



DISABILITY
RIGHTS
MAINE 

2014 Annual Report

our programs



PADD: Protection and Advocacy for Developmental Disabilities

is funded by the Administration on Intellectual and Developmental Disabilities (AIDD) and serves persons who have a severe, chronic disability as a result of a “physical or mental impairment” that arose prior to age 22, is likely to continue indefinitely, and causes substantial functional limitations in three or more areas of life activity, such as self-care, mobility, language, learning, self-direction, capacity for independent living, and economic self-sufficiency.

PAIMI: Protection and Advocacy for Individuals with Mental Illness

is funded by the Center for Mental Health Services (CMHS) and serves persons who have a diagnosis of a serious mental illness with priority given to persons residing in facilities.

PAIR: Protection and Advocacy for Individual Rights

is funded by the Rehabilitation Services Administration (RSA) and serves persons who have a disability and who are not eligible for either the PADD or PAIMI programs. PAIR focuses on civil rights violations.

PAAT: Protection and Advocacy for Assistive Technology

is funded by the Rehabilitation Services Administration (RSA) and serves persons who have a disability and who need assistance in obtaining assistive technology devices or equipment in order to live more independently, work, attend school, or meet medical needs.

PABSS: Protection and Advocacy for Beneficiaries of Social Security

is funded by the Social Security Administration (SSA) and serves individuals who have a disability and who receive Social Security Disability Income (SSDI) or Supplemental Security Income (SSI) and who want to work, return to work, or are working and need assistance with respect to benefits.

PATBI: Protection and Advocacy for Traumatic Brain Injury

is funded by the Health Resources Services Administration (HRSA) and serves individuals who have a brain injury.

PAVA: Protection and Advocacy for Voting Access

is funded by the Administration on Intellectual and Developmental Disabilities (AIDD) through the Help America Vote Act (HAVA). The role of DRM is to increase access to voting for Maine citizens with disabilities.

EA: Educational Advocacy

is funded by the State of Maine and provides representation to parents of children with disabilities in accessing appropriate special education services.

Contract Mental Health Advocacy

is funded by the Maine Department of Health and Human Services (DHHS) and Acadia Hospital and provides advocacy to residents of Riverview and Dorothea Dix Psychiatric Centers and Acadia Hospital.

DSA: Developmental Services Advocacy

is funded by the Maine Department of Health and Human Services (DHHS), Office of Aging & Developmental Services. With this funding, DRM provides legally based advocacy to persons with intellectual disabilities and autism from offices in Augusta, Bangor, Caribou, Lewiston, Portland, and Rockland.

a message from the ed

Dear Friends and Colleagues,

I am delighted to share the 37th Annual Report, which highlights examples of the impactful casework and the relentless advocacy undertaken by DRM during the fiscal year.

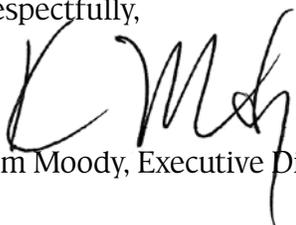
I am also pleased to announce that the Disability Rights Center has changed our name to Disability Rights Maine, a title that better reflects our connection within the national network of Protection and Advocacy organizations, which are also beginning to add the names of their states into their agency names.

DRM is an organization fueled by our collective desire to achieve justice for citizens with disabilities in the State of Maine. There is still much work to be done to ensure that people with disabilities are not only protected from discrimination, but are active and equal participants in our social and professional communities. We must continue in our efforts to engage children with disabilities in an education that serves their needs and encourages their potential, we must break down the barriers to equal societal participation for adults with disabilities, and we must protect individuals with psychiatric identifications from the damaging treatment that often accompanies their labels.

But we must also celebrate the important advancements that have been made in disability rights. Only 25 years ago, employers could turn down any individual with a disability seeking employment regardless of their ability and commitment. Only 15 years prior to that, students with disabilities did not have the right to an education. Before the passage of the Individuals with Disabilities Education Act and the Americans with Disabilities Act, disability rights activists did not have the legal framework necessary to fight against the discrimination we observed. Today, we have that framework, and it is up to us to ensure that these rights are enforced and continue to expand to the extent necessary for true and complete equality.

I am thankful to my coworkers, our financial contributors, our volunteers, our interns and our externs, and to the clients we are here for, all of whom continue to awe and inspire me with their dedication to creating a better society for individuals with disabilities. Thank you for your time and your interest in these vital issues.

Respectfully,



Kim Moody, Executive Director

contents

our programs	2
a message from the ed	3
cover story	4
<u>2014 SUCCESSES:</u>	
employment	6
housing	8
rights violations	10
education	12
community	
integration	14
healthcare	16
in-patient advocacy	18
systems change	20
our clients	22
financial summary	22
DRM team	23

To protect the confidentiality of our clients, pseudonyms have been used. The pictures are stock photos and are not actual DRM clients with the exception of cover story photos.

