidates who joined us on September 25 at the Contemporary Art Museum in Raleigh.

*Council of State/Governor* - Elaine Marshall (Secretary of State race) and Mark Ezzell on behalf of Walter Dalton (Governor race)

*US House of Representatives* - Brian Irving (US02) and Charles Malone (US13)

*NC Senate* - Dave Carter (SD23), Sig Hutchison (SD15) and Erv Portman (SD17)

*NC House of Representatives* - Marilyn Avila (HD40), Jim Fulghum (HD49), Duane Hall (HD11), Yvonne Lewis Holley (HD38), Keith Karlsson (HD49), Morris McAdoo (HD64), Jim Messina (HD41)

*NC Court of Appeals* - Wanda Bryant, Linda McGee, and Cressie Thigpen

*Wake County Commission* - Dale Cooke (Dist. 4), Caroline Sullivan (Dist. 4) and James West (Dist. 5)

*Wake County Superior Court* - Bryan Collins

*Wake County District Court* - Monica Bousman, Lori Christian, Charles Gilliam, Erin Graber, Jennifer Knox, Dan Nagle, Christine Walczyk, Anna Worley

## From the Director Celebrations and Challenges

2012 was a year of celebration. Disability Rights NC celebrated its fifth birthday focusing on our accomplishments and demonstrating our commitment to our mission of “protecting the legal rights of

*Continued on page 2*

**Among those who attended the Candidate Meet and Greet, left to right: Vicki Smith, Disability Rights NC Executive Director; Caroline Sullivan, newly elected Wake County Commissioner; Chris Trottier, Disability Rights NC Senior Attorney; Rich Trottier, LANC Senior Attorney; Debbie Thome, Disability Rights NC Advocate; and Matty Lazo-Chadderton, Director of Hispanic/Latino Affairs for Governor Perdue.**

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# 13% Budget Cut for 2013

As the designated protection and advocacy (P&A) system for North Carolinians with disabilities, the work of Disability Rights NC is largely funded by seven federal grants. For the first time in 30 years, one of the federal P&A grants has been entirely eliminated. For North Carolina, this is a loss of over \$188,000. In addition, as a federally-funded domestic program, we are subject to sequestration which will result in an across-the-board cut of about 8% for the remaining six grants. The result is an almost 13% cut in funding for 2013 and a reduction in staff.

For the past five years, Disability Rights NC has delivered on many of the promises we made when we were designated as our State's P&A in 2007. The need for systemic change in North Carolina's service system is greater than ever. Disability Rights NC's 34 staff members remain committed to protecting all people with disabilities living in our State. Budget cuts will not weaken our commitment to defend the rights of people with disabilities to live free from harm in the community of their choice.

*Disability Rights North Carolina is a federally mandated protection and advocacy system with funding from the U.S. Department of Health and Human Services, the U.S. Department of Education, and the Social Security Administration. It is a 501(c)(3) nonprofit organization.*

## From the Director *Continued from page 1*

people with disabilities." The State of North Carolina and the US Department of Justice signed a settlement agreement that has the potential to eliminate our State's historical institutional bias in the provision of services to people with disabilities. And we honored three community partners at our second annual awards reception. Each of the three recipients demonstrate shared advocacy values to promote self determination of people with disabilities and their ability to make meaningful contributions to the communities of their choice.

While it is great to look back at our successes, it is the uncertainty of future advocacy resources that demand our attention. With national attention on reducing the deficit, federal resources are becoming increasingly scarce. As a federally mandated and funded program, 97% of our resources are part of the country's domestic programs. Already Disability Rights NC (and our peers in every state) lost one of our federal programs. That loss along with projected spending cuts could mean that we will have fewer federal dollars this year than last. For Disability Rights NC that meant we had to reduce our staff by 12%.

Yet the challenges to people with disabilities to live independent and integrated lives in NC are only increasing. The State budget crisis continues as well as the pledge of our elected officials (Governor and General Assembly) to reduce expenses instead of a more balanced approach that would increase revenue. Changes in eligibility have jeopardized community based services, the State's transition to Managed Care may violate due process rights, and the total lack of services to children with both developmental and mental health disabilities are just a few of the large issues facing the State.

