

**PROTECTION and ADVOCACY for BENEFICIARIES of SOCIAL SECURITY (PABSS)**

**SEMI-ANNUAL PROGRAM PERFORMANCE REPORT  
(Revised November 2005)**

**REPORTING PERIOD:** From 6/1/2007 To 11/30/2007

**GRANT AWARD NUMBER:** 17-B-20051-3-04

**STATE:** Virginia

**AGENCY NAME:** Virginia Office for Protection and Advocacy

**AGENCY ADDRESS:** 1910 Byrd Avenue, Suite 5  
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**DATE SUBMITTED:** 1/11/2008

# PABSS PROGRAM PERFORMANCE REPORT

## PART I – QUANTATATIVE STATISTICS

### Section A: Information and Referral

	<b>Semi-Annual</b>
<b>How many individuals received Information and Referral under the PABSS program during the report period? (Do not count individuals more than once for this response.)</b>	242
<b>How many Information and Referral requests were made under the PABSS program during the report period? (Include all I&amp;R requests, even if more than one for some individuals. This number should equal or exceed Sec A. 1.)</b>	245

### Section B: Individuals and Issue Area Service Requests/ Workload Statistics

<b>1. Individuals (Do not count individuals more than once for this response.)</b>	<b>Semi-Annual</b>
<b>How many individuals had open PABSS issue area service requests at the start of the report period?</b>	20
<b>How many new PABSS individuals were added during the report period?</b>	6
<b>Total individuals served during the report period under the PABSS program. (Sum Section B1-a and B1-b.)</b>	26
<b>Total number of individuals with all issue area service requests that were closed during the report period under the PABSS program?</b>	5
<b>Total number of individuals still being served at the end of the report period? (sum of section B1-a &amp; B1-b minus B1-c)</b>	21

<b>2. Services</b>	<b>Semi-Annual</b>
<b>Total PABSS issue area service requests open the start of the report period.</b>	21
<b>Number of new PABSS issue area service requests added during the report period?</b>	6
<b>(Calculated by Computer) Total number of issue area service requests during the report period? ( Sum of B-2-a and B-2-b)</b>	27
<b>Total number of issue area service requests closed during the report period?</b>	6
<b>Total number of issue area service requests open at the end of the report period? (sum of section B-2-a &amp; B2-b minus B-2-c)</b>	21

**Section C: Individual Demographics**

**Please provide counts of individuals received by Gender:**

	<b>Semi-Annual</b>
<b>Male</b>	3
<b>Female</b>	3
<b>Total individuals received. (Must equal count from Part I Section B-1b above.)</b>	6

**Please provide counts of individuals received by Ethnicity:**

	<b>Semi-Annual</b>
<b>Alaskan Native</b>	
<b>American Indian</b>	
<b>Arab American (Middle Eastern)</b>	
<b>Asian</b>	
<b>Black (Not Hispanic/Latino Origin)</b>	2
<b>Hispanic/Latino</b>	
<b>Multi Racial / Multi Cultural</b>	1
<b>Pacific Islander</b>	
<b>White (Not Hispanic/Latino Origin)</b>	3
<b>Other (IF SELECTED MUST SPECIFY)</b>	
<b>Unknown</b>	
<b>(Calculated by Computer) Total individuals received. (Must equal count from Part I Section B-1b)</b>	6

above.)	
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Please provide counts of individuals received by Age Bracket:

	Semi-Annual
14 to 18	0
19 to 21	0
22 to 40	3
41 to 59	3
60 to 64	0
<b>Total individuals received. (Must equal count from Part I Section B-1b above.)</b>	<b>6</b>

Please provide counts of individuals received by Beneficiary Status:

	Semi-Annual
SSI eligible	3
SSDI eligible	3
Dually eligible	0
<b>Total individuals received. (Must equal count from Part I Section B-1b above.)</b>	<b>6</b>

Please provide counts of individuals received by Primary Disability:

	Semi-Annual
Absence of extremities	
Autism	
Auto-immune (lupus, thyroid, ALS, etc.)	
Blindness (both eyes)	
Cancer	
Cerebral palsy	
Deaf-blind	
Deafness	
Diabetes	
Digestive disorders (chronic pancreatitis, esophageal stricture, fistulae, chronic liver, etc.)	
Epilepsy	
Genitourinary conditions (kidney, prostate, etc.)	
Hard of Hearing (not deaf)	
Heart and other circulatory problems including cardiovascular	
HIV/AIDS	