Available in alternative formats upon request

cover story:

Independence

Claude Saucier has a message for people under guardianship who are hesitant to do anything about it: “I want them to have the courage to believe in themselves ... go to court, petition yourself!”

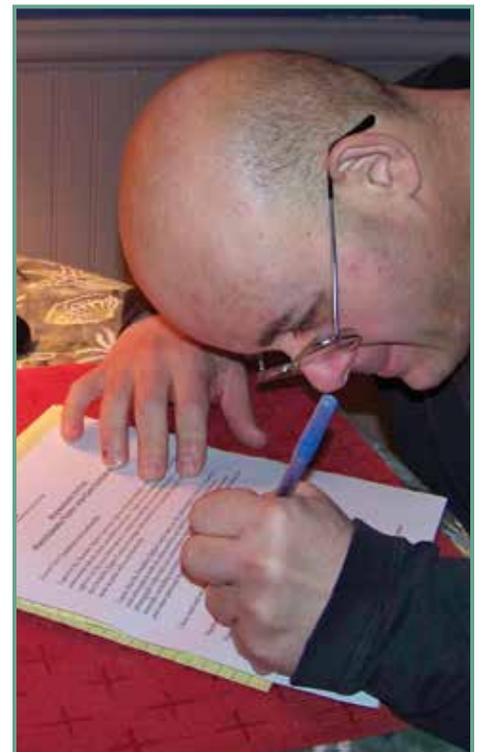
Claude says he spent years feeling like he had no voice. Then, two years ago, that changed. Claude began speaking up for himself. “When I made the change, I did it myself,” he said. He made the decision to move out of his family home and into a shared living arrangement, where he lives with an in-home support person who helps with aspects of daily living when needed. Once in his new home, Claude thrived. He lost dozens of pounds and took control of his diabetes. On top of it all, he made a commitment to stand up for himself in all aspects of his life. His support person was a good match and he reports that from day one, she believed in his intelligence and encouraged him to pursue even greater independence.

One major step toward real independence was to challenge his guardianship of 29 years, and he reached out to DRM to represent him. Armed with a team of supporters, Claude was able to demonstrate that he knew the value of asking for support when he needed it, and he knew how to make good decisions for himself. He convinced the judge, and today he is a fully legally independent man.

Claude was adamant about contributing his story to this report, as he wants to spread the word about his successful advocacy and hopefully inspire others to follow suit. And he wants to warn people not to make assumptions about what others may think of them and their abilities. After the guardianship termination, Claude’s uncle reached out to congratulate him, and he gained a supporter he never knew he had. One of Claude’s former guardians was a family friend, and when she received

the notice of the hearing, she contacted Claude to let him know how proud she was and that she, too, supported his effort to terminate his guardianship. Claude knows that allies in the struggle for independence are all around us.

We all need a little support in decision making, at times, but that doesn’t mean we all need guardians.



Claude, proudly signing his name to a legal document.

Day

The hearing was to be held in the afternoon, just before Thanksgiving. A major snowstorm swept the state and offices were closing everywhere. The court offered to reschedule, but **Bob Daney wasn't interested in waiting another day.** "Let's do it!" he said.

With that, Bob and his DRM attorney, Ben Jones, convened with the probate judge, and successfully terminated Bob's guardianship of 25 years.

"It was nice to share a jubilant moment with the judge and clerk while the heavy snow fell outside," Ben said. "We must have been the last people in a court room in the state!"

The holidays that followed were joyous for Bob. He told the story of his success to family and friends, to resounding congratulations. He particularly liked to tell the part where the judge concluded the hearing, speaking directly to him, with the words "you're your own man now."

Bob's long journey to independence began the way so many guardianships for people with intellectual disabilities do. His family petitioned for guardianship soon after he turned 18, in the routine way that so often occurs. While Bob grew older, and developed skills and became autonomous

“you're your own man now”

in many ways, his legal status didn't change to reflect his reality. It's not clear that he was ever truly "incapacitated", but

certainly as he became older he demonstrated the many ways in which he was skilled at navigating life's challenges. He held a steady job at a large retailer, managed his daily household activities, and took charge of his health by cooking good meals and working out at the gym.

With testimony from those who know him best, including the agency that provides him support, Bob was able to demonstrate his self-reliance. It became evident that guardianship was a piece of paper, a relic from his past. Bob demonstrated to the court that, given the chance, he was ready to realize his full independence.



