



GUAM LEGAL SERVICES CORPORATION
DISABILITY LAW CENTER

FILED

MAIN OFFICE

113 Bradley Place, Hagåtña, Guam 96910
Telephone No.: (671) 477-9811/2
TDD/TTY No.: (671) 477-3416
Facsimile No.: (671) 477-1320
E-mail: information@guamlsc.org

GLSC
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DISABILITY LAW CENTER (DLC)

"The Protection and Advocacy System of Guam"
Telephone No.: (671) 922-4571/2
TDD/TTY No.: (671) 477-7356
Facsimile No.: (671) 477-4270

Harold F. Parker, Executive Director
Sheila Cruz, Administrative Director
Carol D. Cabiles, Program Coordinator
Leticia P. Piper, Program Coordinator

Staff Attorneys
James F. Baldwin
Eric D. Miller
Robert P.G. Cruz

July 30, 2018

Dear PADD Advisory Council Member:

As part of our continuing efforts to address the issues and service needs of individuals with disabilities, Guam Legal Services Corporation – Disability Law Center (GLSC-DLC) submits for your review and input our FY 2019 Proposed Goals and Objectives for the following programs:

- Protection and Advocacy for Individuals Rights (PAIR)
- Protection and Advocacy for Persons with Developmental Disabilities (PADD)
- Protection and Advocacy for Individuals with Mental Illness (PAIMI)

It is important for us to hear from the community groups that are most knowledgeable about our work as well as about the needs of the individuals we serve. Please take some time to read the proposed goals and objectives and let us know your thoughts.

There will be a public input session on the proposed goals and objectives on Thursday, September 13, 2018 from 9:00 a.m. to 12:00 p.m., at the Guam Westin Resort, Tumon. You are invited to give verbal input at that time. Otherwise, written comments will be accepted at the GLSC-DLC main office or you may comment directly at information@guamlsc.org until September 21, 2018.

If you have any questions, please contact our office at 477-9811. Once again, thank you for your continued support of our efforts to address the needs of individuals with disabilities on Guam.

Sincerely,

HAROLD F. PARKER
Executive Director

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**Guam Legal Services Corporation-Disability Law Center (GLSC-DLC)
Protection and Advocacy for Individual Rights (PAIR)**

PROPOSED FY 2019 PROGRAM PRIORITIES

MISSION STATEMENT

"GLSC-DLC will provide legal assistance, and will advocate and promote equal rights and equal access to justice for the underserved communities of Guam."

FACTORS AND CASE SELECTION

In order for the GLSC Disability Law Center to provide assistance, a client must be a person with an eligible disability by physician's certification and the problem to be addressed must be directly related to the disability. If these requirements have been met, then the following factors will be considered in determining whether the case will be accepted:

- The degree to which the problem has an immediate and/or significant impact on the person's life, health, or safety;
- The degree to which the client has the capacity to advocate for himself or herself;
- The level of resources available (such as finances, personnel, or expertise) to GLSC-DLC to provide adequate representation;
- The likelihood of successful resolution;
- And the availability of other community resources that may be appropriate for handling the problem.

Priority One: Personal Decision Making

Goal: Provide information to individuals with disabilities and the general community about the personal decision-making process.

Objective: GLSC-DLC will assist persons with disabilities who require third party assistance in performing management of their fiscal and personal needs using the least restrictive form of agency agreement, such as Specific Powers of Attorneys, Legal Guardianships or Healthcare Surrogates, when appropriate.

Priority Two: Accessibility

Goal: Provide individuals with disabilities access to programs, services, public benefits, transportation and buildings as required by the Americans with Disabilities Act Amendments Act (ADAAA), Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act.

Objective One: GLSC-DLC will provide community outreach and advocacy regarding accessibility requirements under applicable local and federal laws.

Objective Two: GLSC-DLC will investigate complaints and provide representation or legal advice when appropriate, related to accessibility for individuals with disabilities.

Priority Three: Employment

Goal: Protect and promote rights for individuals with disabilities with regard to employment opportunities.

Objective One: GLSC-DLC will provide information and representation, when appropriate, to individuals with disabilities to increase and expand access to employment opportunities, such as workplace accommodations, competitive integrated employment, employer awareness, and self-employment.

Objective Two: GLSC-DLC will provide information and representation, when appropriate, to young adults with disabilities to increase successful outcomes in transitioning from school to post-secondary education, or employment.

Priority Four: Social Security & Health Care

Goal: Provide assistance to eligible individuals in gaining access to benefits under the Social Security Act & and other health care policies and laws.

Objective One: GLSC-DLC will provide information and representation, when appropriate, to individuals with disabilities who have been denied Social Security disability benefits or who have had a determination of overpayment by the Social Security Administration.

Objective Two: GLSC-DLC will provide information and representation, when appropriate, to individuals with disabilities who have questions about, or have been denied, appropriate health care treatment, services or benefits.

