



An Introduction

Disability Rights Vermont, Inc. (DRVT) is part of the National Protection and Advocacy system. This national system was created by Congress in response to concerns that States were not doing enough to protect people with disabilities against abuse, neglect and serious rights violations. The Congress created the Protection and Advocacy (P&A) system to increase scrutiny and available resources in order to improve conditions for people with disabilities.

Each state has a P&A system, some are part of state government and some are private, non-profit corporations. DRVT is a private non-profit corporation designated by the Governor to be Vermont's P&A system and has been in this role for more than fifteen years. Disability Rights Vermont was formerly known as Vermont Protection and Advocacy.

DRVT is dedicated to addressing problems, questions and complaints brought to it by Vermonters with disabilities. DRVT's mission is to promote the equality, dignity, and self-determination of people with disabilities.

DRVT provides information, referral and advocacy services, including legal representation when appropriate, to individuals with disabilities throughout Vermont. DRVT also advocates to promote positive systematic responses to issues affecting people with disabilities.

DRVT is governed by a Board of Directors that is selected pursuant to federal law to represent a cross section of disability communities and interests within Vermont. The Board is responsible for setting priorities, hiring the Executive Director and other important administrative duties. There are also Advisory Councils made of members of Vermont's disability community who provide important input regarding priorities and other issues DRVT must address throughout the year.

DRVT's staff of fourteen people includes an Executive Director, attorneys, advocates, paralegals and other administrative staff. The staff has experience in a wide range of important areas including clinical, litigation, and policy development and implementation. DRVT also works closely with the Disability Law Project of Vermont Legal Aid and sub-contracts for P&A systems work and individual legal services.

The Work We Do

Disability Rights Vermont's work is defined by each of the grants we receive. We currently operate under the following grants:

- **PAIMI-Protection & Advocacy For Individuals With Mental Illness:** To protect and advocate for persons with “serious mental illness” in order to prevent or redress abuse, neglect and serious rights violations, including violations of state, federal and Constitutional law.
- **PADD- Protection & Advocacy For The Developmentally Disabled:** To protect and advocate for persons with developmental disabilities in order to prevent or redress abuse, neglect and serious rights violations, including violations of state, federal and Constitutional law.
- **PAIR - Protection & Advocacy For Individuals Rights:** To protect and advocate for persons with disabilities other than those covered by either the PAIMI or the PADD Acts in order to prevent or redress abuse, neglect and serious rights violations, including violations of state, federal and Constitutional law.
- **PABSS (SSA - Protection & Advocacy For Beneficiaries of Social Security :** To provide information, referral and advocacy services to beneficiaries of Social Security Benefits in order to assist those beneficiaries in overcoming barriers to employment.
- **PAAT – Protection & Advocacy for Assistive Technology:** To provide assistance and advocacy to persons with disabilities in the acquisition, utilization, or maintenance of assistive technology or assistive technology services, such as augmentative communication devices, closed captioned television, hydraulic lifts, scooters and mobility devices, TTYs, etc.
- **PATBI - Protection & Advocacy For Persons With Traumatic Brain Injury:** To provide advocacy to persons with TBI and to enhance and improve access to services, including providing training for self-advocacy.
- **VCSP: Vermont Communication Support Project:** To assist the person with a disability in communicating with the judge, court staff, attorney, or a state agency. For more information you can contact the program directly by calling toll free (888) 686-VCSP or email the director.
- **VOCA (Victims of Crime Act) - Crime Victim Services:** DRVT has specially trained staff able to help victims of a crime living with disabilities overcome unique barriers faced by people with disabilities.

- **Mental Health Ombudsman Project:** To provide information, advice and advocacy to patients voluntarily admitted to inpatient psychiatric facilities or who are held on an involuntary 72-hour hold as part of an Emergency Examination.
- **PAVA - Help America to Vote Act:** To advocate for improved access to the electoral process by individuals with disabilities, working on systems change and outreach to individuals.

The Intake Process

DRVT can provide information, referrals, investigative assistance, advocacy, and in some cases formal legal representation to people with disabilities.