Bob, graciously demonstrating his new signature in the comfort of his home.

employment

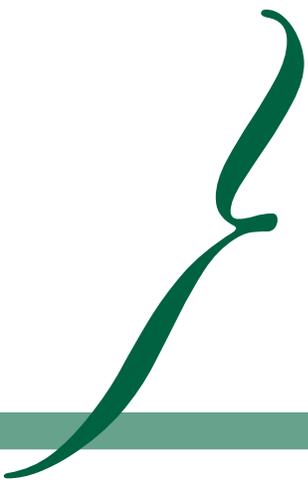


Diane was terminated from the job that she loved after she experienced an epileptic type seizure at home. After she was briefly hospitalized and diagnosed with a seizure disorder, she requested a short leave to find the right course of treatment. Instead of granting her this reasonable accommodation, her employer terminated her, indicating he didn't want her to be working in an "unsafe situation." Diane's doctor was convinced that she could safely perform her job when she was ready to return. DRM filed a Maine Human Rights Commission complaint on Diane's behalf. Her employer reinstated Diane and agreed to have the supervisors trained on the ADA and reasonable accommodation provisions.

training+
outreach

DRM conducted 6 trainings on employment rights and voting rights for 175 individuals with disabilities, presenting information

on the ADA and the Maine Human Rights Act. Attendees received information about resources available to assist them in finding or



DRM promotes equal access to employment opportunities, necessary workplace supports, and discrimination-free workplaces for Maine citizens with disabilities.

Kylie, a 19 year old college student with muscular dystrophy, contacted DRM as she was struggling to maintain the personal support services she needed in order to attend college. Due to a technical rule regarding the way in which Kylie's services were funded, she was not allowed to access these support services while she was at college because she did not live on campus. Without these services during class, Kylie would not be able to complete her degree or achieve her eventual employment goal. DRM intervened with the Division of Vocational Rehabilitation and MaineCare administrators and negotiated a deal to allow Kylie to take her personal support services outside of her home, to college, therefore allowing her to continue making progress toward her degree.

Jack contacted DRM after he was told by the supervisor of the residential facility where he lived that he could not work and continue to live there. He received SSI for years but was interested in trying to return to part-time employment. When Jack discussed his interest with the facility administrator, he was told that residents could not have jobs and that he would lose his benefits if he went to work. Jack reached out to DRM. An advocate worked with him to understand work incentives that exist to help him keep his benefits, including healthcare coverage, while he explores work opportunities. DRM scheduled outreach to the residential facility to educate residents and staff regarding work incentives and

employment options for people with disabilities.

When Lisa, a young woman with physical disabilities and mental illness, was denied a reasonable accommodation request at work, she contacted DRM. Lisa's doctor had developed a plan to help her manage her panic attacks, but her employer responded by cutting her hours and refusing her accommodation request. DRM filed a charge of discrimination, and negotiated Lisa's return to work with her hours reinstated and a reasonable accommodation in place to meet her needs.

returning to work and overcoming barriers to employment, with special focus on the role of Vocational Rehabilitation and

Social Security work incentives. DRM partnered with Speaking Up for Us, a grassroots self-advocacy organization, as well as the Maine

Chapter of the Multiple Sclerosis Society to make this training available to individuals throughout the state.

housing

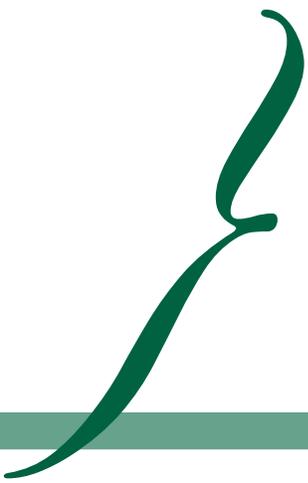


David, a young man with an intellectual disability, contacted DRM after he had been told to move out of his residence with less than 24 hours' notice. David did not want to move, and he and his guardian both thought that there should be better transition services in place before any move occurred. DRM immediately filed a grievance on David's behalf and contacted the service provider to ensure that the services stayed in place pending the resolution of the grievance. DRM convened a meeting with the housing and service provider and negotiated a plan so that David could stay in his home.

training+
outreach

Maine Medical Center's WIPA program invited DRM's PABSS advocate to attend a training for case managers and representative

payees for adults with disabilities. The advocate provided an overview of the PABSS program and discussed commonly encountered



DRM fights so that people with disabilities can live independently and free from discrimination in the communities of their choice.

Claire was served with an eviction notice due to her landlord's assertion that her service dog was a prohibited pet. She had clear documentation from her physician designating her dog, Zoe, as a service animal, and had benefited from Zoe's support for years. DRM intervened with the landlord, citing HUD policy and Zoe's supporting documentation, and the landlord ended the eviction proceedings.

Seth, a 50 year old man with mental illness, was facing homelessness after losing an eviction court hearing. DRM established that there was significant evidence that Seth, due to his disability, had been unable to manage his funds and had become delinquent on rent which led to the eviction. DRM negotiated an accommodation and

reached an agreement allowing Seth to stay in his home as long as he obtained a payee to help manage his funds. This, in addition to obtaining a state subsidized housing voucher, allowed Seth to maintain his housing and avoid homelessness.