Disability Rights NC may have diminished capacity but we will not lessen our efforts. We will use every tool in our toolbox. We will continue to look to the laws that protect people with disabilities. We will enforce them and strengthen them if necessary. We will stay strong in our efforts.

But we will need your help to grow. Please consider supporting us with a financial contribution as we support the rights of people with disabilities to safely live, work, go to school and play in our communities across North Carolina.

Vicki Smith  
Executive Director



## ***A Collaboration of Disability-related Agencies in North Carolina*** **2012 Information and Referral Symposium**

Representatives from more than two dozen North Carolina agencies that serve people with disabilities gathered for a day-long training presented by Disability Rights NC on October 12. The day's sessions were designed to improve skills necessary to best serve the individuals who call our agencies for assistance. Participants learned more about transitioning to managed care, NC 2-1-1, and effective stress management. Videos of the sessions will be available on the Disability Rights NC website in early December.

In addition to the substantive topics, attendees mingled and spoke with colleagues, many of whom have been only a voice at the other end of the phone for years. The overall response was positive and people appreciated the opportunity to get together and learn from each other. Heavy on everyone's mind were the challenges presented by fewer resources and continuing budget cuts. Everyone agreed that we can overcome those challenges by connecting with and relying on each other more. Another outcome from the day was the creation of a list-serve for intake and referral workers in NC agencies that serve people with disabilities.

If you would like more information on how to join our list-serve or how to get a DVD of the program, please email April Giancola at [april.giancola@disabilityrightsn.org](mailto:april.giancola@disabilityrightsn.org) or call 919-856-2195.



**Above: Disability Rights NC Receptionist Karla Blackwell and Intake Specialist Kady McDonald greet participants as they arrive for the symposium.**

**Photo at top: Karen Carlton, Program Coordinator for First in Families NC, leads a discussion about how to connect locally to find the resources we need for our callers and clients.**

## Three Advocates Honored with Champions Award

Every day, the Staff and Board of Directors of Disability Rights North Carolina work with citizens of our State who dedicate their lives to creating and protecting opportunities for people with disabilities in North Carolina to live full and satisfying lives. We honor a few of them each year with the Champions for Equality and Justice Award. Each of this year's award recipients are role models for all advocates and self-advocates who work to ensure that all people with disabilities have the opportunity to live an independent life with dignity.

### Jeremy Donohue

As a person with Down Syndrome, Jeremy Donohue has faced low expectations and discrimination all of his life. Jeremy set aside stereotypes by doing what many people assumed he could not do — he attended college, is employed and lives on his own.

Through his advocacy and the advocacy of others, the University of North Carolina at Greensboro started the Beyond Academics program — a program that offers people with intellectual disabilities the opportunity to participate in the college experience in an inclusive environment. As a member of the first class in Beyond Academics, Jeremy was a pioneer. During Jeremy's four years in college, he lived with other college students, got to know the campus and learned to live independently. Jeremy lived alone in his own apartment during the last year of college.

The Beyond Academics program was not initially accepted by the larger university community. When the program first started, one university staff member said that a competitive college was not a place for "those people." Other staff members quietly shared the same bias. Many advocates were outraged and angered by the erroneous preconceptions and fought to convince the university community of the importance of Beyond Academics.

Jeremy never tried to convince the naysayers with words or threats. Instead, he advocated by simply making friends and demonstrating his many abilities. Beyond Academics is now an accepted part of the university community and grows every year. Where eloquent arguments failed, Jeremy's style of self-advocacy won the day. It is easy to forget that the most effective advocacy often comes in the form of a person with a disability living an ordinary life in the community. In May 2011, Jeremy and seven classmates graduated and traded their student ID cards for UNC-Greensboro alumni cards.

