

DISABILITY RIGHTS NEW JERSEY

ADVANCING JUSTICE. ADVOCATING INCLUSION.



2022 ANNUAL REPORT

IMAGINE INCLUSIVITY WITHOUT BOUNDARIES



A LETTER FROM: GWEN ORLOWSKI, EXECUTIVE DIRECTOR, & HAZELINE PILGRIM, BOARD CHAIR

As 2022 comes to a close, we take a moment to reflect on the work we've achieved this year. And to thank all who generously support our work.

Our year at Disability Rights New Jersey continued to focus on critical issues facing people with disabilities as we moved from the darkest days of the COVID-19 pandemic. Residents and patients of nursing homes, developmental centers, and the state psychiatric facilities continue to face grave risk to health and safety, and the importance of finding pathways to accessible, affordable community-based living remains a focus of our efforts. For youth, especially youth experiencing multiple forms of discrimination, 2022 brought a focus on building capacity for supported decision making, school-to-adulthood transition services, and ensuring that justice-involved youth are receiving the educational and community-based supports needed to thrive. And so much more – ensuring that people with disabilities have access to robust vocational rehabilitation services with the goal of competitive, integrated employment, that Social Security beneficiaries who have representative payees are free from financial exploitation, and that we are delivering the highest level of services to people who benefit from assistive technology, with creative and innovative solutions having both local and national impact.

We could not be prouder of the Disability Rights NJ staff and their many accomplishments to ensure that people with disabilities were free from abuse and neglect, that their rights were protected and advanced.

Our mission to promote self-determination, independence, productivity, and integration into all facets of community life was evident in all of the work undertaken by our dedicated staff this year.

On every level, from our systemic investigation at Woodland Behavioral and Nursing Center, to the work of our legal teams across access to community-based services, educational services, and employment, to engaging in on-going advocacy and policy efforts especially in voting rights and expanding home and community-based services, to our many partnerships, Disability Rights NJ continues to be at the forefront.

The work of Disability Rights NJ has never been more important, nor has the leadership and staff been more committed to continuing and expanding our work as the state's designated protection and advocacy agency.

As you read this report about the important work we have accomplished this year, we hope you will be inspired to help us expand our work. We encourage you to renew or begin your commitment to Disability Rights NJ. Your support ensures that Disability Rights NJ will continue to address all of the challenges people with disabilities encounter, while providing excellence in all we do.

Thank you for investing in Disability Rights New Jersey.

Gwen Orłowski & Hazeline Pilgrim



OUR MISSION

Disability Rights NJ's mission is to protect, advocate for and advance the rights of people with disabilities in pursuit of a society in which people with disabilities exercise self-determination and choice, and are treated with dignity and respect.

Disability Rights NJ's activities are grounded in its belief in the inherent value and worth of all individuals and their right to equality of opportunity and full participation in their communities.

OUR PROGRAMS

ATAC – Richard West Assistive Technology Advocacy Center

CAP – Client Assistance Program

IOLTA – Interest on Lawyers Trust Accounts

PAAT – Protection and Advocacy for Assistive Technology

PABRP – Protection and Advocacy for Beneficiaries with Representative Payees

PADD – Protection and Advocacy for Persons with Developmental Disabilities

PAIMI – Protection and Advocacy for Individuals with Mental Illness

PAIR – Protection and Advocacy for Individual Rights

PABSS – Protection and Advocacy for Beneficiaries of Social Security

PATBI – Protection and Advocacy for Persons with Traumatic Brain Injury

PAVA – Protection and Advocacy for Voting Access

Unless otherwise noted, all photos are credited to photographer, Mike Mielcarz

SYSTEMIC INVESTIGATION:

Closing Woodland Behavioral Health and Nursing Center

The COVID-19 pandemic made evident that people with disabilities are institutionalized at alarming rates, including in nursing homes. Disability Rights NJ undertook an in-depth investigation into one particularly troublesome nursing home this year.

Disability Rights NJ began our investigation of Woodland Behavioral and Nursing Center in April 2020 after the NY Times published an article that bodies were allegedly being stored in an outdoor shed being used as a makeshift morgue at the beginning of the COVID pandemic. We used our investigation authority and found that nearly 70% of the residents of the nursing home (then called Andover II) were people with Intellectual and Developmental Disabilities, Severe Mental Illness, and Traumatic Brain Injuries.