Janet, a 45 year old woman with mobility impairments, contacted DRM to report safety hazards at her housing complex operated by her local housing authority. She reported that her building has an electric door opener that has been inoperable for about three months and because the door is so heavy it makes it extremely difficult for people who use wheelchairs and walkers to get into and out of the building. In response to residents' complaints, the housing authority stated that the door opener

would not be repaired for a year or more due to the lack of funds. DRM intervened with the housing authority regarding their legal obligation to ensure safe access for residents and visitors with physical disabilities. The housing authority replaced the electronic door openers and buzzers, and now individuals with disabilities can independently and safely enter and exit the building.

issues and when and how to request assistance from DRM.

✦ At the request of the Secretary of State, DRM's Public Policy

Director participated in the annual statewide elections training for municipal clerks and registrars. The 270 attendees received

information regarding accessibility at the polls and appropriate etiquette when interacting with individuals with disabilities.

rights violations



Kay, a young woman with intellectual and mental health disabilities, was mistreated in a hospital emergency room, including being restrained and isolated. At the request of Kay's guardian, DRM investigated and identified numerous rights violations. DRM conducted extensive training as a result of this and another incident. DRM met with the hospital's policy team to arrange training for staff about working with people with disabilities and to develop a care plan system to identify individual accommodation needs.

The parents of Conner, a 5 year old student with autism, contacted DRM regarding concerns that allegations of abuse at his school

training+
outreach

DRM's education attorney provided an education law training at the statewide meeting of all DHHS Office of Child and Family

Services (OCFS) managers. The attorney developed and delivered a training that focused on increasing the knowledge of DHHS employees



DRM enforces the right of Maine citizens with disabilities to be free from abuse and neglect.

were not being addressed. A DRM attorney intervened on behalf of Conner and his family. After DRM confronted the school district about Conner's abuse allegations, and notified the local police department, DHHS and the Maine Department of Education, the school district terminated the alleged perpetrator. The school district met with the parent and took steps to improve its communication with all parents in its autism program and the school climate was improved. The case illustrated a gap in the protective system for children because it became clear that complaints of this nature are referred to licensing in the Department of Education and not investigated by DHHS. The DRM attorney gave the parent information about a proposal to implement a legislative

fix to address this situation. Although the parent was unable to testify at the legislative hearing, she hopes to be involved in the process going forward.

In response to a series of complaints filed by DRM alleging abusive treatment and improper care rendered to a woman with mental illness and an intellectual disability in a general hospital emergency department, DRM was hired by the hospital to provide a comprehensive rights training to 60 staff members. The training provided an overview of developmental services and the service system, areas of rights concerns and conflict, and strategies for meeting the complex needs of dually-diagnosed individuals.

DRM represented Donna, a 54 year old woman with an intellectual disability

who was being forced to submit to a behavior modification program without proper approval or review. The plan included unfair provisions requiring that Donna behave in a manner to "earn" the right to attend outings into the community. DRM intervened with the residential services provider staff and agency administrators, and halted the improper behavior tracking program. In response to DRM's concerns, the agency conducted a formal in-house investigation and disciplined staff. In follow-up, A DRM advocate conducted a comprehensive client rights training for all employees.

about the educational rights of children with disabilities and when to call DRM. 30 OCFS managers attended this training.

education



The parents of Ava, a kindergartner with autism, were concerned because she was not allowed to attend school full-time. A DRM attorney established that shortly after Ava was found eligible for special education, the school put her on an abbreviated school day. DRM intervened on Ava's behalf and obtained her return to school full-time with an array of services and consultations to support her.

The parents of Joshua, a 12 year old student with autism, contacted DRM with several serious concerns. Joshua was being subjected to restraint regularly at school, and the district was insisting on a segregated placement for him over an hour from his home. Joshua's parents were convinced that with the right supports, he could be successful at school. A DRM attorney intervened

training+
outreach

✦ A DRM advocate led two breakout sessions for 60 people at the Maine Autism Alliance's Fall 2013 Conference. One was on

transition services and the other was on special education rights. ✦ DRM was asked to again participate in a training for Court



DRM advocates for equal access to educational opportunities for Maine students with disabilities.

and determined that Joshua was frequently denied access to his Dynavox, a device he relied upon for communication. DRM negotiated a new educational plan for Joshua, including consistent use of his Dynavox, updated evaluations, and the provision of supports. Once the evaluations were conducted, and several other changes to his program were implemented, the district determined that it could serve Joshua at his home school and has agreed not to attempt to place him in a segregated private placement.

