

# Fiscal Year - 2022 Annual Report



**NEVADA DISABILITY  
ADVOCACY & LAW CENTER**

***Nevada's Protection and Advocacy System for  
Individuals with Disabilities***



# A Forward Look From Our Executive Director ...

From the start of fiscal year 2022, Agency staff eagerly looked to re-emerging from any remaining pandemic protocols that seemed to go on forever, and endlessly created limitations on moving forward within, and for our disability communities.

To that goal in 2022, we re-aligned staff, our program initiatives re-focused to pre-COVID intentions, and we adjusted our service delivery options to also reap the 'virtual' process benefits created from necessity during the prior pandemic years.

As you will note in the following pages, staff have made significant strides in identifying and facilitating changes in critical areas. Collaborative relationships have been established on both State and Federal levels, and accountability and corrective actions are in process. To this point – small steps on very large issues. But small steps forward.

Our community partners have also contributed heavily to our re-emergence, and we welcome and thank them for their support and participation in our projects, our Governing Board, and our Advisory Council.

All of us at the Nevada Disability Advocacy and Law Center look forward to fulfilling the Agency's Mission in the upcoming year.

Best regards,





## Monitoring Initiatives

### Monitoring Projects – A Condensed Overview and Update:

Monitoring efforts were initiated in fiscal year 2020 with existing staff on an Olmstead complaint to the Department of Justice (DOJ) for an investigation, and then in 2022 the agency additionally hired another Supervising Rights Attorney to establish and oversee a monitoring team to address other types of facilities’ reviews. Fiscal year 2022 significantly expanded the Agency’s intervention into the ongoing progress and/or intervention of state and federal oversight needs, and corrective action processes within facilities.

During all monitoring visits in facilities, NDALC reviews facility areas for available information on residents’ basic rights as well as their access to exercise those rights. *Examples* – visible, posted NDALC rights posters, quality of therapeutic care, the use of punitive techniques such as isolation or the (facility) required use of an ‘outhouse’, no access to educational programs, or the performance of uncompensated labor by the residents.



**DOJ Investigation into NDALC’s Olmstead Complaint** – there has been ongoing interaction and support of the Agency’s complaint to the DOJ alleging the State of Nevada was violating the integration mandate of the ADA by failing to provide adequate, community-based, mental health services to adolescents with behavioral health disabilities. NDALC’s attorneys continue to meet regularly with DOJ attorneys and provide information related to the State’s activities in addressing gaps in behavioral health services to children/adolescents. *One such example* – testimony during an August, Interim Finance Committee Meeting of the Nevada Legislature where tens of millions of American Rescue Plan Act (ARPA) funds were committed to supporting the aforementioned health services; support for which the Governor confirmed on record.

**Psychiatric Residential Treatment Facilities (PRTF)** – Members of the monitoring team are staff attorneys and advocates from the north, rural, and southern offices of the agency who were given specialized and extended training on facilities’ monitoring that was financed and provided to the newly formed monitoring team in April 2022.

The initial and rigorous focus of the monitoring group began with the **Never Give Up Youth Healing Center (NGU)** in the Amargosa Valley of Nevada. NGU is a 144 bed PRTF location in a rural area with ongoing deficiencies in multiple areas of their provision of services to youth. NDALC’s ongoing, monitoring visits encompassed meetings with staff, residents, administration, and parents. Results and challenges were brought to the attention of administration for immediate and corrective actions.

# Monitoring Initiatives - continued

## Psychiatric Residential Treatment Facilities (PRTF) – continued on NGU

At the end of fiscal year 2022, NDALC continues to provide ongoing visits, reviews, and support to the multi-level oversight now (also) in motion by Medicare, as well as the State's Division of Public and Behavioral Health (DPBH) and their counsel, concerning the allegations stated in our complaints. In part, Nevada's Health Care Quality and Control (HCQC) division additionally completed their own reviews and released a Statement of Deficiencies and Corrective Action Plans for NGU. Deficiencies from both our reviews as well as the additional state agencies ranges through a diverse (in part) listing such as, restraining youth when there is no immediate safety threat, using unsafe restraint techniques, no physician orders for restraint use, the facility had no emergency safety plans, they are not consistently offering nourishing, palatable meals, staff verbally demeaning youth, and no access to phones.

Nevada Medicaid also implemented a moratorium on admissions and payment, pending their audit of some 40 NGU client files. Remedial results from those reviews continues into 2023.



**KW Legacy Ranch (KW)**, a troubled teen residential program in rural Nevada required monitoring and a death investigation.

Results of our monitoring activities appear to indicate that policy and training have remediated the resident's tragic death, but concerns remain so NDALC will continue facility monitoring in the future.

Initially the facility was not licensed at the time of NDALC's first visit. In part - it was previously licensed as a Specialized Foster Care home, but administrators advised NDALC that the Division of Child and Family Services (DCFS) revoked that license indicating the facility did not fit the program criteria. After our visit, KW pursued and obtained licensure as a PRTF, and we will continue monitoring for compliance under the criteria for those regulations.





