



GUAM LEGAL SERVICES CORPORATION  
DISABILITY LAW CENTER



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Harold F. Parker, Executive Director

DISABILITY LAW CENTER (DLC)

"The Protection and Advocacy System of Guam"  
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Date \_\_\_\_\_  
Time \_\_\_\_\_  
Received by \_\_\_\_\_

August 06, 2014

Dear Senators of the 32<sup>nd</sup> Guam Legislature:

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 FY2015 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 goals and objectives and let us know your thoughts.

There will be a public input session on the proposed goals and objectives on Saturday, September 20, 2014 from 9:00 a.m. to 11:00 a.m., at the Sinajana Mayor's Office. 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@guamslsc.org](mailto:information@guamslsc.org) until September 22, 2014.

If you have any questions, please contact our office at 477-9811 or TDD/TTY No. 477-3416. 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)**

**FY 2015 PROPOSED PROGRAM PRIORITIES**

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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 persons with disabilities and the general community about maintaining and assigning personal and decision-making powers.

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 and Legal Guardianships when appropriate.

### **Priority Two: Accessibility**

Goal: Provide persons 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 persons with disabilities.

### **Priority Three: Employment**

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

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

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

Objective One: GLSC-DLC will provide information and/or representation, when appropriate, to individuals with disabilities who have been denied Social Security disability benefits or for whom there has been an overpayment determination by Social Security Administration.

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

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

**FY 2015 PROPOSED PROGRAM PRIORITIES**

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- 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, neglect, and deaths of PADD-eligible persons residing in group homes or facilities, including educational facilities.

2. GLSC-DLC will provide legal advice or representation to individuals with developmental disabilities who are being abused and neglected.
3. GLSC-DLC will regularly monitor organizations providing care and treatment to PADD-eligible persons to prevent practices and policies that may harm individuals with disabilities, and to support appropriate practices and policies for their care
4. GLSC- DLC will distribute publications to proposed guardians and wards informing them of their roles and responsibilities, and advocate on behalf of those clients if their guardian is abusing guardianship powers.

## 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 and will be posted on the GLSC-DLC website and announced in schools, agencies and organizations.
2. GLSC-DLC will provide direct services to clients by consultation or representation in mediation, administrative meetings, due process hearings or court hearings to ensure the provision of appropriate education 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 suspensions, expulsions, and placement in an out-of school environment, in-school environment (isolation rooms, detention rooms, and work details) or alternative education programs 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 collaborating with other agencies, to increase successful outcomes in transitioning from school to post-secondary

education and employment.

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

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

Objective:

1. GLSC-DLC will provide advice about adult guardianships to individuals with developmental disabilities and their families and caregivers to ensure that they receive care and treatment that is appropriate and 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 care and treatment that is appropriate and 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 direct representation to eligible individuals with developmental disabilities who have been unlawfully denied appropriate transportation, housing, health care or employment.
2. GLSC-DLC will conduct community outreach on equal access to 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.

**Guam Legal Services Corporation – Disability Law Center (GLSC-DLC)  
Protection and Advocacy for Individuals with Mental Illness (PAIMI)**

**FY 2015 PROPOSED PROGRAM PRIORITIES**

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MISSION STATEMENT

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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:** 8 monitor visits to each treatment facility or residential recovery group home per fiscal year.

**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 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:** 3 investigations/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, and any other entities to which GLSC-DLC may require access to confidential records.

**Expected Target:** 3 investigations/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, discrimination in housing, education, employment, health care, accommodations, transportation, Social Security Administration denials and unlawful denials of other government services.

**Objective 1:** GLSC-DLC will review and investigate allegations of rights violations, and advocate and/or litigate against unlawful discrimination.



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

**Expected Target:** 4 investigations/reviews

**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:** 3 investigations/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 individual rights and legal resources available.

**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:** 10 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 publish and distribute quarterly newsletters on mental health issues and GLSC-DLC PAIMI Advisory Council activities in the community. Newsletters will also be made available electronically.

**Target Population:** PAIMI-eligible individuals and other community partners providing services to underserved populations.

**Expected Target:** 4 newsletters

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

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

**Objective 4:** GLSC-DLC will conduct presentations to employers, agencies and other private and government entities on compliance with disability laws including laws concerning abuse and neglect.

**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:** 3 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 Government of Guam agencies providing treatment and services to individuals with disabilities on Guam.

**Objective 1:** GLSC-DLC will monitor and coordinate with GBHWC and their vendors on issues related to all populations receiving mental health services, including case management, treatment and medication in the least restrictive environment. GLSC-DLC will pursue available remedies including filing administrative actions and filing actions in court, together with drafting correspondence with GBHWC.

**Target Population:** PAIMI-eligible individuals and all GBHWC inpatients, outpatients, and youths.

**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.

UNCLASSIFIED