The mother of Ella, a 4 year old girl with a blood disorder and developmental delays,

sought DRM's assistance in keeping her in her public pre-Kindergarten program rather than be forced to place her in a self-contained special education program. DRM's review of Ella's records led to

the identification of a number of issues about which her mother was unaware, including the district's failure to perform a comprehensive evaluation, as required. DRM filed a complaint with the Maine Department of Education on Ella's behalf. At mediation, DRM negotiated an agreement between the family and Child Development Services. The agreement included maintaining Ella in her current pre-kindergarten program, an increase in specially designed instruction, consultation from a speech language professional, development of a health plan, performance of a comprehensive evaluation, and instructional materials for staff regarding summer services.

Michael, an eight year old boy, was being excluded from school

for behaviors that were clear manifestations of his disability. The district placed him on

tutorial services and provided a significantly shortened school day. DRM filed a complaint with the Office for Civil Rights (OCR), and Michael was returned to a full school day immediately. While the OCR investigation was underway, a negotiated settlement was reached. The school agreed to provide Michael with compensatory education services, with the support he needed to access summer programming in the community, and with significantly increased social skills programming for the following school year. Additionally, the district agreed to contract with OCR to provide training for all administrators in several areas of Section 504, including training in discipline and changes of placement.

Appointed Special Advocates for Children (CASA). DRM's education attorney prepared and delivered a presentation on special

education law to 19 individuals training to be CASA advocates. The presentation focused on ensuring that CASA advocates have

sufficient knowledge of special education rights and responsibilities to spot issues and provide effective advocacy.

community integration



Karen, a woman with mobility impairments, endured a “long, painful, humiliating trip,” where she was denied reasonable accommodations and was physically and verbally harassed by employees of a public transit provider. Karen’s disabilities place her at risk of falls and injuries, and she requires assistance with luggage, boarding, and de-boarding. She had contacted the transit company ahead of time to self-identify as having a disability and to request reasonable accommodations.

Karen reported that despite many requests, not once during the trip did she receive any assistance. At one point, she was attempting to board without a step assistance that she asked for, and a company

training+
outreach

DRM, in conjunction with the Maine Commission on Indigent Legal Services, sponsored a training for 150 attorneys who represent

individuals in involuntary civil commitment hearings. DRM had advocated for this training in order to help improve the skills of Maine



DRM fights to ensure that people with disabilities have the opportunity to live, work, and participate in our communities.

employee made rude comments about her body. There was no reserved accessible seating and no assistance with baggage. Karen was bruised due to lack of accessible seating and in pain by the time she arrived home. DRM filed a complaint with the Maine Human Rights Commission which found in Karen's favor. As a result of the finding that discrimination had occurred, the transit company agreed to adopt a new ADA/Maine Human Rights Act compliant policy, to compensate Karen for damages sustained while accessing services, to designate a compliance officer and post procedures for requesting reasonable accommodation, and to receive extensive training on non-discrimination in service provision.

Jacob, Eric, and Adam, three plaintiffs in a class-action lawsuit against the Maine Department of Health and Human Services, moved from nursing facilities into their own apartments as a result of the settlement of the lawsuit, *Van Meter, et. al. v. Mayhew*. The young men, each of whom has cerebral palsy, wanted the opportunity to live outside the nursing facility. Under a settlement agreement, the state agreed to create a new home and community based waiver program to allow those who formerly had no choice other than to live in nursing facilities to live in the community and still receive the services they need. Over a period of five years, seventy-five class members will move out of or will be diverted from entering nursing facilities.

A restaurant that had discriminated against Theresa, a woman with epilepsy and physical disabilities, agreed to adopt a policy regarding service animals for people with disabilities as well as other measures to prevent future discrimination after DRM prevailed with the Maine Human Rights Commission. Theresa contacted DRM because she was segregated and denied the use of her service animal while dining in the restaurant. As part of the settlement, the restaurant also agreed to post a copy of the nondiscrimination policy, to provide training by an outside agency for all staff on the new policy and the rights of people with disabilities, and to post a sign which reads "This Restaurant Welcomes Customers Who are Accompanied by their Service Animals."

attorneys who are representing our clients with mental illness and psychiatric labels who are at risk of losing their freedom and autonomy

through involuntary commitment to a psychiatric facility. DRM has witnessed the court appointed attorney showing up just minutes

before the hearing, having never met their client.

healthcare



Leah is a 20 year old woman with an intellectual disability and multiple, significant medical conditions.