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In February 2022, after the NJ Department of Health issued violations, and the Center for Medicare and Medicaid Services issued a notice of immediate jeopardy, Disability Rights NJ launched a seven-month intensive investigation which ended after the state, at our urging and other advocates, moved for receivership and transferred all of the residents to new settings (primarily other nursing homes). Throughout, Disability Rights NJ's Investigation and Monitoring team reviewed records including Pre-Admission Screening and Resident Review (PASRR) records and behavioral health plans, met with residents to advocate for their current needs and transfer rights, and met with the Department of Health and Department of Human Services to ensure resident's rights were protected and residents were free from abuse and neglect. At one point, Disability Rights NJ staff, including the Executive Director, were restrained in the administrator's office and prohibited from conducting our investigative activities.

SYSTEMIC INVESTIGATION:

Closing Woodland Behavioral Health and Nursing Center Continued

We filed a lawsuit in federal court and successfully secured injunctive relief against Woodland to grant Disability Rights NJ access to the facility to complete its investigation and to protect the civil and legal rights of Woodland residents.

"Disability Rights stepped up into oversight and investigation into Woodland during the pandemic as it started to collect evidence that the third floor of the facility was operating like an unlicensed, locked-down psychiatric unit."

- NJ.com



Jill Hoegel, (L.), Director of Investigations and Monitoring and Gwen Orlowski, Executive Director of Disability Rights New Jersey. Phil McAuliffe
| For NJ Advance Media

Disability Rights NJ continues to monitor the facilities that the residents of Woodland were transferred to, especially two behavioral health unit pilots authorized by DHS in response to the Woodland situation. All residents of these pilot units have serious mental illness.

In addition to our work in nursing facilities, throughout fiscal year 2022, Disability Rights NJ conducted visits to state operated developmental centers, state and county psychiatric hospitals, and children's residential facilities to ensure freedom from abuse and neglect where services were rendered for New Jerseyans with disabilities.

YOUTH TRANSITION TO ADULthood

TRAILblazers: *Transition Readiness for Adult and Independent Living*

This year, Disability Rights NJ kickstarted a new program to help youth facing issues with the transition into adulthood. The program helps high schoolers and youth with disabilities, age 14-22, transition to life after graduation. Both school districts and vocational agencies provide pre-employment transition services and transition support for students, including vocational services, postsecondary education, and independent living skills. But it can be confusing and difficult to navigate the dual systems. Issues can easily arise with things such as access to vocational rehabilitation services for job readiness, educational services to prepare special education students for adult life, or moving from community-based services for children into the adult Home and Community Based Services systems.

Disability Rights NJ began the program with specific outreach to youth in resource family care (formerly known as foster care), and in other underserved and unserved populations, including local youth in Trenton. Since the program's inception, we have been working to help clients seek services from school districts and other organizations like the Division of Vocational Rehabilitations Services, the Commission for the Blind and Visually Impaired, and the Division of Developmental Disabilities. We help our clients understand their rights to transition planning and services and even helped some secure internships to gain skills outside the classroom.



We presented this work at the National Disability Rights Network conference in April 2022. Additionally, we are taking steps to make our in-house transition survey into a public application, accessible through our website. Through community outreach conducted at the Grandfamilies and Kinship Support Network regional convention, Embrella, an organization assisting kinship families, Piscataway High School, and at the ATAC of DRNJ Assistive Technology Summit, we continue to increase our community ties to resource family care organizations and widen the reach of our youth transition services.

JUVENILE JUSTICE

Fighting the School-to-Prison Pipeline

Disability Rights NJ represents youth with disabilities who are caught in the School-to-Prison Pipeline. Youth with disabilities who are incarcerated often do not receive appropriate services and supports in school. These services, like proper behavioral intervention plans, reduce schools' reliance on and use of the juvenile justice system to address student behavior. Within our Special Education and Juvenile Justice Project, we work to get youth out of the juvenile justice system and back in school with supports in place and delinquency charges reduced or dismissed.

Disability Rights NJ attorneys have a regular presence in juvenile court to provide information on disability and disability-related services. We have also been monitoring the responses to COVID-19 in juvenile facilities. This project currently serves only Mercer County, but we are looking to expand to other counties in the coming year.



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65-70%
***of youth involved with
the juvenile justice
system have a disability,
educational
classification, or mental
health diagnosis.***

National Center for Learning Disabilities

POLICY WORK:

Advocating to Expand the Medicaid WorkAbility Program

Disability Rights New Jersey advocated to expand services to individuals with disabilities so that they may work and engage in their community.