After graduating from Beyond Academics, Jeremy joined the workforce as a truck loader for a retail store — a job he appreciated but did not find fulfilling. Jeremy likes working with people. He



*“Once you know Jeremy, you can’t imagine a world without him.”*

Michael Murray

approached the management of a Japanese restaurant and asked that he be hired as the door greeter. The manager told him that the restaurant did not have a greeter position. Jeremy then offered to volunteer his time as the restaurant's greeter. The manager reluctantly agreed. Jeremy showed up for work the first night dressed in kimono top and handed out business cards and origami kimonos. Halfway through his first shift, the manager decided Jeremy's idea was good for the restaurant and decided to pay him. Jeremy is now an accepted member of the restaurant's family and, after demonstrating his capabilities, his role at the restaurant has expanded greatly.

Jeremy's actions demonstrate the power of self-advocacy. He was not going to take "no" for an answer and took the steps necessary to show the restaurant's staff how valuable an asset he could be.

Jeremy was nominated for the Champions Award by his good friend, Michael Murray. Michael said, "Jeremy Donohue is an amazing man and my best friend. He is full of joy and love; he is dynamic and charismatic. When my friend walks into a room, that joy is contagious. Once you know Jeremy, you can't imagine a world without him."

Today, Jeremy lives in his own apartment in Winston-Salem. He hangs out with friends, attends a local church, participates in community theater, and goes to work.

## Ellen Russell



Ellen Russell has a long history of supporting and advancing the rights of people with intellectual and developmental disabilities (I/DD) in North Carolina. She began her advocacy career as a volunteer board member of a local chapter of The Arc. She later became the Executive Director of The Arc of Orange County and, in 1996, joined The Arc of NC as Director of Advocacy and Chapter Services. In her nomination of

Ellen, Jane Wettach called her "the consummate advocate."

Ellen believes that all people have the right and ability to live in their local communities. As the primary author of The Arc's 2007 publication titled *Life in the Community: A Roadmap for System Success*, Ellen created a vision for supports and services that would allow people to live in their local communities with a supportive service system. Ellen's work with The Arc's Housing Resource Coordinators demonstrated that she is a champion for choices — working to ensure people have a range of housing options available to them and a real choice about where and with whom they live. Throughout her career, Ellen has been actively involved with promoting health and wellness for people with I/DD. She served as

## Champions Award Reception Sponsors

### Platinum Champions

Amerigroup  
Copeley Johnson & Groninger PLLC  
Vicki Smith

### Gold Champion

Beth Garriss Hardy

### Silver Champions

William Allen IV / Avison Young  
Steve Byrd / HCW Employee Benefit Services  
Campbell University School of Law  
Easter Seals UCP North Carolina & Virginia  
Farah & Cammarano, P.A.  
Patterson Harkavy LLP

### Bronze Champions

Bloomfield Hills Insurance Agency  
Kathy Boyd  
Ken Butler  
Sandy Demeree  
Annaliese Dolph  
April Giancola and Scott Conklin  
Iris and Joseph Green  
Ginny Hilton  
Amy Jones  
Jessica Keith  
Vera Luck  
Cheryl Mulloy-Villemagne  
Michael Murray  
National Association of Social Workers — NC Chapter  
Ken Rose / Center for Death Penalty Litigation  
Janna Shisler  
Erin Smith  
Beth Trevor and Jonah Liebert  
Jane Wettach  
Elaine Whitford

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## Previous Award Recipients

### 2008

The Honorable William Creech  
Lockhart Follin-Mace  
Jo Anne Jeffries  
Robert Reilly - In Memory

### 2009

Marian Hartman  
Greg McGrew  
NC IOLTA

### 2010

(No award given)

### 2011

Julia Bick - In Memory  
Michael Maybee  
Dr. Charles Walker

## Three Receive Champions Award

*Continued from page 5*

The Arc of NC representative on numerous NC Office on Disability and Health (NCODH) advisory committees and work groups, guaranteeing that the voice of family members and people with I/DD is heard as the state develops and implements policies, practices and programs designed to promote access to health care and health promotion opportunities for people with I/DD.

Ellen's ten-plus years of leadership for the Special Needs Federation (SNF) exemplify her commitment to equality and justice for students with special needs. During that time, she has focused on inclusion of students with disabilities in mainstream education and was a strong proponent of laws to protect students from seclusion and restraint. In her role as the leader of SNF, she communicated with state officials, including members of the General Assembly, on behalf of students with disabilities on many issues over the years.