For several years, she received 70 hours per week of nursing services, which have allowed her to live at home with her parents. Prior to turning 21, the DHHS assessing agent conducted an advisory assessment of Leah's services. In its assessment, the agency concluded that once Leah turned 21 she would only be eligible to receive 38 hours of nursing services per week. Leah's mother immediately appealed this determination and contacted DRM for assistance. A DRM attorney represented Leah in a pre-hearing conference. DRM also prepared a federal complaint and motion for a temporary restraining order, asserting that the reduction in services violated Leah's ADA rights

training+
outreach

DRM's Public Policy Director, who has also done intake at DRM for 13 years, presented two trainings at the Annual

Conference of the National Disability Rights Network that were geared toward improving services at other disability rights



DRM ensures people with disabilities access the crucial care and services they need.

under the Olmstead decision. To avoid litigation on this issue, and with just 4 days before Leah's 21st birthday, DHHS agreed to continue providing the 70 hours per week of nursing services. With DRM's assistance, Leah will continue receiving much-needed nursing services in her home, rather than face the prospect of being forced to move away from her family and into a residential care facility.

Oscar, a 52 year old man who had his leg amputated above the knee as a result of an accident, contacted DRM after MaineCare denied his request for a myoelectric knee. A DRM attorney appealed the denial and obtained a reversal of the decision, arguing that the DHHS policy of requiring individuals to first master a hydraulic knee before obtaining a myoelectric knee functioned as an impermissible absolute prohibition

on funding medically necessary mobility equipment. The hearing officer agreed and issued a strong decision, concluding that the "microprocessor knee is medically necessary based on the evidence presented. Furthermore, I find it would be unreasonable, costly, and a detriment to [the individual's] rehabilitation for [DHHS] to require that [the individual] prove that he had mastered the hydraulic knee first before the microprocessor knee could be approved, as this prerequisite ignored the medical evidence and recommendations from the treatment team."

DRM represented two children, one with autism and multiple health conditions and the other with an intellectual disability, who had received residential services for over a year. The parents contacted DRM after

learning that their children's crucial 1:1 supports were being significantly reduced. The reviewing agent acknowledged that the 1:1 support for both children was medically necessary but contended that Maine's regulations intended the services to be temporary, lasting no longer than a month. DRM discovered that DHHS had failed to consider allowing the children to receive continued 1:1 support through the Early Periodic Screening Diagnostic and Treatment (EPSDT) program, an entitlement program. DRM met with DHHS and they agreed not only to continue the necessary services without the need for an administrative appeal, but they also agreed to change the EPSDT process so that it complies with federal law and previous consent decrees.

organizations across the country. She trained 51 people on how to effectively manage information and referral services and how to

work effectively with our most challenging clients.

in-patient advocacy



Lisa, a 25 year old woman with mental illness, approached DRM when her discharge from the hospital was in jeopardy because of a community provider's refusal to serve her. Lisa, a class member covered by the consent decree in *Bates v. DHHS*, had received services from this provider in the past and these services had allowed her to live independently in her apartment for years. During her hospitalization, despite her treatment team's recommendation that she continue to receive these services, this provider attempted to withdraw. DRM demanded that DHHS enforce its contract with this provider and Lisa was able to leave the hospital on time, and return home with the services in place to help her live successfully in the community.

training+
outreach

DRM advocates and attorneys who provide advocacy services in RPC, DDPC, and Acadia Hospital offer regular weekly trainings for

patients on such issues as rights, involuntary commitment, advanced directives, working with their treatment teams.



DRM advocates for residents of Riverview and Dorothea Dix Psychiatric Centers and Acadia Hospital.

Elizabeth, a young woman with mental illness who uses a wheelchair, reached out to DRM when her hospital discharge was delayed due to difficulty in locating an accessible apartment. Complicating things further, Elizabeth was seen by her providers as someone who frequently “failed” in her previous efforts to live in the community, and they made half-hearted efforts to help her this time. DRM intervened and pushed providers to develop a plan addressing Elizabeth’s needs and acknowledging her right to try once again to find a stable home in the community of her choosing. With advocacy support, Elizabeth and her providers obtained an accessible apartment and brought in supportive services.

Luke, a 25 year old man with a mental health disability, contacted a hospital-based advocate from DRM because he wanted to make private telephone calls and felt he was unable to do that from the patient phones at the psychiatric hospital. This issue had arisen before, and at that time, the hospital agreed to put signs near the patient phones informing patients that they had a right to make private phone calls and to speak with staff if they wanted to exercise that right. DRM then spoke with the patient rights liaison who inspected the area, immediately hung-up temporary signs by the patient phones and ordered permanent ones.

DRM was contacted by the parents of Dylan, a

7 year old boy with an intellectual disability and mental illness, who had been admitted to an acute psychiatric care facility. The hospital had just notified Dylan’s mother that he would be discharged in a few days, but no services and supports were scheduled to be in place at home or at school and no planning was in place to make that happen. Dylan was at risk of repeating the scenario that had led to his hospitalization in the first place. DRM convened Dylan’s team of providers and pushed for a comprehensive plan of supports. Dylan’s school and in-home supports personnel visited and shadowed hospital staff to learn how to implement his new behavior support plan, and ultimately Dylan was successfully discharged to return to home and school.