WorkAbility is a New Jersey Medicaid buy-in program that allows individuals with disabilities who are working part-time or full-time the opportunity to receive full Medicaid benefits. The New Jersey Personal Assistance Services Program (PASP) is a state-funded program that provides individuals with disabilities 18 years or older who are employed, attending school, or volunteering the ability to receive up to 40 hours per week of personal assistance services to help them participate in their community. Due to income and age limits in these programs, individuals who would benefit from these programs were not eligible for them, which impacted their ability to work or be part of the community.

The New Jersey Developmental Disabilities Advocacy Network Employment Section, of which Disability Rights NJ is a member, raised this issue with state legislators, who introduced bills in the New Jersey Assembly and New Jersey Senate that expanded eligibility in both programs by eliminated the age cap and removing the earned and unearned income limit for WorkAbility. Disability Rights NJ provided written testimony about how this program will provide more opportunities for individuals with disabilities to work and be active participants in their community. The Assembly and Senate passed the bill and Governor Murphy signed the bill into law.



PROMOTING SUPPORTED DECISION MAKING:

Center for Youth Voice Youth Choice



In 2022, Disability Rights NJ focused significant resources on impacting the rights of young adult with disabilities to self-determination and decision making by challenging assumptions about guardianship. Early in the year, we organized a state team of advocates including the New Jersey Council on Developmental Disabilities, the Boggs Center for Developmental Disabilities, and the SPAN Parent Advocacy Network, and a small cohort of youth ambassadors with disabilities. The team successfully applied for admission to the [Center for Youth Voice Youth Choice](#) (CYVYC) community of practice, which opens the door to national leaders and technical assistance to carry out change in New Jersey.

The state team's mission is to accelerate and amplify the conversation that not everyone with a disability needs a guardian on their 18th birthday. The more specific goals of this state team will largely be driven by the youth ambassadors and are still in the development stage, but the preliminary goals are:

GOALS

- 1 Educating stakeholders about alternatives to guardianship;**
- 2 Identifying legal, political, and practical barriers to implementing supported decision making in New Jersey; and**
- 3 Partnering with interested surrogates, judges, and practitioners to reduce unnecessary guardianships.**

In addition to our work with the CYVYC national community of practices, Disability Rights NJ continues to provide legal representation to individuals seeking help to remove abusive guardians.



BUILDING AND EMPOWERING THE COMMUNITY:

The Richard West Assistive Technology Advocacy Center

The Richard West Assistive Technology Advocacy Center (ATAC) continues to be a trailblazer in New Jersey by expanding knowledge about Assistive Technology and building communities. As the Governor designated Implementing Agency for the Assistive Technology Act, ATAC provides core services to individuals with disabilities, and other community stakeholders, throughout New Jersey.

Along with our core services, ATAC strives to build community by exploring innovative, creative solutions to forge bonds between individuals with disabilities, AT professionals and disability related organizations. This year saw the return of our in-person statewide "Assistive Technology and Community Living Summit" annual event. ATAC embarked on an innovative partnership with the [Assistive Technology Industry Association](#) (ATIA) to provide complimentary, unlimited access to the ATIA Virtual Learning Center to anyone across NJ who is interested in learning more about AT. ATAC is the only state Assistive Technology Act Project to explore this opportunity to build community AT capacity.

ATAC has also harnessed the power of video conferencing to build two innovative Communities of Practice (CoP) designed to foster the knowledge of AT professionals across the country to become a problem solving powerhouse! ATAC took a leadership role in creating the AT Town Hall. Though our weekly virtual meetings, participants were able to help solve problems, establish policies and procedures for virtual AT support, brainstorm AT solutions and contribute to an ever expanding, AT collective. ATAC has joined forces with another state Assistive Technology Act Project, Missouri Assistive Technology, to provide a Community of Practice focused on Assistive Technology and the Maker community. This monthly series of video meetings provides opportunities to brainstorm and build a community to share discoveries, learn something new and help increase independence for individuals with disabilities.

HIGHLIGHTS FROM 2022 INCLUDE:

DEVICE DEMONSTRATIONS:

- Our team of knowledgeable AT professionals worked with 1,139 individuals this year to complete 586 device demonstrations.

DEVICE LOANS:

- Our team loaned 296 Assistive Technology devices this year across NJ to individuals with disabilities and professionals.

