



**Disability Rights
Wisconsin**

**Protection and advocacy for people with
disabilities**

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*This training is for informational purposes only, last updated 2/10/22.
Content included is not legal advice.
No attorney-client relationship will be formed without a written
agreement signed by DRW and the client that defines the scope of
representation.*

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Who We Are

- Private non-profit agency designated by the Governor to ensure the rights of all state citizens with disabilities through individual advocacy and system change
- A national system of federally mandated protection and advocacy (P&A) agencies for people with disabilities
- State programs

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Who We Are

- Three offices: Madison, Milwaukee, Rice Lake
- Additional satellite & home-based offices
- Approximately 70 staff
- Governed by Board of Directors & Advisory Councils of people with disabilities, family members, and others with interest in disability rights

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Our Vision

All persons with disabilities and their families shall be empowered to exercise and enjoy the full extent of their rights and to pursue the greatest possible quality of life

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Our Mission

DRW challenges systems and society to achieve positive changes in the lives of people with disabilities and their families

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Who We Serve: People of all ages with

- Developmental disabilities
- Mental illness
- Physical or sensory disabilities
- Traumatic brain injury

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A bit about Melanie

- P&A Attorney, Communities & Institutions team (Milwaukee area)
- Family Care & IRIS Ombudsman Program (FCIOP)
- Disability Benefit Specialist (DBS)
- Legal Services agency

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Our Programs

- Protection & Advocacy (core services)
- Client Assistance Program (CAP)
- Victim Advocacy
- Family Care & IRIS Ombudsman
- SSI Managed Care External Advocacy Project
- Disability Benefit Specialists – training & support
- Medicare Part D helpline

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**Protection & Advocacy (Core Services):
What We Do**

- Individual Advocacy & Self-Advocacy Support
- Systems Advocacy
- Outreach/Collaboration/Training
- Public Policy

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Individual Advocacy – Examples

- Provide information about disability-specific rights in school, housing, employment, and places of public accommodation and options
- Advocate for access to services, supports & treatment in the least restrictive setting/ wraparound approach, discharge planning
- Advise about patient rights & assist with grievances

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How to request help

- Telephone: 800-928-8778. Receptionist will gather basic info & forward to intake specialist
- Online: <https://www.disabilityrightswi.org/learn/how-to-get-help/>
- Email: info@drwi.org
- Mail: Disability Rights Wisconsin, ATTN: Intake
1502 West Broadway, Suite 201
Madison, WI 53713

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Systems Advocacy – Examples

- Advocate with state agencies, stakeholder & rule committees
- Disability-related voting rights: Wisconsin Disability Vote Coalition, DRW Voter Hotline
- Review state-facility death reports & notices of deficiency in licensed residential settings; recommend policy changes
- COVID-19 & PWD access to vaccines, medical treatment, in-person support, voting, special education, crucial services

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Systems Advocacy – More Examples

- Seclusion and Restraint Law in Schools
- Expansion of System of Care for Children’s Mental Health
- Supported Decision-making
- No Wrong Door for Families

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Patient Rights & Self Help Guide

- Client rights violation
- Patient rights violation
- Wisconsin Administrative Code § DHS 94
- Wis. Stat § 51.61

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Patient Rights: One Perspective

Genuine person-led decision-making requires individuals are recognized as experts on their own lives, decisions about services & supports are based on unique needs, goals, and strengths with a focus toward how the individual can live their best possible life, Professionals

- Actively seek understanding
- Welcome questions
- Focus on solutions

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Whose rights are protected?

- Individuals receiving treatment for mental illness, developmental disability, substance/alcohol abuse or dependency.

* A person receiving care or services for a physical disability/condition generally cannot use this process. This does not mean they do not have rights. Patients should ask provider about their rights and how to file a complaint or grievance.

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Patient Rights Summarized

- List of rights (Wis. Stat. 51.61 & Wis. Admin. Code § DHS 94)
- All community and inpatient mental health, intellectual disability, and drug/alcohol provider agencies must have a written **Patient Rights Grievance Procedure**.
- All provider agencies must also have a trained **Client Rights Specialist (CRS)**. The CRS should speak with patient/guardian about the concern and will help you file a grievance.

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Patient Rights: Common

- Treated with dignity and respect.
- Prompt & adequate treatment in least restrictive manner & setting.
- Allowed to participate in planning treatment & advised about alternatives.
- Free from verbal, physical, emotional, or sexual abuse, including freedom from restraint or seclusion used as a means of force, control, or punishment.
- Staff must make fair and reasonable decisions about treatment and care.
- Not filmed/taped/photographed without consent
- Make and receive telephone calls, see visitors, spend money how they choose

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Patient Rights About Grievances

- Before treatment starts, provider agency must tell patient about your rights and provide a copy of the grievance procedure.
- All staff should know about patient rights & how to file a grievance.
- No staff should threaten or punish you for asking about your rights or filing a grievance.
- May choose to sue in court during, after, or instead of filing a grievance

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Grievance Process Summary

Informal Process (optional)

- I. File formal grievance with agency Client Rights Specialist
 - CRS report with findings. If either PM or complainant disagrees,
 - Program Manager decision
- II. County Level Review (if applicable)
- III. State Grievance Examiner in DHS Client Rights Office
- IV. Final State Review

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DRW Self Help Packet

- List of rights
- Summary of grievance procedure, steps, and timelines
- Tips to draft a grievance
- Problem solving for bumps in the road
- Templates/worksheets to draft grievance and appeal

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Patient rights/grievance – more info

Wisconsin Department of Health Services [Client Rights Office](#)

- Sample pamphlets for community outpatient & inpatient providers, state DD centers, other state-operated facilities
- Model grievance procedure
- Decision digest
- Training for Client Rights Specialists
- Applicable statutes & administrative code sections

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Contact Information

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