<b>Mental illness (diagnosis according to DSM-IV)</b>	2
<b>Mental retardation</b>	
<b>Multiple sclerosis</b>	
<b>Muscular dystrophy</b>	
<b>Muscular / Skeletal impairment (arthritis, fibromyalgia, osteogenesis imperfecta, osteomyelitis, etc.)</b>	
<b>Neurological disorders (brain tumors, convulsive disorders, Parkinson, etc.)</b>	
<b>Other emotional/behavioral (Provide detail)</b>	
<b>Other intellectual such as ADD/ADHD (Provide detail)</b>	
<b>Physical / orthopedic including spinal cord injuries, paraplegia, quadriplegia, back problems, etc.</b>	2
<b>Respiratory disorders (emphysema, asthma, pulmonary hypertension, cystic fibrosis, etc.)</b>	
<b>Specific learning disabilities (SLD)</b>	1
<b>Speech impairment</b>	
<b>Spina bifida</b>	
<b>Substance abuse (alcohol or drugs)</b>	
<b>Tourette syndrome</b>	
<b>Traumatic brain injury (TBI)</b>	
<b>Visual Impairment (not blind)</b>	1
<b>Disability not known/Other than Above (Specify)</b>	
<b>Total individuals receipted. (Must equal count from Part I Section B-1b above.)</b>	6

**D. Major Source of Concern – Service Requests – Reason for Receipt**

Please provide counts of all PABSS issue area service request receipts by major source of individual's concern for the current report period:

	Semi-Annual
<b>State Vocational Rehab Agency (public VR program)</b>	4
<b>Employment Networks (SSA contractor)</b>	
<b>Agencies other than 1. or 2. above</b>	
<b>Employment discrimination – hire, fire, promotion</b>	
<b>Employment wages and benefits</b>	
<b>Housing</b>	
<b>Healthcare (not 5 above)</b>	
<b>Insufficient/improper benefits planning</b>	
<b>Transition services (Student beneficiary between 14-18 (or under age 22) engaging/needing a transition plan)</b>	
<b>Post Secondary accommodation</b>	
<b>Transportation</b>	
<b>Social Security benefits cessation based on SGA (including CDR's) – not Overpayment</b>	

<b>Benefits Questions/Work Incentives – Not 12 or 14</b>	
<b>Work Related Overpayment</b>	2
<b>Other (individual's disability status changed)</b>	
<b>Total issues/service requests of individuals receipted. (Must equal count from Part I Section B-2b above.)</b>	6

**Section E: Closed Issue Area Service Requests**

What was the problem/sub-problem area?

	<b>Semi-Annual</b>
[AT] Assistive Technology	
[Education] Transition school to work	
[Employment] Discrimination in employment benefits	
[Employment] Discrimination in hiring	
[Employment] Unlawful termination / firing	
[Employment] Other employment discrimination	
[Employment] Reasonable accommodation – not d, e, or f from above	
[Employment] Service provider issues – not c-g above	
[Employment] Wage and hour issues	
[Financial Entitlements] SSI: Overpayments based on work issues	2
[Financial Entitlements] SSDI: Overpayments based on work issues	2
[Financial Entitlements] (other) – Specify	
[Healthcare] Medicaid only issues	
[Healthcare] Medicare/Medicaid issues	
[Healthcare] Medicare only issues	
p. [Healthcare] Private Insurance Issues	
[Housing] Accommodations in housing	
[Housing] Subsidized housing/Section 8	
[Housing] Rental termination – not q .	
[Housing] Other – Specify	
[Childcare]	
[Rehab Services] Related to State VR	
[Rehab Services] Related to Employment Network (EN)	1
[Rehab Services] Related to Agencies other than State VR or Employment Network (EN)	
[Post-Secondary Ed] Accessibility	
[Post-Secondary Ed] Funding issues	
[Post-Secondary Ed] Grievance Against College – Not y or z above	
[Post-Secondary Ed] Other – Specify	
[Services] Personal assistance – not Employment	
[Transportation]	
[Benefits Planning] referral / access to BPAO services	1
[Other] (IF SELECTED MUST SPECIFY)	

(Calculated by Computer) Total closed issue area service requests. (Must equal count from Part I Section B-2c above.)	6
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**2. What was the reason for closing the individual's issue area service request?**

	Semi-Annual
Issue Resolved in Individual's Favor	6
Issue Partially Resolved in Individual's Favor	
Issue Lacked Legal Merit	
Individual decided not to pursue resolution or Individual Withdrew Complaint (Not e-g below)	
Other Representation Obtained (Individual found other representation)	
Individual Not Responsive to Agency / Individual refused to cooperate with P&A	
Services Not Needed Due to lost contact, Death, Relocation, etc.	
Advocacy efforts/appeals were unsuccessful (Issue not resolved in Individual's Favor)	
Other (IF SELECTED MUST SPECIFY)	
Total closed issue area service requests. (Must equal count from Part I Section B-2c above.)	6