**Guam Legal Services Corporation – Disability Law Center (GLSC-DLC)
Protection and Advocacy for Individuals with Mental Illness (PAIMI)
PROPOSED FY2019 Statement of Priorities and Objectives**

MISSION STATEMENT

"GLSC-DLC will provide legal assistance, and will advocate and promote equal rights and equal access to justice for the underserved communities of Guam."

FACTORS AND CASE SELECTION

In order for the GLSC-DLC to provide assistance, a client must be a person with an eligible disability and the legal issue must be directly related to the disability. If these requirements have been met, then the following factors will be considered in determining whether the case will be accepted:

- The degree to which the problem has an immediate and/or significant impact on the person's life, health, or safety;
- the degree to which the client has the ability to advocate for himself or herself;
- the level of resources available (such as finances, personnel, or expertise) to GLSC to provide adequate representation;
- the likelihood of successful resolution;
- and the availability of other community resources that may be appropriate for handling the problem.

All numerical targets in the objectives below are minimum and GLSC-DLC may exceed the numerical target.

PRIORITY 1: PAIMI-eligible individuals shall be protected from abuse and neglect.

Objective 1: GLSC-DLC will conduct monitor visits in treatment facilities and residential recovery group homes to prevent practices and policies that may harm individuals with disabilities, and to ensure that the facilities and care provided are appropriate and safe.

Target Population: PAIMI-eligible persons receiving care in treatment facilities and residential recovery group homes.

Expected Target: 10 monitor visits to each treatment facility or residential recovery group home per fiscal year.

Expected Outcome: This information shall be provided in the Program Performance Report (PPR).

Objective Met or Not Met: This information shall be provided in the PPR.

Objective 2: GLSC-DLC will investigate allegations of abuse, neglect and exploitation that are reported to or discovered by GLSC-DLC, and when appropriate, initiate litigation.

Target Population: PAIMI-eligible persons, including those receiving care and treatment in facilities and residential recovery group homes.

Expected Target: 4 cases.

Expected Outcome: This information shall be provided in the PPR.

Objective Met or Not Met: This information shall be provided in the PPR.

Objective 3: GLSC-DLC will ensure that it obtains access to all records required to investigate any reported incidents of abuse, neglect, or all other circumstances GLSC-DLC deems to constitute probable cause. Additionally, GLSC-DLC will seek to develop or update a memorandum of understanding (MOU) with appropriate agencies and/or facilities to resolve access issues.

Target Population: PAIMI-eligible persons, including those receiving care and treatment in facilities, hospitals, schools, detention facilities and any other entities to which GLSC-DLC may require access to confidential records.

Expected Target: 4 cases

Expected Outcome: This information shall be provided in the PPR.

Objective Met or Not Met: This information shall be provided in the PPR.

PRIORITY 2: PAIMI-eligible individuals shall be protected from rights violations, such as, but not limited to: financial exploitation, health care, accommodations, financial benefits/entitlements, and unlawful denials of other government services.

Objective 1: GLSC-DLC will review and investigate allegations of rights violations that are reported to or discovered by GLSC-DLC, and when appropriate, initiate litigation.

Target Population: PAIMI-eligible individuals, including those receiving care and treatment in facilities and residential recovery group homes.

Expected Target: 4 cases

Expected Outcome: This information shall be provided in the PPR.

Objective Met or Not Met: This information shall be provided in the PPR.

Objective 2: GLSC-DLC will conduct investigations or advocacy on reported incidents of inappropriate admission, placement, and commitment procedures to prevent unwarranted institutionalization.

Target Population: PAIMI-eligible individuals, including those receiving care and treatment in facilities and residential recovery group homes.

Expected Target: 4 cases

Expected Outcome: This information shall be provided in the PPR.

Objective Met or Not Met: This information shall be provided in the PPR.

PRIORITY 3: GLSC-DLC will promote public awareness & understanding of mental health issues.

Objective 1: GLSC-DLC will provide information, community education and outreach on asserting rights of individuals with mental illness and legal resources available by distribution of P&A brochures and explaining our services at outreach events.

Target Population: The Guam community at large, including PAIMI-eligible individuals.

Expected Target: 4 Outreaches

Expected Outcome: This information shall be provided in the PPR.

Objective Met or Not Met: This information shall be provided in the PPR.

Objective 2: GLSC-DLC will disseminate and post information in different languages on individual rights in the local in-patient facility, residential group homes and other community partners providing services to underserved populations.

Target Population: PAIMI-eligible individuals.

Expected Target: 12 separate postings of information on individual rights.

Expected Outcome: This information shall be provided in the PPR.

Objective Met or Not Met: This information shall be provided in the PPR.

Objective 3: GLSC-DLC will conduct presentations to employers, agencies and other private and government entities on compliance with disability laws including abuse, neglect and rights violations.

Target Population: Employers, agencies and other private and government agencies that employ or provide services including residential group home staff to PAIMI-eligible individuals

Expected Target: 4 presentations.

Expected Outcome: This information shall be provided in the PPR.

Objective Met or Not Met: This information shall be provided in the PPR.

