DISABILITY RIGHTS NEBRASKA

Fact Sheet and Eligibility Guidelines

FY 2027

Disability Rights Nebraska has been designated by the Governor as the Protection and Advocacy System (P&A) for the State of Nebraska. Each state has a P&A system. The focus of our program is to protect and advocate for the human and legal rights of vulnerable people with disabilities, especially those who learn, live, or work in isolated, segregated, or congregated settings. We are not a state or federal agency, but rather a private, non-profit organization. Disability Rights Nebraska approaches protection and advocacy through a four-tier system that includes legal advocacy, public policy, self-advocacy, and citizen advocacy.

Legal Advocacy

- Legal representation to ensure that the rights of people with disabilities are not being violated.
- Advice on legal rights and remedies.
- Information and referral services.

Public Policy

- Analysis of state and federal legislation impacting people with disabilities.
- Addressing issues with lawmakers.

Self-Advocacy

- Working with groups of people with disabilities to facilitate the development of effective consumer directed advocacy organizations that further the growth, empowerment, and strength of the advocacy efforts of people with disabilities.
- Providing training in self-advocacy skills to people with disabilities.

Citizen Advocacy

- Independently operated citizen advocacy offices arrange for the development of personal relationships between members of the community and people with disabilities who are at risk of abuse or neglect.
- Disability Rights Nebraska provides consultation on program development, training, and program evaluation.

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1517 Broadway, Ste. 101, Scottsbluff, NE 69361 disabilityrightsnebraska.org 402.474.3274

Program Eligibility Definitions

In order to determine whether a person meets the eligibility requirements for our services, an intake needs to be conducted with our designated staff. If you contact Disability Rights Nebraska about a person with a disability other than yourself, we will ask you to have the person contact us directly, unless you are the parent of a minor child, the legal guardian, or other authorized representative. When determining eligibility for services, we consider whether:

- the problem or issue arises from the person's disability;
- the problem or issue falls within our specific areas of protection and advocacy, as defined by our program objectives, definitions, and criteria; and
- Disability Rights Nebraska has the necessary staff and funding to provide appropriate services.

In-person appointments must be scheduled in advance so our staff can provide the most helpful and effective assistance**.** Please request any necessary reasonable accommodations when scheduling appointments. People may contact us by using any of the following methods:

Phone, mail, or in-person:

Main Office
2930 Ridge Line Road, Suite 205
Lincoln, Nebraska 68516

Western Nebraska Office
1517 Broadway, Suite 101
Scottsbluff, Nebraska 69361

Phone: (402) 413-2016
Toll Free: (800) 422-6691
Fax: (402) 474-3274

You can complete a Request for Assistance form in the on-line forms section of our website at:

www.disabilityrightsnebraska.org

The following specific objectives are used in conjunction with client and program eligibility requirements to determine the acceptance of cases for investigation.

- Investigate and respond to at least 25 allegations of abuse, neglect, or exploitation through systemic advocacy, individual advocacy, limited advocacy, and self-advocacy assistance.
- Address at least 50 alleged violations of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the Individuals with Disabilities Education Act, the Fair Housing Act, and the Nebraska Fair Housing Act through systemic advocacy, individual advocacy, limited advocacy, and self-advocacy assistance.
- Provide individual advocacy, limited advocacy, and self-advocacy assistance to at least five individuals in need of assistive technology and related services.
- Assist at least 8 beneficiaries of Social Security facing barriers to employment through individual advocacy, limited advocacy and self-advocacy assistance.

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Program Eligibility Definitions

Disability Rights Nebraska refers to these definitions during the process of determining case acceptance eligibility.

Protection and Advocacy for Individuals with Developmental Disabilities (PADD)

A developmental disability means that a person must have a severe mental or physical impairment which occurs before the age of 22, is likely to be life-long, results in functional limitations in at least three areas of major life activity (self-care, language, learning, mobility, self-direction, independent living, and economic self-sufficiency).

Protection and Advocacy for Individuals with Mental Illness (PAIMI)

A person with a significant mental illness, as determined by a Licensed Mental Health Professional, who is currently an inpatient or resident of a facility providing care and treatment for mental illness, including persons who have been discharged from a facility within the last 90 days or who present an issue that arose during their stay at a facility, or within 90 days after discharge, or the person lives in the community.

Protection and Advocacy for Individual Rights (PAIR)

A person with a physical or mental disability that substantially limits one or more major life activities, or, with a record of such impairment, or who is regarded by others as having such impairment, and who is ineligible for assistance under the CAP (Client Assistance Program), PADD, and PAIMI programs.

Protection and Advocacy for Assistive Technology (PAAT)

A person with a disability who is denied assistive technology devices or services designed to meet the specific needs of a person with one or more disabilities.

Protection and Advocacy for Beneficiaries of Social Security (PABSS)

A person with a disability who receives Supplemental Security Income or Social Security Disability Insurance and is experiencing return to work issues, such as work-related overpayments and disability-related employment discrimination.

Protection and Advocacy for Voting Access (PAVA)

Disability Rights Nebraska will use PAVA funding to ensure that people with disabilities participate in the electoral process, including registering to vote, casting a vote, and accessing polling places.

Protection and Advocacy for Individuals with Traumatic Brain Injury (PATBI)

The focus of this program is to provide a person with a traumatic brain injury with information, referrals, outreach, self-advocacy, and legislative advocacy.

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Case Acceptance Criteria Which Applies to all Disability Rights Nebraska Programs

Disability Rights Nebraska reserves the right to refuse to accept a case under the following circumstances:

- The problem or issue does not arise from the person's disability.
- An ethical or professional conflict exists within Disability Rights Nebraska.
- The person is currently represented by an attorney or a public defender.
- Legal action was already started at the time the person contacted Disability Rights Nebraska.
- There is another entity or agency better equipped to handle the problem or issue.
- The legal issues are clearly defined and a system is established in which non-legal advocates can effectively pursue enforcement of rights.
- No legal remedy is available.
- Adequate Disability Rights Nebraska staff or funding is not available.

Regardless of a person's disability, or their initial eligibility, Disability Rights Nebraska will not accept cases, but may be able to provide information and referral services, when the following issues are presented:

- Adoption, child custody, divorce, and family law;
- Estate planning, wills, and trusts;
- Adult or juvenile criminal charges or defense;
- Mental health board commitment;
- Social Security Benefits, eligibility or appeals;
- Bankruptcy;
- Worker's Compensation;
- Financial assistance requests;
- Utility service connections;
- Landlord and tenant;
- Tax law, corporate or business law, consumer law, debtor-creditor law;
- Personal injury (other than injuries arising from abuse and neglect);
- Malpractice;
- Initiate legal guardianship or conservatorship of a person; and
- Inmates of state or federal correctional facilities (unless the problem or issue is not related to the person's criminal sentence).

For additional information, please refer to our website, which includes our law-in-brief series, blog, information, resources, videos, and links to our social media pages.

http://www.disabilityrightsnebraska.org

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