

**DISABILITY RIGHTS WISCONSIN:
Protection & Advocacy for Individuals with Mental Illness
in the Community and Institutions (C&I) (2/1/2021)**

About us

Disability Rights Wisconsin (“DRW”) is the designated Protection and Advocacy (“P&A”) organization for people with disabilities and mental illness in Wisconsin. The P&A system is a combination of federally funded programs that serve people with disabilities in every state and U.S. territory. DRW’s mission is to protect against abuse, neglect, or wrongdoing, and to enforce the rights of people with disabilities.

Can DRW help me?

Because of DRW’s broad mission, the high demand for our services and our limited staff, DRW cannot provide individual advocacy to everyone who requests it. DRW can only offer individual advocacy to some of the people whose situations fall within DRW’s priorities.

What issues does DRW’s Community and Institutions team focus on?

DRW’s Communities & Institutions team focuses on people with mental health needs living in communities and in inpatient mental health settings, and discharging from inpatient or residential mental health settings.

DRW’s C&I priorities/ areas of focus for people with mental health needs include:

- Promote the right of adults and children with serious mental illness to live and receive supports and services in the most inclusive, integrated community settings appropriate for them, including discharge planning assistance.
- Work to eliminate abuse and neglect that creates substantial risk of serious harm in mental health settings, including misuse of restraint and seclusion.
- Work to eliminate patients’ rights violations in inpatient and community mental health settings.

What issues does DRW’s Criminal Justice Program focus on?

DRW’s Criminal Justice Program focuses on people living institutions, including prisons, jails, and forensic mental health facilities. The Criminal Justice Program priorities or areas of focus include:

MADISON

131 W. Wilson St.
Suite 700
Madison, WI 53703
608 267-0214
608 267-0368 FAX

MILWAUKEE

6737 West Washington St.
Suite 3230
Milwaukee, WI 53214
414 773-4646
414 773-4647 FAX

RICE LAKE

217 West Knapp St.
Rice Lake, WI 54868
715 736-1232
715 736-1252 FAX

disabilityrightswi.org

800 928-8778 consumers & family

- Abuse and neglect that creates substantial risk of serious harm
- Failure to provide treatment for disability needs that results in significant time in restrictive housing, significant risk to health or life, or other serious harm
- Denial of access to programs, facilities, or services due to a failure to accommodate a person's disability
- For people with disabilities or mental illness in these facilities who are also victims of crime, provide direct service efforts that respond to the needs of crime victims and help stabilize their lives

If my issue fits within the DRW priorities, does that mean DRW can help?

Not necessarily. The number of people who contact us with issues that fit within DRW priorities is higher than the number of people our staff can help. When a person's issue does fit within a DRW priority, DRW will look closely at the situation and consider:

- The likelihood that individual advocacy will have a broad impact on the lives of people with disabilities and mental illness.
- The risk of abuse, neglect, or inhumane conditions if help is not provided.
- The nature of the issue and availability of a path to potentially successful outcome.
- The likelihood that the issue can be resolved through self-advocacy.
- The current availability of DRW staff.

If DRW provides help for my issue, what will DRW do?

When DRW agrees to help, there are different types, or levels of assistance we might be able to offer including:

- Information, referral, self-advocacy tools, or advice about available options to protect or exercise a person's rights.
- Informal non-legal intervention resolve issues with the facility, county agency, or program or agency staff.
- Investigation or record review, including allegations of incidents of abuse or neglect causing serious injury or death of individuals with mental illness in residential settings.
- Technical assistance to prepare letters or file a grievance or complaint. In very limited circumstances, assist people with the grievance and complaint procedures within an agency or facility
- Limited formal advocacy, including representation in grievance and complaint procedures, administrative hearings, court actions, or appeal.

How to request help

To find out if we can help, contact us in one of the following ways:

- **Telephone** (toll free): **800-928-8778**. When you contact us by phone, a receptionist will ask you for some initial information.
- **On-line**: Submit your request to be contacted on our website. <https://www.disabilityrightswi.org/about/contact-us/>
- **Email**: Send an email to info@drwi.org. When contacting us by email, please include your name and contact information, who you are contacting us about (yourself, family member, or other), what city/town or county the person with a disability lives in, and a brief description about your concern or issue that you are requesting help for.
- **Mail**: Include the same information as listed above for email. Mail your request to Disability Rights WI, Attn: Intake, 131 W. Wilson Suite 700 Madison, WI 53703
- **Voting Assistance**. For assistance with voting questions or help filing a complaint, contact the DRW Voter Hotline at 844-347-8683/ 844-DIS-VOTE or email info@disabilityvote.org

DRW PROTECTION AND ADVOCACY PRIORITY ISSUES AND PROGRAMS

Abuse and Neglect: DRW addresses problems of abuse and neglect in institutions and the community, including for people in psychiatric institutions, hospitals, group homes, nursing homes for individuals under 60, intermediate care facilities for people with developmental disabilities, day-programs, sheltered workshops, jails and prisons. DRW also reviews significant issues of abuse and neglect by guardians, powers of attorney or representative payees.