**3. What was the highest intervention strategy used?**

	Semi-Annual
Short Term/Technical assistance	3
Informal Resolution	
Investigation/Monitoring	1
Negotiation	1
Mediation / Alternative Dispute Resolution	
Administrative Remedies	
Legal remedy / Litigation	1
Class Action Suits	
Systemic / Policy activities	
(Calculated by Computer) Total closed issue area service requests. (Must equal count from Part I Section B-2c above.)	6

**4. As a result of P&A intervention, the following major outcome was achieved: (Choose ONE outcome for each closed issue area service request!)**

Semi-

	<b>Annual</b>
<b>Individual gained / maintained access to services including those of VR, EN or other agency</b>	1
<b>Individual obtained employment</b>	
<b>Individual regained employment</b>	
<b>Individual maintained employment</b>	
<b>Individual advanced in employment</b>	
<b>Individual's employment opportunities increased</b>	
<b>Individual obtained an increase in salary and/or benefits</b>	
<b>Validity of discrimination complaint was upheld</b>	
<b>Overpayment situation addressed (it doesn't matter if it was waived or the efforts weren't successful)</b>	4
<b>Individual acquired knowledge concerning his/her rights</b>	
<b>Outcome information is not available</b>	
<b>Other outcome:</b> <i>Employment-related work expenses approved</i>	1
<b>Total outcomes of closed issue area service requests. (Must equal count from Part I Section B-2c above.)</b>	6

## **PART II – NARRATIVE**

**Section A: Description of Progress and Status Update: [Please provide a brief overview of overall project status, staff changes, staff training or other major developments with regard to the PABSS program. This could include information about boards and committees where decisions are made concerning disability service delivery and local policy.]**

### **FY2007 2<sup>nd</sup> Bi-Annual Report**

VOPA is pleased to report that during this six-month period we have served 26 Social Security beneficiaries. VOPA has provided information and referral to 242 individuals.

The following staff changes occurred during the last six months:

#### **Administration:**

Donnie Morton – Information Specialist – resigned

Eileen Levandowski – Administrative Assistant – resigned

Sherry Confer – Deputy Director – promoted from Policy Director. She has assumed the duties of the Business Unit and Policy Unit. She will be the lead for PABSS application, semi and annual reports.

Kim Mendella – Executive Assistant – provides administrative support to the Deputy Director with assistance for PABSS application, semi and annual reports.

Leigh Amason – Administrative Assistant – fiscal responsibilities

#### **Communities:**

The Communities Unit has primary responsibility for PABSS work for VOPA.

Brook Henderson – Staff Attorney – completed her required SSA training in July 2007.

Faye Adams – Disabilities Rights Advocate – not included in PABSS FY08 application.

VOPA's PABSS money usually runs out before the grant year ends. We shifted Ms. Adams to another funding stream. The FY08 objectives have been developed to better meet the PABSS funding allowances.

Most of these personnel changes are in supporting roles. These personnel changes do not change the scope of our project or the ability of VOPA to meet our objectives.

### **Section B: Detail of Actions Taken on the Project:**

**1. Issue Area Service Requests Summaries: [Please provide summaries of three Issues/Service Requests undertaken as part of the PABSS project. Indicate clearly the issue or problem, the PABSS intervention, and the results if known]**

### **FY2007 2<sup>nd</sup> Bi-Annual Report**

VOPA represented 26 Social Security beneficiaries. In one case, the client's mother contacted VOPA for assistance in receiving appropriate Transition Services from Department of Rehabilitative Services (DRS). He was denied services from Woodrow Wilson Rehabilitation

Center (WWRC), and was not given an adequate reason for why services were denied. VOPA met with the client, his mother and the DRS Counselor. The counselor clarified why WWRC denied the client services. The counselor agreed that DRS will assist him with pre-vocational training so he will one day be ready for training at WWRC. This pleased both the client and the mother because the client would not have to go away for training and can stay in his own community.

Another client alleged he was having difficulty getting consistent services from DRS for his employment search while he was also attending classes. After the VOPA intervened via phone calls and e-mails, DRS was able to obtain an employment specialist who could devote more time in helping him to establish leads and arrange interviews. VOPA also helped him to re-activate services from STEP-UP so he would have an additional resource for employment seeking. Our client was pleased with the improvement in services and communication between him and DRS, thanks to VOPA’s intervention and technical assistance.

Social Security Administration told another client that they were going to start taking out \$25 a month from his check due to an overpayment issue. VOPA counseled with the client, gave him technical assistance and worked collaboratively with the benefits specialist (now called work incentive coordinator) to work towards a resolution for the overpayment issue. VOPA referred the client to the local independent living center to help him in finding housing resources when he thought he was going to be evicted. The overpayment was forgiven as it was found that it was due to no fault of his. SSA then resumed payment of the correct amount for the entire check for \$702 a month.