The many advocates and self-advocates Ellen has developed and mentored may be her greatest contribution to our state. Ellen accomplished this through training, information dissemination, resource referral and supporting advocacy and self-advocacy. She serves as a role-model to so many who are working to see that people with I/DD are valued citizens of our state.

On a more personal level, Ellen has been a tireless advocate for her daughter, Emily, who has I/DD. She made sure Emily was included in the full experience of life. Now in her 30's, Emily is enrolled in Beyond Academics at the University of North Carolina at Greensboro.

Ellen has recently reduced her work responsibilities as a first step toward retirement and some well-earned relaxation.

## Steven Webster



Steve first worked at Dorothea Dix hospital while in divinity school as a student clinical chaplain. He took a job as a health care technician and earned an award in 1985 as “Health Care Technician of the Year” for the State of North Carolina. Over the years, Steve held many other positions at Dix and was a member of the Dix Executive Staff. Along the way he earned the Certified Psychiatric Rehabilitation Practitioner credential with the US Psychiatric Rehabilitation Association.

Steve directed a group of extremely dedicated hospital staff that implemented the treatment mall model at Dorothea Dix Hospital. Treatment malls are centralized programming areas — away from the residential units — where patients and staff go for a significant

portion of the day to give and receive treatment, education, skills training and support. The ultimate goal of the treatment mall is to evolve a culture of recovery. Program participants named their treatment mall “The Learning Court.” The Learning Court offered groups and classes in coping skills, pathways to recovery, understanding medications, GED, career development, peer support and music skills, to name a few. At the Learning Court, participants went from being patients in a psychiatric hospital to being students, program developers, musicians who played in a band or workers with a paying job.

At the Learning Court, participants learned how to write letters, file grievances/petitions and express their concerns in an effective manner. Patients discharged from Dix left with an improved self-image and self-advocacy skills. Many former patients are now peer advocates in the community. Some are employed as peer advocates and some are now advocates who give presentations on mental health recovery and speak to legislators about mental health issues. All will tell you that they learned their skills from the programs at the Dix Learning Court.

Steve shares his work with inpatient treatment malls through published papers in peer-reviewed professional journals, workshops and presentations. He provides facility-specific technical assistance nationally to numerous state hospitals.

Steve worked to establish the Learning Court as a preferred training site for law enforcement’s Crisis Intervention Training (CIT). Over time, program participants held dialogues and conducted tours with hundreds of law enforcement officers.

Steve was instrumental in developing the “Quality Council” at Dix in 2003. The Quality Council was a peer-representation and decision-making body. The council was open to any interested program participant and was an official subcommittee of the hospital’s Clinical Management Team. Patients who previously stayed on wards with nothing to do now were able to partner with hospital management to share ideas, communicate concerns, and have equal input into programming. Hundreds of patients participated as council members over the years. Members prided themselves in learning about and staying up-to-date on the latest recovery research and stories of hope from consumer survivors. The council used its knowledge to develop training presentations for staff and peers and provided consultation for other hospitals, Dix managers, peers and community organizations. The council planned and organized five Annual Family Days at Dix. These events consisted of patients’ families and friends visiting the Learning Court for a day of music, education, program tours, food and games. Family members participated with their loved ones in meaningful and fun activities instead of sitting in a dreary ward.

For the first time in the history of Dorothea Dix Hospital, since 1856, Steve arranged for the state’s protection and advocacy (P&A)

*At the Learning Court, participants went from being patients in a psychiatric hospital to being students, program developers, musicians who played in a band or workers with a paying job.*

## Dear Gabby



As our Outreach Specialist, Gabby Martino travels the State to spread the word about the work of Disability Rights NC. In fiscal year

2012, Gabby provided presentations and trainings to 76 groups in 42 counties in our State.

Gabby helps people with disabilities understand the resources and advocacy services that our staff of 34 people provides. Gabby can provide general information about our organization and news about our work. Gabby is not an attorney and, therefore, cannot answer legal questions.

Here are a few questions Gabby heard recently during her travels around the state:

**Q: If I call Disability Rights NC because I need your help, how long will it take for me to speak with someone?**

A: When an individual calls our office for assistance, they first provide basic information about the issue to our receptionist. Once their information is in our system, one of our intake specialists will call them back to get more details and determine how we can help. Our intake specialists return calls as soon as possible but it could be up to 2-3 business days during very busy periods.

