

disAbility Law Center of Virginia

The disAbility Law Center of Virginia (dLCV) provides legal services through eight federal programs. These programs are:

Developmental Disabilities Program (DD)

The Developmental Disabilities Assistance and Bill of Rights Act funds this program to provide legal and advocacy services to assist children and adults with severe, lifelong disabilities who require special care, housing, treatment, and services and who have been abused, neglected, or discriminated against, due to their disability. Problems related to education, residential care, training centers, community rehabilitation programs, infant programs, and activity centers are handled under this program. The most common DD issues include: special education services; abuse and/or neglect of persons in special programs; the right to live, learn, and work in the most integrated setting; assistive technology and assistive technology services to support independence; freedom to make independent decisions whenever possible; and access to programs and services.

Protection and Advocacy for Individuals with Mental Illness Program (PAIMI)

The Protection and Advocacy for Individuals with Mental Illness Act funds this program to provide legal and advocacy services for people with mental illness who live in a hospital or other facility providing care and treatment for their illness. People who have problems while being taken to or from a facility, getting admitted to a facility, or within 90 days of leaving a facility may also be eligible for PAIMI services. Depending on federal funding levels, persons with mental illness who live in the community independently or with family or friends may also be eligible. PAIMI protects the right to: obtain appropriate services; make complaints about services or treatment; ask questions of anyone who is supposed to provide services or treatment; be safe from harm; make decisions about services received; keep records private; and have a written plan in place before leaving a mental health facility.

Client Assistance Program (CAP)

The Client Assistance Program was established as part of the Rehabilitation Act of 1973 to explain and protect the rights of and benefits to persons who are clients of or applicants for services provided by the Department of Rehabilitative Services, Department for the Blind and Vision Impaired, Centers for Independent Living, or programs funded under the Rehabilitation Act of 1973, as amended. dLCV can assist eligible individuals to help resolve problems with a client's counselor or case manager, mediate disagreements about services, provide information on additional resources, and represent clients who are denied services or provided inappropriate services.

Assistive Technology Program (AT)

The Assistive Technology Program assists individuals with disabilities seeking access to assistive technology devices and services, with emphasis on obtaining funding from vocational rehabilitation and special education providers, and Medicaid or Medicare. Assistive technology is any device, adaptive equipment, or service which enables people with disabilities to accomplish a task that would otherwise not be possible. dLCV can help people learn about the great potential of assistive technology and help them find funding assistance. dLCV provides advocacy and legal representation services to persons who have been denied funding for assistive technology services or devices.

Protection and Advocacy of Individual Rights Program (PAIR)

The Protection and Advocacy of Individual Rights Program allows dLCV to expand its services to individuals with disabilities in the community who are not eligible for other advocacy programs. An individual with a disability who requires information or services to overcome discrimination, barriers to living independently, or barriers to accessing benefits and services may be eligible for dLCV assistance under the PAIR Program. Additionally, individuals who need access to goods or services provided by private businesses may be eligible for legal advocacy or representation by dLCV. Individuals may be eligible for services under the PAIR Program only if they are not eligible for DD or PAIMI and are not receiving services under CAP.

Protection and Advocacy for Beneficiaries of Social Security Program (PABSS)

Funded by the Ticket to Work and Work Incentives Improvement Act of 1999, the Protection and Advocacy for Beneficiaries of Social Security Program is funded by the Social Security Administration. The Ticket to Work system provides eligible SSI and SSDI beneficiaries with a “ticket” that they can use to obtain vocational rehabilitation (VR), employment services, and other support services from an Employment Network (EN) of their choice. Currently, under this program, dLCV is providing assistance and representation to Social Security beneficiaries with disabilities who have: experienced employment discrimination based on disability; or have been inappropriately denied Medicaid (1619b status) benefits and are at risk of losing their job due to a loss of Medicaid benefits or are unable to take a job because of the denial of 1619b status.

Traumatic Brain Injury Program (TBI)

The Traumatic Brain Injury Program (TBI) is funded by the U.S. Department of Health and Human Services Traumatic Brain Injury Program as part of a range of activities to help prevent and rehabilitate persons from the impact of TBI. The role of dLCV and other Protection and Advocacy Systems agencies is to improve access to comprehensive, high quality services for people with TBI and to reduce the incidence of discrimination against individuals with TBI. dLCV will work through the TBI grant to help Virginians with TBI and their families know their rights, have barriers reduced to becoming eligible for community services, and to have access to quality health care, rehabilitation, and other services.

Help America Vote Act Program (HAVA)

Congress passed the Help America Vote Act of 2002 to improve the administration of elections in the United States. States are provided funding to replace outdated voting systems and are to create minimum standards to follow in key areas of election administration. Among other things, these key areas include voting systems, voting accessibility, statewide computerized voter registration lists, provisional voting, voter education, and voter registration by mail. dLCV monitors the way the Act is carried out with regard to persons with disabilities. dLCV surveys polling sites across the state to make sure they are accessible for persons with visual, sensory, and mobility impairments; provides voting rights information to persons with disabilities; provides voter registration materials to the public; and provides technical assistance, legal advocacy, and legal representation to persons

who have been discriminated against in the voting process.

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