**2(a). Outreach Statistics:**

	<b>Semi-Annual</b>
<b>Total Number of Outreach/Presentations</b>	0
<b>Total Number of Persons Reached by Outreach/ Presentation Events</b>	0

**Other Information Dissemination Activities: (Number of Instances)**

	<b>Semi-Annual</b>
<b>Radio/TV appearances by PABSS staff</b>	
<b>Newspaper/Magazine/Journal articles prepared by staff</b>	
<b>PSAs/videos/films aired by the Agency</b>	
<b>Reports disseminated</b>	
<b>Publications/Booklets/Brochures disseminated</b>	850
<b>Number of Website hits</b>	24239
<b>Other media activities (IF SELECTED MUST SPECIFY)</b>	0

**2(b).Outreach Narrative: [Describe the agency’s outreach efforts. Describe the trainings presented by the staff including information about the topics covered, the purpose of the training, and a description of the attendees. Describe media events, informational materials developed or other activities undertaken as part of the PABSS project.]**

**FY2007 2nd Bi-Annual Report**

VOPA maintains a website that posts all of our federal grants’ priorities, goals, and objectives, including PABSS. This website also has the notices for the Board of Directors’ and VOPA’s Advisory Councils meetings. Job vacancies, announcements, VOPA publications, quarterly newsletters, and disability-related links are also available

The VOPA newsletter mailing list was reviewed and updated to better reflect inclusion of underserved populations. The newsletter mailing list is not a static work product; VOPA considers it to be an on-going project that will consistently be reviewed and updated to best reflect the disability communities in Virginia.

VOPA routinely provides training and speaking engagements through our Speakers Bureau. This is VOPA staff being available to provide training and presentations that are related to the Office’s current Goals, Focus areas, and Objectives (priorities). VOPA also provides exhibits and/or materials for fairs, conferences, and other functions. Whenever a presentation is conducted about VOPA in general, it addresses some of the work we do related to work incentives and Social Security issues.

VOPA’s outreach and training related to PABSS work was completed in conjunction with other funding streams. This was due to VOPA’s awareness that the PABSS funding was limited. VOPA concentrated its remaining PABSS funding on providing information and referral and case level advocacy.

**Section C: Problems encountered and steps taken to resolve problems: [Please provide detail information about problems encountered in implementing or administering the PABSS program and actions you have taken to resolve the problems you encountered.]**

**FY2007 2<sup>nd</sup> Bi-Annual Report**

VOPA’s PABSS funding was nearly exhausted in September, a full quarter before the grant year ended.

**Section D: Planned activities: [Please provide activities you plan to undertake to further the objectives of the PABSS project.]**

**FY2007 2nd Bi-Annual Report**

VOPA’s plans to continue to provide information and referral, trainings about work

incentives, and to represent beneficiaries attempting to gain, maintain and re-gain employment. For example,

- Represent five (5) residents of institutions to ensure that they receive appropriate social security benefits planning as a part of their treatment plans or discharge plans or to ensure that the benefits planning components of their treatment/discharge plans are implemented.
- Inform residents of their discharge rights, rights to retain social security benefits, and rights to employment training by conducting one rights clinic at each state operated mental health facility and at three veterans' facilities.
- Review all complaints of improper or inadequate services, provided to a beneficiary of social security with a disability, about a service provider, employer, or other entity. Provide information and referral, technical assistance, or legal representation as appropriate.

This is just a portion of our planned activities.

**Section E: Diversification activities: [Please provide a description of activities undertaken to address the needs of individuals with disabilities from diverse ethnic and racial communities.]**

**FY2007 2nd Bi-Annual Report**

VOPA has two Advisory Councils known as the Disabilities Advisory Council (DAC) and The Protection and Advocacy for Individuals with Mental Illnesses (PAIMI) Advisory Council. The Councils' primary responsibility is to advise the protection and advocacy system on policies and priorities to be carried out in protecting individuals with disabilities. This function helps VOPA to identify underserved and unserved Virginians. The Advisory Councils have both developed and implemented a membership recruitment plan that we hope will increase the diversity of the Councils. There are roles for both Council members and VOPA staff in the plan.

VOPA addressed objectives specifically tailored to outreach to the Spanish speaking community in Virginia and other underserved populations. We have engaged in a contract with a local entity to provide translation of our outreach publications.

VOPA staff provided the PAIMI Advisory Council with a training on employment discrimination issues related to mental illness. The training covered interview, accommodations, and separating from a job. When consulting with the PAIMI Advisory Council about resources and linkages, the Council members voiced much more concern about the misinformation that PAIMI eligible individuals receive from providers about working and Medicaid. PAIMI Advisory Council members reported numerous anecdotes about individuals they knew, who had been scared out of trying to work, as providers had warned them they would lose their Medicaid benefits and SSI. Because of this feedback and other complaints that VOPA has received, VOPA considers PAIMI individuals as underserved. We have partnered our PABSS work with PAIMI to assist in developing appropriate institutional discharge planning that includes employment and work incentives.