Community Services: DRW provides assistance to adults and children under age 18 in accessing community mental health services, including Community Support Programs (CSP), Targeted Case Management (TCM) and Comprehensive Community Services (CCS), and children's mental health systems as well as supported housing for people with mental illness. DRW may provide assistance to Medicaid recipients in accessing Non-Emergency Medical Transportation (NEMT), including systems issues related to the NEMT transportation broker. DRW may assist Medicaid recipients in denial, reduction, termination of therapies and Medicaid personal care services. DRW will represent or provide technical assistance in limited cases.

Deinstitutionalization: DRW supports the right of people with disabilities to live as independently as possible and in the community. DRW is designated by the state as a member of the closing team when a nursing home, psychiatric facility, or long term care facility for people with developmental disabilities closes. Our staff assists residents and families during the relocation process and ensure their rights and preferences are respected, and help them obtain proper discharge planning and appropriate amounts of quality community services.

Patient Rights: DRW works to ensure privacy, safe environments, and appropriate plans for people with disabilities to leave an institution and move back into the community with services or supports. DRW may also provide assistance to patients who are being improperly discharged from hospitals or nursing homes.

Special education: DRW's schools team works to support students who receive special education services by promotion of their rights under IDEA including promoting the inclusion with their regular education peers, and limiting the use of suspension, expulsion, and the inappropriate use of seclusion and restraints of children with disabilities. Staff also works to support appropriate transition planning and the use of Assistive Technology in a student's individual education plan.

Return to work: DRW assists individuals who receive Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) overcome barriers preventing them from returning to work. Advocates may assist with DVR services, supported employment, employment networks, and employment accommodations or discrimination.

Assistive Technology: DRW staff work to make sure that insurances (Medicaid, Medicare, Medicaid Waivers or Managed Care Organizations and occasionally private insurances) and schools provide people with disabilities the assistive technology they need to be as independent as possible and participate fully in their communities.

Voting rights: DRW staff ensures that individuals with disabilities are able to access their right to vote whether it is overcoming physical barriers to polling place access or challenging effort that have the effect of disenfranchising them. For assistance, contact the DRW Voter Rights Hotline at 844-347-8683. DRW provides training and resources in partnership with the Wisconsin Disability Vote Coalition at <https://disabilityvote.org/>

Employment Discrimination: DRW staff provides information and guidance on workplace rights including how to ask for and receive a reasonable accommodation in employment, dealing with workplace discrimination or harassment and filing discrimination complaint if necessary. Staff provides direct representation in some cases of egregious employment discrimination.

Housing Discrimination: DRW provides information and guidance on how to ask for a reasonable accommodation in housing, explains to individuals on how to file a discrimination complaint, and fights efforts to limit housing opportunities for people with disabilities. Additionally, DRW provides direct representation in a limited number of housing discrimination cases.

Barriers to accessibility: As a disability rights organization DRW performs a significant amount of systemic work regarding access to transportation, public accommodations, and government services and ensuring architectural

accessibility. Attorneys will provide information, technical assistance, and occasionally representation regarding denials of access.

Engage in a targeted outreach effort to advocacy agencies working with underserved communities (communities of color, tribal communities, ethnic groups, LGBTQ communities, immigrant and refugee communities) to determine what barriers members with disabilities and mental illness encounter accessing services and supports. Partner with advocacy agencies by sharing disability perspective and expertise to support their efforts to overcome those barriers.

OTHER DRW PROGRAMS

[Drug Benefits and Medicare Part D](#)

DRW operates a statewide helpline, the Medicare Part D Disability Drug Benefit Helpline, to help people with disabilities and their families or guardians with Medicare Part D.

[Family Care and IRIS Ombudsman](#)

The DRW Family Care and IRIS Ombudsman Program (FCIOP) can help you navigate Family Care and IRIS programs so you can stay in your home and get the supports you need to stay independent. The program can help you if you are:

- age 18-59
- currently enrolled in Family Care, Family Care Partnership, or IRIS OR
- eligible for Family Care, Family Care Partnership, and/or IRIS but are not yet enrolled (for example, you might be having an issue with eligibility)

[SSI Managed Care](#)

Our SSI MC advocates provide advocacy services to people enrolled in the SSI Medicaid HMOs. Advocates provide information for people who have questions about the SSI Managed Care Program and provides advocacy services such as helping members understand the enrollment process, help you to get specialist care or medical equipment, help you get mental health or AODA treatment if you need it, help you appeal decision by your HMO, help get transportation for Medicaid covered services etc.

[Victim Advocacy](#)

Our Victim Advocacy program provides direct service to individuals with disabilities who experience crime, even if the crime has not been reported. Our Victim Advocacy Specialists work to ensure that each eligible person receives the advocacy, services, and support that is desired to move forward, find justice, and obtain safety and stability in whatever form the victim/survivor needs. Advocates also work with service providers, District Attorneys, and others to educate them about the specific needs of survivors with disabilities.