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## Three Receive Champions Award

*Continued from page 7*

agency, Disability Rights North Carolina, to give presentations to patients and staff on recognizing abuse, neglect and exploitation, self-advocacy tips and rights as a patient in a psychiatric hospital. The P&A agency had attempted to do this in the past but had met with resistance.

When Dix closed, Steve took the same program concept and implemented it at Cherry Hospital. The Quality Council at Cherry conducted a contest that named the mall the “Hope & Wellness Center.” The program has collaborated on a variety of projects with Disability Rights NC, National Alliance on Mental Illness, and East Carolina Behavioral Healthcare. At Cherry, Steve was instrumental in establishing the first full-time, on-staff Certified Peer Support Specialist at a North Carolina state hospital. A recent Joint Commission survey identified the Hope & Wellness Center as a leading practice.

Steve is at his best when he is working in equal partnership with patients, supporting and teaching them as well as learning from and being supported by them. It is no secret that Steve eagerly shares credit for his accomplishments with the many staff and patients with whom he feels privileged to have worked.

Karen Murphy, who nominated Steve for the award said, “One doesn’t hear of many good things coming from mental health these days, but Steve is a breath of fresh air for a positive future for some of our State’s hardest-to-treat mental health patients.”

## Prone Restraint Banned in All State Facilities

In a memorandum dated November 13, 2012, DHHS Secretary Al Delia banned the use of prone restraint in all settings in North Carolina. He did this by issuing a directive that eliminates the position from all crisis intervention techniques. (For any facility to use restrictive interventions in NC, DHHS must approve the curriculum that is used.) Secretary Delia issued this comprehensive ban of prone restraint within days of receiving an investigative report from Disability Rights NC examining the death of a 42-year-old man living in one of North Carolina’s state-operated ICFs-MR.

Two Disability Rights NC staff members on the Investigations and Monitoring Team – Attorney Kristine Sullivan and Investigator Kishona Harvey-Mimms – investigated the death immediately upon receipt of the death report. What they uncovered was not only the inappropriate and illegal use of prone restraints that day – and a failure to provide immediate medical assistance – but also over the course of a six-week period leading to his death. During this time period, facility management staff repeatedly failed to address

the documented concerns of direct care staff asking for assistance because they could not implement his behavior plan as written (in which prone restraint was prohibited). Facility management staff also failed to address the fact that direct care staff continued to improperly use prone restraint on this individual.

The individual who died was a resident in a statewide transitional program at the ICF-MR designed to assist men with serious behavior problems and failed community placements, including cycling between jail, prison, hospital, and community placement. Its program is designed to help the individuals build the skills they need to succeed in the community. The resident was nearing completion of the program when he died.

## OCR Finds Improper Use of Restraints and Seclusion

In October 2011, Disability Rights NC received a complaint that an elementary student with autism in the Johnston County Schools was belted into a chair for the majority of the day. An attorney with Disability Rights NC investigated and found that the use of restraint was not included in the student's IEP. In addition, the Attorney identified nine other students who were similarly restrained.

Disability Rights NC filed a complaint with the US Department of Education Office for Civil Rights in March 2012. In August, OCR issued its findings letter in the case. OCR identified 18 students, including the original complaining student, who had been subjected to mechanical restraint. The use of restraint was not included in the students' IEPs, had not been discussed with their parents, and in many cases had not been reported to the parents – all in violation of Section 504 of the Rehabilitation Act.

The school system entered into a settlement agreement with OCR. The agreement requires the system to provide training for staff and to convene IEP meetings for all 18 students to determine (i) whether the use of mechanical restraint is necessary for the student and, if so, to put specific information about its use in the student's IEP, and (ii) whether the student is due compensatory education services for the use of mechanical restraint during the last two school years.



### Get the News Faster!

You can now receive the Disability Rights NC quarterly newsletter, periodic news updates, calls to action and event information by email. Sign up for eNews on our website: [www.disabilityrightsn.org](http://www.disabilityrightsn.org).

