

Disabilities Law Program PAIMI Program Priorities 2021

ADVOCACY IN FACILITIES AND INSTITUTIONS

I. Priority/Goal Description:

Individuals with significant mental illness (SMI) / emotional disturbance (ED) in facilities will be free from abuse and neglect and live in healthier, safer or otherwise improved environments. Activities may reflect and will be consistent with public health constraints and may include using technology and other ways to conduct operations remotely.

Objectives:

1. DLP will monitor facilities to ensure that individuals with SMI/ED are receiving appropriate treatment services and are free from abuse, neglect and disability rights violations through regular visits, office hours and other activities. 0100
 - a. Target: 128
2. DLP will screen, and investigate on a case by case basis, any reported or discovered incidents of neglect, injury or death of an individual with SMI/ED living in a facility. (0100) (0102)
 - a. Target: 26
3. DLP will participate in the DPC Patient Rights Committee to address abuse, neglect or quality of care issues at DPC. 0103
 - a. Target: 4
4. DPC staff will as appropriate attend treatment team meetings to foster choice, treatment options consistent with client wishes, and enforcement of patient rights. 0200
 - a. Target: 5
5. DPC staff will as appropriate assist clients in transitioning to community life from facilities, including facilitating effective discharge planning, and on a case by case basis, assisting in removing barriers to discharge, such as legal impediments, housing, public benefits, credit history, or denial of key public benefits. 0202, 0305
 - a. Target: 15
6. DLP will prompt review and transfer or discharge of long-term patients at DPC with NGRI status to less restrictive treatment settings. DLP will also address issues with delays in the pre-trial competency restoration process and other issues relating to mental health support for individuals awaiting trial or participating in specialty courts, particularly those where detention or incarceration may be prolonged due to lack of services or supports, on a case by case basis. 0308
 - a. Target: 4

7. DLP will ensure the availability of DLP-sponsored patient rights materials upon admission to DPC and mental health facilities. 0206
 - a. Target: 250
8. DLP will offer self-advocacy and patient rights' training and training of peers at DPC on a regular basis at DPC and other sites as time and opportunity allows. 0207
 - a. Target: 7
9. DLP will promote the development and use of grievance system within DPC and at private facilities as appropriate and will assist residents in filing and pursuing grievances. 0305
 - a. Target: 7
10. DLP will monitor enforcement of solitary confinement settlement with DOC and promote access to adequate mental health services in correctional facilities. 0303, 0100
 - a. Target: 200

COMMUNITY-BASED SERVICES

II. Priority/Goal Description:

Individuals with SMI/ED will have access to appropriate and individualized community-based services that will enhance their ability to live independently and reduce risk of institutionalization, free from abuse and neglect in community settings. Activities may reflect and be consistent with public health constraints and may include using technology and other ways to conduct operations remotely.

Objectives:

1. DLP will screen and on a case by case basis investigate complaints of abuse and neglect including neglect, serious injuries or deaths of individuals with SMI/ED living in non-facility based and community settings. (0101)
 - a. Target: 12
2. DLP will promote access to less restrictive settings and/or help individuals with SMI/ED to receive services that will enable them to participate more fully in their community living through removal of barriers, and freedom from disability-based discrimination, in the areas of housing, access to key public benefits including Veteran's Benefits, threats to familial integrity, and access to employment supports. 0203
 - a. Target : 10

3. DLP will assist individuals with SMI/ED in addressing treatment issues in the community, including participation in treatment team meetings and coordination with community agencies and providers. 0200
 - a. Target: 3
4. DLP will assist children with autism, intellectual disabilities and ED to receive behavioral supports and services including home-based services through Medicaid, PBH, DDDS and the Delaware Department of Education. 0203

Target: 2
5. DLP will help individuals with SMI/ED understand supports and services available in the community to enable them to live in the most integrated setting through the provision of training, technical assistance and/or information and referral. 0205
 - a. Target: 65

ACCESS TO FREE APPROPRIATE PUBLIC EDUCATION

III. Priority/Goal Description:

Youth with ED will be provided a free and appropriate public education (“FAPE”) in their least restrictive environment to move them toward independent living, and depending on their goals and interests, secondary education, training or employment.

Objectives:

1. DLP will investigate allegations that students have been exposed to illegal disciplinary measures and the use of inadequate behavioral planning including the use of seclusion and restraint and provide legal assistance, technical assistance or referral as appropriate. 0101,0204
 - a. Target: 3
2. DLP will assess cases where students are being denied FAPE in the least restrictive environment with appropriate supports, and provide legal assistance, technical assistance or referral as appropriate.0204
 - a. Target: 2
3. DLP will assist youth with ED in transition ages 14 and older to obtain appropriate transition planning and services, such as transitions from children’s mental health services to adult services through DSAMH and DDDS, and including interagency coordination between DCYF, DDDS, DOE , PBH, DOE and DMMA .0204
 - a. Target : 2
4. DLP will educate parents of students with ED about self-determination, age of majority and guardianship and its alternatives 0204

- a. Target: 10

SYSTEMIC ADVOCACY

IV. Priority/Goal Description

Promote safe and adequate residential and non-residential community based services, integrated housing and options for individuals with SMI/ED through active participation in systemic advocacy. Activities may reflect and be consistent with public health constraints and may include using technology and other ways to conduct operations remotely.

Objectives:

1. DLP will monitor and as appropriate influence through policy analysis and participation DSAMH and DPC policy and planning affecting recipients of services by participating on councils and committees, and in meetings with administration and key staff. 0300, 0304, 0305
 - a. Target: 15
2. DLP will seek to ensure appropriate access to DPC and DSAMH records, reports and data to facilitate effective monitoring and abuse and neglect investigations. 0301
 - a. Target: 45
3. DLP will seek to ensure implementation of laws requiring the reporting of deaths and critical incidents as well as restraint and seclusion. 0302
 - a. Target 500
4. DLP will address systemic issues through the use of affirmative administrative and judicial remedies, including in collaboration with CLASI's Fair Housing program when PAIM eligible clients are aggrieved by significant violations of Fair Housing laws. 0303
 - a. Target : 1
5. DLP will co-sponsor and/or present at seminars, conferences and other events on topics related to mental health and behavioral health in the state. 0309
 - a. Target: 2000

PAIMI STAFF AND ADVISORY COUNCIL TRAINING AND SUPPORT

V. Priority/Goal

Provide robust training and education to staff and advisory council to enhance understanding of client needs and improve quality of services provided to PAIMI-eligible clients.

Objectives:

1. DLP will provide PAIMI staff with opportunities for internal and external training to improve skills and understanding. 0400
 - a. Target: 20
2. DLP will conduct regular meetings of PAIMI staff to promote coordination and progress in goals and objectives. 0401
 - a. Target: 3
3. DLP will provide PAIMI AC with training at meetings and offer attendance at outside events. 0402
 - a. Target: 10