Both Riverview Psychiatric Center and Dorothea Dix Psychiatric Centers invited a DRM staff attorney to train hospital

psychiatrists and physician’s assistants on the law regarding the involuntary administration

of medications in emergency situations. 65 people were trained.

systems

DRM is working hard to stop individuals with disabilities from going under unnecessary and destructive guardianship which limits individuals' ability to make decisions that the rest of us make and to thrive independently in their communities with the autonomy the rest of us have. DRM wants to see guardianship in Maine replaced with supported decision making, a model offering natural and professional supports to assist people in making independent decisions. DRM lawyers are representing individuals in terminating or limiting their guardianship. DRM's guardianship workgroup is also getting the word out there about alternatives to guardianship. We have trained hundreds of individuals and guardians about alternatives, we are creating materials and developing more trainings, creating a continuing legal education course for attorneys working with individuals threatened with guardianship, and advocating for supported

decision making as the first consideration before anything that limits self-determination.

DRM's Executive Director convened two meetings of the Senator Angus King Disability Advisory Council. Senator King set up the Council after he was elected and asked DRM's Executive Director to be the chair person. Both meetings were intended to give the Senator's key staff information about disability issues, cross-disability, statewide and national.

DRM's Executive Director presented the keynote address at Maine's statewide Deaf rights and services conference, discussing disability rights, the tension between disability and Deaf culture and the importance of grass roots organizing and voting.

DRM participated in the National Voter Registration Day campaign, a mass voter registration initiative targeting minority and under-represented constituencies.

DRM staff conducted targeted voter outreach to people with disabilities at places where they live, work and receive services.

DRM convened a statewide summit of mental health consumers and supporters/advocates in an effort to revitalize the self-advocacy movement in Maine and promote consumer voice and activism in public policy development that impacts people with mental illness. The summit constituted the first in a series of gatherings to be held, focusing on developing self-advocacy skills, identifying crucial areas of needed involvement, and strategizing about ways to improve and reform the mental health system.

DRM partnered with Speaking Up For Us (SUFU) and others to distribute sample interviews for people to use when looking for a service provider. They can use this sample interview and adapt it for their own needs to find a service provider for home support, community

change

support or community case management. DRM and SUFU publicized the interview widely and encouraged its use with self-advocates, family members and case managers.

DRM's General Counsel participated in a public forum that was convened to discuss the state of mental health services. She was a panel member, along with the Commissioner of Health and Human Services, the Superintendent of Riverview Psychiatric Center, the Clinical Directors of the Department of Corrections and Kennebec Behavioral Health, a Superior Court Justice, the Kennebec County District Attorney and the Chief of Police of Augusta.

For Maine's 2014 Gubernatorial Election, DRM and its co-sponsors convened a forum for candidates to speak on a wide number of disability issues. Over 175 people with disabilities, advocates, family members, and concerned citizens participated in a moderated discussion that

included topics such as access to health care, involvement of people with disabilities in public policy making and employment opportunities for people with disabilities.

DRM's Executive Director and Advocacy Director are leaders on the Employment First Maine (EFM) coalition, a cross-disability initiative promoting employment as a "first and preferred option" for Maine citizens with disabilities who receive publically funded services. The coalition is currently developing recommendations for policy change, including a phase out of sub-minimum wage at the state level, comprehensive overhaul of the service system with regard to funding employment in lieu of day programming, and implementation of effective transition and career planning across Maine schools.

A DRM attorney was one of six representatives to serve on the Governor's Unemployment Blue Ribbon Commission.

Over the course of six months, the Commission studied the unemployment compensation system in Maine and issued a report of recommendations to improve the system. The recommendations include measures which will assist all people who are unemployed through no fault of their own, including people with disabilities.

DRM's Developmental Services Advocacy team participated in the review of all of Maine's 129 "severely intrusive" behavior management plans. The plans contain interventions that limit the exercise of an individual's rights for the purpose of addressing consistent dangerous or maladaptive behaviors. DRM advocates conduct thorough reviews and assess the plans to ensure that all possible steps are taken to protect the health, safety, and rights of the individuals impacted by this process.

our clients

In fiscal year 2014, DRM provided direct representation to 1125 clients for 1630 cases. Information and referral services were provided to an additional 1690 individuals.