We can provide these services under the following conditions:

- Client meets the federal definition of a person with a disability;
- The case is within DRVT priorities;
- The case has merit;
- The client does not have other representation; and
- There are sufficient staff resources to take on the case.

Contact Us

Disability Rights Vermont
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ed@disabilityrightsvt.org

For general information on DRVT visit our website
www.disabilityrightsvt.org

For information on our resources and publications visit:
http://www.disabilityrightsvt.org/res_pub.html

For information on our investigations visit:
http://www.disabilityrightsvt.org/pressroom/investigative_reports.html

For information on advance directives visit:
http://www.disabilityrightsvt.org/advance_directives.html

PETER SHUMLIN
Governor



State of Vermont
OFFICE OF THE GOVERNOR

ASSURANCE OF THE GOVERNOR

I hereby assure that Disability Rights Vermont, Inc., formerly Vermont Protection and Advocacy, Inc., is the agency designated by my office to carry out activities under Part C of The Developmental Disabilities Assistance and Bill of Rights Act, 42 U.S.C. §15001 et. seq., The Protection and Advocacy for Individuals with Mental Illness Act, 42 U.S.C. §10801 et seq., and The Protection and Advocacy for Individual Rights Act, 29 U.S.C. 794e, as well as other specifically authorized Protection and Advocacy functions, and that this agency is authorized to operate within all of the requirements of these Acts.

Dated this 27 day of July, 2011.

A handwritten signature in blue ink, consisting of a stylized 'P' and 'S' followed by a long horizontal line.

Peter Shumlin
Governor



State of Vermont

Department of Mental Health
Commissioner's Office
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Agency of Human Services

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**MEMORANDUM OF DESIGNATION FOR
DISABILITIES RIGHTS VERMONT AS VERMONT'S MENTAL HEALTH OMBUDSMAN**

Act 171 of the 2012 Legislative session directed the Department of Mental Health (DMH) to "establish the office of the mental health care ombudsman within the agency designated by the governor as the protection and advocacy system for the state", acknowledging the agency's authority to perform mental health ombudsman functions.

As Commissioner of DMH, I hereby designate Disability Rights Vermont, Inc. (DRVT) as the Mental Health Care Ombudsman. DRVT shall perform the following functions as the Mental Health Care Ombudsman for Vermont.

1. Investigate individual cases of abuse, neglect and serious rights violations of individuals with mental illness within Vermont consistent with 42 U.S.C. § 10801, including at designated hospitals, emergency rooms, prisons, Intensive Residential Recovery facilities, the Secure Residential Recovery facility, and other community programs.
2. Participate on DMH's Emergency Involuntary Procedures (EIP) Review Committee and with its efforts to reduce the use of seclusion, restraint, coercion and involuntary procedures.
3. Pursuant to Act 192 of the 2014 Legislative session, receive from DMH on a monthly basis and review Certificates of Need (CON's) filed with DMH involving EIP interventions.
4. Review any reports, received by DMH, of untimely death or serious bodily injury of persons in the care and custody of the Commissioner of DMH who are in designated hospitals, Intensive Residential Recovery facilities, the Secure Residential Recovery facility, or community programs.
5. Integrate efforts with the Long Term Care Ombudsman and Health Care Ombudsman to minimize duplication of efforts.
6. Provide DMH with an annual report no later than January 15th of each year on DRVT's activities and any findings or recommendations for improvements resulting from reviews of EIP's and untimely death reports, as outlined in #3 and #4 above, and DRVT's integration efforts and opportunities to minimize duplication of efforts with other Ombudsman offices as outlined in # 5 above. Such information above may be included in the DRVT Annual Report to avoid unnecessary duplication of effort.

This designation shall be reviewed no later than June 30th of each fiscal year, but shall be automatically renewed unless amended by agreement of both parties or changed/terminated by legislative act.

Ed Paquin, Director
Disability Rights Vermont, Inc.

Paul Dupre, Commissioner
Department of Mental Health