DEVICE REUSE:

- In 2022, 1,572 items were brought back into the community to be recycled for a savings to consumers of \$1.4 million.

STATISTICS

OUTREACH TRAINING EDUCATION:

138 events
reaching **15,464**
individuals

SOCIAL MEDIA FOLLOWERS:

4,500

 1,100

 3,400

WEBSITE HITS: **90,154**

PUBLICATIONS DISTRIBUTED: **16,217**

RECIPIENTS OF NEWSLETTERS AND EBLASTS:

4,671 contacts on
distribution list

Submitted administrative comments,
testimony, and advocacy letters to impact
35 pieces of legislation

INVESTIGATION AND MONITORING ACTIVITIES:

24 visits
conducted at
14 unique
facilities,
serving **3,264**
individuals

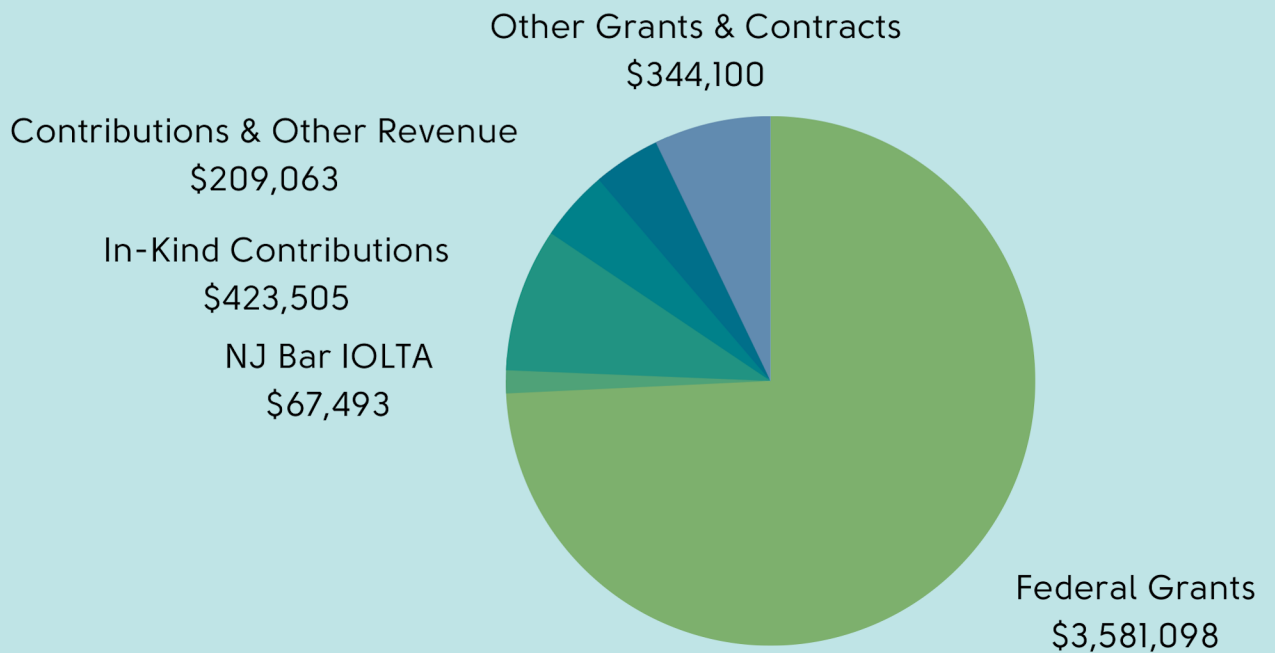


INDIVIDUAL CLIENTS SERVED:

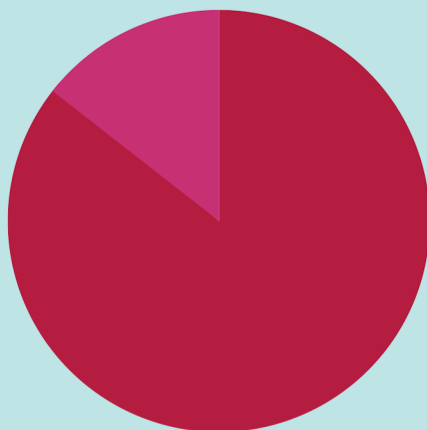
1,575

FUNDING

SUPPORT AND REVENUE



Support Services
\$681,187



EXPENSES

Program Services
\$4,034,592

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