Client Age

4 and under	8
5 to 12	81
13 to 18	105
19 to 25	166
26 to 64	682
65 and over	83

Clients by County

Androscoggin	131
Aroostook	90
Cumberland	185
Franklin	17
Hancock	23
Kennebec	163
Knox	26
Lincoln	16
Oxford	37
Penobscot	213
Piscataquis	16
Sagadahoc	15
Somerset	42
Waldo	26
Washington	19
York	98
Unknown	8

Client Disability

Physical Disability, Health Impairment, + Chronic Illness	82
Developmental Disability	677
Brain Injury	27
Deafness/Hard of Hearing	24
Learning Disabilities	19
Mental Illness	286*
Blindness/Visual Impairment	10

* Includes RPC/DDPC/Acadia clients

Case Problem Area

Abuse/Neglect	401
Education	103
Employment	44
Financial Entitlements	18
Government Benefits and Services	27
Guardianship/Conservatorship	42
Healthcare	167
Home + Community Based Care	485
Housing	55
Non-Government Services	20
Rehabilitation Services	9
Rights Violations	233
Transportation	24
Voting	2

financial summary

Year Ending September 30, 2014

REVENUE AND SUPPORT

Federal Grants	\$1,235,341
State Grants	\$624,644
Contributions	\$10,079
Other Revenue	\$219,101
TOTAL REVENUE	\$2,089,165

EXPENSES

PADD	\$334,687
PAIMI	\$406,286
PAIR	\$170,715
PAAT	\$50,134
PABSS	\$101,342
PATBI	\$43,725
PAVA	\$53,477
EA	\$113,964
Psychiatric Ctr Adv	\$163,505
Maine Civil Legal Svs	\$37,153
Acadia	\$64,498
Rep. Payee Reviews	\$1,614
Developmental Svc Adv	\$302,839
Management + General	\$217,820
TOTAL EXPENSES	\$2,061,759

board of directors

Richard O'Meara, Esq., President
Chad Hansen, Esq., Vice President
Penny Plourde, Secretary
Corin Swift, Esq., Treasurer
Jim Clifford, Esq.
Debbie Gilmer
Sean Ociepka, Esq.
Lydia Richard
Kathleen Shevenell
Lori Tully
Neal Willams

board of directors advisory committee

Gil Broberg
Mary Herman
Howard Reben, Esq.
Peter Sellwood
David Webbert, Esq.
Jeffrey Neil Young, Esq.

PAIMI advisory council

Lydia Richard, Chair
Kenneth Bragg, Vice-Chair
Mark Cadrette
Melissa Caswell
Kandie Dessell Cleaves
Karen Evans
Victor Greenwood
Vickie McCarty
Jeanne Mitchell
Carolyn Mosher
Carolyn Noble
Rose Strout
Russell Thayer
Laurie Wallace

staff

Kim Moody, Executive Director
Kristin Aiello, Attorney
Riley Albair, Advocate
Jennifer Allain-Winchester, Advocate
Helen Bailey, General Counsel
Caleb Baker, Advocate
Gabrielle Berube Pierce, Attorney
Cathy Bustin, Community Organizer
Wendy Carr, Secretary
Staci Converse, Attorney
Shannon Crocker, Office Manager
Tammy Cunningham, Paralegal
Amanda Fickett, Legal Fellow
Benjamin Jones, Attorney
Mark Joyce, Attorney
Kristina LaChance, Advocate
Rick Langley, Advocacy Director
Fern Nadeau, Information & Referral Coordinator
Bernadette O'Donnell, Attorney
Lydia Paquette, Attorney
Atlee Reilly, Attorney
Peter Rice, Legal Director
Katrina Ringrose, Advocate
Mary Rohn, Advocate
Laura Rowland, Advocate
Andrea Sneden, Attorney
Sara Squires, Public Policy Director
Kevin Voyvodich, Attorney
Adam Wilson, Attorney

Disability Rights Maine is supported by grants from the Administration on Intellectual and Developmental Disabilities, the Center for Mental Health Services, the Rehabilitation Services Administration, the Social Security Administration, the Health Resources Services Administration, the State of Maine, Acadia Hospital, the Civil Legal Services Commission, and private donations. Report contents are solely the responsibility of DRM and do not necessarily represent the official view of any of these agencies.

Our mission

Disability Rights Maine is a private non-profit organization, incorporated in Maine, governed by a volunteer Board of Directors and designated by the Governor of Maine to serve as Maine's independent advocacy agency for people with disabilities.

Our mission is to enhance and promote the equality, self-determination, independence, productivity, integration, and inclusion of people with disabilities through education, strategic advocacy and legal intervention.

DRM Board and staff believe that people with disabilities must:

Be free from abuse;

Control the decisions that affect their lives;

Receive the services and supports necessary to live independently;

Have the opportunity to work and contribute to society; and

Have equal access to the same opportunities afforded all other members of society.



24 Stone Street, Suite 204
Augusta, ME 04330

207-626-2774 Voice/TTY

Fax: 207-621-1419

Toll Free: 800-452-1948

Proud member

MaineShare ▶

Giving at work to make
Maine work better

www.maineshare.org



[disability.rights.center.maine](https://www.facebook.com/disability.rights.center.maine)

www.drcme.org