## Disability Rights NC Board of Directors

Jeff McCloud, *Chair* (Kinston)

Kathy Boyd, *Chair-Elect* (Wake Forest)

Cheryl Mulloy-Villemagne, *Treasurer* (Waynesville)

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Brett Loftis (Charlotte)

Janna Shisler (Chapel Hill)

Herb Smith (Dunn)

Kim Taylor (Statesville)

Sheila Wall-Hill (Charlotte)

Willis Williams (Jamesville)

## Farewell to Five Friends

Five of our current board members will rotate off the board of directors at the end of 2012 – Adonis Brown, Beth Garriss Hardy (former board chair), Brett Loftis, Jeff McCloud (board chair), and Willis Williams. We thank them for their years of service and vision.

## Disability Rights NC Staff

### Executive

Vicki Smith, Executive Director

### Finance & Operations

Charlie Barnes, Chief Financial Officer

Janice Willmott, Chief Administrative Officer

Edward Salerno, IT Administrator

Karla Blackwell, Receptionist

Allyson Hilliard, Accounting Assistant

Mavis Jones, Office Manager

Haydee Martinez, Administrative Assistant

### Legal & Advocacy

April Giancola, Chief Legal Programs Officer

John Rittelmeyer, Director of Litigation

Cas Shearin, Director of Investigations and Monitoring

Jennifer Bills, Senior Attorney

Elizabeth Edwards, Attorney

Anthony Garcia-Copian, Intake Specialist

Lisa Grafstein, Senior Attorney

Iris Green, Senior Attorney

Jarina Jones, Paralegal

Morris McAdoo, Attorney

Kady McDonald, Intake Specialist

Kishona Mimms, Investigator

Lisa Nesbitt, Attorney

Steve Noblitt, Advocate

Susan Pollitt, Senior Attorney

Lisa Rabon, Attorney

Mercedes Restucha-Klem, Attorney

Holly Stiles, Attorney

Andrew Strickland, Attorney

Kathy Smith, Advocate

Kristine Sullivan, Attorney

Debbie Thome, Advocate

Chris Trottier, Senior Attorney

### Policy & Outreach

Elaine Whitford, Director of Development

Corye Dunn, Director of Public Policy

Gabrielle Martino, Outreach Specialist

## State Works to Implement Agreement with USDOJ

In July 2012 the State agreed to an eight-year plan to develop community-integrated housing and services for 3,000 individuals with mental illness living in Adult Care Homes (ACH). The plan was the State's attempt to address a July 28, 2011 Letter of Findings issued by the US Department of Justice (USDOJ) which found North Carolina in violation of the Americans with Disabilities Act (ADA). That letter was issued in response to a complaint filed on July 26, 2010 by Disability Rights NC alleging North Carolina's practice of warehousing people with mental illness in ACHs violated the ADA's integration mandate.

Since that time the State has developed a more detailed implementation plan and convened a number of stakeholder groups to bring the settlement's promises to reality. Disability Rights NC is actively participating in the State's implementation efforts to ensure the rights of people with disabilities are protected. Most recently, the State hired Jessica Keith to oversee the settlement and other efforts to comply with the ADA's integration mandate. In addition, the State engaged Mary Lou Sudders as monitor for implementation of the agreement. Disability Rights NC looks forward to working with these new partners to ensure North Carolinians with disabilities can receive services in the most integrated setting appropriate to their needs.

The settlement agreement provides support for people with mental illness and the creation of community supports and services from several angles:

1. The State must develop 3,000 new units of supported housing over 7 years for people with serious mental illness, targeting those in large ACHs with high percentages of people with mental illness (for homes with at least 50 beds that have at least 25% people with mental illness and homes with between 20 and 49 beds that have at least 40% people with mental illness). Also targeted are people with serious mental illness coming out of state hospitals who are homeless or have unstable housing, and people with serious mental illness diverted from admission to ACHs.

The housing units are permanent, afford tenancy rights, enable people with disabilities to interact with people without disabilities to fullest extent possible, and do not limit access to the community. The State will arrange a rental subsidy plus appropriate support services. All but 250 of these housing units must be scattered site supported housing with no more than 20% of the units in a development occupied by people with disabilities known to the State.