PRIORITY 4: GLSC-DLC shall pursue legal, administrative or other appropriate remedies and advocacy to promote systemic change within the Guam Behavioral Health and Wellness Center (GBHWC) and all other entities providing treatment and services to PAIMI-eligible individuals on Guam.

Objective 1: GLSC-DLC will monitor and coordinate with GBHWC and their vendors on issues related to those receiving mental health services, including case management, treatment and medication in the least restrictive environment. GLSC-DLC will pursue available remedies including administrative actions and litigation when appropriate.

Target Population: PAIMI-eligible individuals including inpatients, outpatients, and youth.

Expected Target: 4 cases

Expected Outcome: This information shall be provided in the PPR.

Objective Met or Not Met: This information shall be provided in the PPR.

**Guam Legal Services Corporation - Disability Law Center (GLSC-DLC)
Protection and Advocacy for Persons with Developmental Disabilities (PADD)**

PROPOSED FY 2019 PROGRAM PRIORITIES

MISSION STATEMENT

"GLSC-DLC will provide legal assistance, and will advocate and promote equal rights and equal access to justice for the underserved communities of Guam."

FACTORS AND CASE SELECTION

In order for the GLSC Disability Law Center to provide assistance, a client must be a person with an eligible disability by physician's certification and the problem to be addressed must be directly related to the disability. If these requirements have been met, then the following factors will be considered in determining whether the case will be accepted:

- The degree to which the problem has an immediate and/or significant impact on the person's life, health, or safety;
- The degree to which the client has the capacity to advocate for himself or herself;
- The level of resources available (such as finances, personnel, or expertise) to GLSC to provide adequate representation;
- The likelihood of successful resolution;
- And the availability of other community resources that may be appropriate for handling the problem.

STATEMENT OF GOALS AND OBJECTIVES

I. PRIORITY: Protection from Abuse and Neglect

Goal: Protection of PADD-eligible individuals from abuse and neglect

Objectives:

1. GLSC-DLC will investigate abuse and neglect, including death of PADD-eligible persons who are residing in group homes, institutions, and educational or healthcare facilities.
2. GLSC-DLC will provide legal advice or representation to individuals with developmental disabilities who are in need of services due to abuse and neglect.
3. GLSC-DLC will regularly monitor organizations providing care and treatment to PADD-eligible persons to prevent practices and policies that may contribute to abuse and neglect of individuals with disabilities, and to support appropriate practices and policies for their care.
4. GLSC-DLC will inform proposed guardians and wards of their roles and responsibilities, and advocate on behalf of any ward whose guardian is abusing guardianship powers or neglecting the ward.

II. PRIORITY: Education

Goal: Children and Youth with Disabilities Receive a Free Appropriate Public Education in the Least Restrictive Environment.

Objectives:

1. GLSC-DLC will conduct outreach activities throughout the fiscal year for the general community including students, parents/guardians, administrators, teachers, employers and service providers on the rights of students with disabilities under IDEA and Section 504 of the Rehabilitation Act. These outreach activities will be held at venues accessible to individuals with disabilities, posted on the GLSC-DLC website and announced in schools, agencies and organizations.
2. GLSC-DLC will provide direct services to clients through consultation

or representation in mediation, administrative meetings, due process hearings or court hearings to ensure the provision of free and appropriate public education, including Part B services, and related services for students with disabilities.

3. GLSC-DLC will provide legally based advocacy on behalf of students with disabilities to safeguard against arbitrary and inappropriate suspension, expulsion, and placement, such as an out-of-school environment; an in-school environment (self-contained classrooms, detention rooms, and work details); or an alternative education program pursuant to IDEA and Section 504 of the Rehabilitation Act.
4. GLSC-DLC will provide services to and advocacy for youth with disabilities at the earliest appropriate age, including collaboration with other programs and agencies, to increase successful outcomes in transitioning from school to post-secondary education and/or employment.

III. PRIORITY: Appropriate Care and Treatment in the Least Restrictive Environment

Goal: Persons with developmental disabilities will receive appropriate care and treatment provided in the least restrictive environment.

Objective:

1. GLSC-DLC will provide advice about adult guardianships and powers of attorney for individuals with developmental disabilities and their families/ caregivers to inform them of the care and treatment that may be appropriate and which will be provided in the least restrictive environment.
2. GLSC-DLC will provide advice or direct representation to individuals with developmental disabilities residing in group homes or facilities to

ensure that they receive appropriate care and treatment provided in the least restrictive environment.

IV. PRIORITY: Individual Rights

Goal: Persons with developmental disabilities will receive equal access and opportunities to programs and services.

Objectives:

1. GLSC-DLC will provide advocacy and/or legal representation to eligible individuals with developmental disabilities who have been unlawfully denied public benefits, transportation, housing, health care or employment.
2. GLSC-DLC will conduct community outreach on equal access to public benefits, transportation, housing, health care, employment, and education for persons with developmental disabilities.
3. GLSC-DLC will advocate for compliance and enforcement of all applicable federal laws to ensure buildings, services and programs are accessible to persons with developmental disabilities under the 2010 ADA Standards for Accessible Design.