2. The State must provide the array and intensity of services and supports that people with serious mental illness need to live in integrated settings. The State will rely on ACT, CST, psychosocial

rehab, peer supports, crisis intervention, supported employment and other services. The State will significantly expand ACT teams; 50 teams serving 5000 people will be created by 2019.

3. The State will require each LME/MCO to develop an adequate crisis intervention service system including mobile crisis teams, walk-in crisis clinics, community hospital beds, 24/7 crisis lines, etc.
4. The State will expand supported employment to serve the populations targeted by the agreement. By 2019, the State will serve 2,500 people.
5. The Agreement includes provisions requiring frequent in-reach and education efforts focused on people in ACHs and state hospitals to be conducted by teams knowledgeable about resources, supports, and services (including community providers and peer specialists).
6. The Agreement provides for discharge planning requirements that begin at admission, identify strengths, preferences, needs and desired outcomes, document any barriers that prevent a person from going to more integrated settings, and set forth a plan to address those barriers. The planning must set a date when transition can occur. The State must set up a preadmission screening and review process to divert people with serious mental illness from admission to ACHs.

## Recent Recognition and Awards

- ◆ On November 2, Disability Rights NC received the 2012 Exemplary Work Award from Friends of Residents in Long Term Care. The award recognizes the organization's work in supporting North Carolina's consumers of long-term care.
- ◆ At its annual awards banquet on October 4, the Raleigh Mayor's Committee presented its 2012 "Excellence in Housing" Award to Disability Rights NC. The award recognizes the leadership of Disability Rights NC to ensure that our State complies with the ADA and eliminates the segregation of North Carolinians with mental illness in adult care homes.
- ◆ The NC Association of Women Attorneys presented Senior Attorney Lisa Grafstein with the 2012 Gwyneth B. Davis Public Service Award. The award is given each year to honor attorneys who have distinguished themselves in promoting the participation of women attorneys in the legal profession and the rights of women under the law.

## Dear Gabby

*Continued from page 8*

### **Q: If I see a problem in a facility, who should I call first – DSS or Disability Rights NC?**

A: It depends on the problem. Call DSS first if:

- ◆ You have reason to believe that a person with a disability has been abused. Abuse includes serious physical injury, serious emotional injury, and rape or sexual assault.
- ◆ You have reason to believe that a person with a disability has been neglected. Neglect means the failure to provide proper care and supervision, such as medical care.
- ◆ You have reason to believe that an adult with a disability has been exploited. Exploitation includes theft of an adult's money, identity, or medication.

You can always report abuse, neglect or exploitation to Disability Rights NC, but call DSS first.

If you see a serious problem that needs immediate attention, call the police.

## We Need to Hear from You If . . .

- ◆ You drive with hand controls and have been required to undergo a driving test each time you renew your license;
- ◆ You have a disability and had problems voting this year; or
- ◆ You know of a widespread problem that is preventing people with disabilities from accessing particular public accommodations.

Call either Lisa Grafstein or Mercedes Restucha-Klem at 919-856-2195.

# Transition to Managed Care Information Sessions

As our state transitions to a managed care system, Disability Rights NC is here to help you understand what this means for you and your loved ones. This fall, we held a series of free trainings in collaboration with Family Support Network of NC local programs. In these trainings, attorneys from Disability Rights NC discussed:

- ◆ The transition to managed care
- ◆ “How-to” advocacy skills to help families protect a person’s rights during and after the transition
- ◆ How care coordination differs from case management
- ◆ Strategies on navigating Medicaid appeals and how the process changes under managed care
- ◆ General self-advocacy tips

More than 250 people attended the trainings held in 15 locations. Additional trainings will be held in December and January. In addition, the training will be provided via webinar to provide greater access to the information. Look for more information about upcoming trainings and the webinar on our website and through our periodic emails. (Sign up for our eNews on the “Contact Us” page on our website.)

[www.disabilityrightsnc.org](http://www.disabilityrightsnc.org)

*Advocacy System*

*North Carolina's Protection and*

*is available in alternate formats.*

*Upon request, information*

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