- **A 'Time-Out' Room in a Rural Elementary School** -

Two families contacted NDALC concerning this situation and NDALC staff met with the superintendent, the principal, and their counsel. NDALC addressed and verified which rooms could be used for de-escalation situations – must have windows and were not lockable. (Later reports from the complainant families indicated that the previously referenced room was no longer used). NDALC staff also reviewed the school’s policies on the use of restraint and seclusion and recommended changes in line with national guidance and compliance for which the principal agreed to make revisions. NDALC also offered training sessions to staff as needed.

- **Two, State PRTFs in Northern Nevada** – PRTF North and PRTF Enterprise – Monitoring was completed, and no concerns were identified at either location. NDALC staff conducted rights training to residents and confirmed available posting on our Rights Posters within the facilities.

## Other Monitoring Locations/Situations

- **Unlicensed Group Homes in Clark County** -



During the 2022 fiscal year, staff monitored 3 unlicensed group homes.

The following is the result of one such situation: A resident filed a complaint with NDALC reporting that 11 male and female individuals resided within the home with only 1 live-in staff member. That live-in staff member refused to speak to NDALC staff at the time of our visit. Conditions in the home- no food in the refrigerator or cupboards, 2 males were sleeping on the sofas due to no available beds and that had been the situation for the last 4 nights, and 1 resident reported 4 women in her room with 2 sleeping on the floor. NDALC reported the conditions to the State’s Quality Assurance Manager at the Nevada Department of Health and Human Services (DHHS) – Aging and Disability Services Division (ADSD) and their unit determined that the owner of the home did not provide any services to the resident e.g., medication management, transportation, or meals so the situation was not under their jurisdiction. NDALC conducted a repeat visit to the home, but it was vacant and up for sale.



Although the Agency focused on emerging from pandemic protocols, social situations continued to be a bit limited, but there were some very viable opportunities that provided quality situations to address the disability community.

## Outreach, In-Service Visits, Events & Trainings

Fiscal Year 2022

October 2021 – September 2022

- *Virtual outreach* program initiated during pandemic protocol years continued in fiscal 2022 on a weekly basis to the State's two, **psychiatric hospitals** in the north of Nevada.
- *Monthly, in-person, outreach opportunities were offered in the underserved, rural communities of Winnemucca (northern Nevada) from June through September. Fifteen locations were visited over the period for one-on-one meetings with an advocate addressing situations such as: Denial or Reduction of Medicaid Services, Special Education, Systems Navigation, and Vocational Rehabilitation.*

- *Las Vegas Resiliency Center (a program under the Legal Aid of Southern Nevada) serves as the advocacy assistance center for victims and first responders since the 1 October mass shooting in Las Vegas and is now a statewide, victims of crime, advocacy center. NDALC and the Center anticipate **ongoing collaboration** and service opportunities.*
- *The same collaboration situation exists with the **Nevada Cares Campus** in Reno that provides shelter to the area's most vulnerable residents and is currently serving some 900 persons per day.*



## Fiscal Year 2022 – October 2021 – September 2022

### *General Overview Counts under Targeted Activities:*

*1,025 released – Brochures, Reports, Rights' Posters, and virtual sessions in English and/or Spanish*

*85 – Training or Educational Sessions for Staff, Board, Advisory Council, as well as public events and functions*

*795 – Attendees addressed in training or educational sessions*



## Outreach, In-Service Visits, Events & Trainings

### Session Examples –

*Transition Services and Employment Options' information and interactive sessions were presented to the Clark County School District's (CCSD) parent support groups, as well as parent and transition-age, youth groups in sessions sponsored by Families for Effective Autism Treatment (FEAT), and the Odyssey Charter School in Las Vegas.*

*Liberty High School's parent group also received information on vocational rehabilitation services and post-secondary school options.*

*The Agency also had numerous opportunities to use the skills of our bi-lingual personnel during Outreach, In-Service, and Community Fairs that allowed us to address locations and groups throughout the State.*

*Ongoing collaboration opportunities were discussed for continuation or initiation, as we and the general public continue to emerge from the pandemic.*



## Public Comment and Establishing Priorities in 2022 ...

As the public emerged from pandemic protocols in 2022, we also significantly expanded our opportunities for community contact and involvement in order to establish our upcoming fiscal year 2023 Priorities.

We continued with ongoing surveys throughout the year after the close of each client case, as well as the focused release in early summer of the advocacy survey form by mail, online, email, and direct hand outs at events.



Additionally, we re-instated the focus group process throughout the State with regional invitations for specific meeting dates in face-to-face settings and/or virtually. Community members were also offered one-on-one sessions virtually or in person.

Input from all the above was then consolidated for an extensive, joint session with the Governing Board and the PAIMI Advisory Council members in attendance where the results were reviewed, discussed, and documented for determining the fiscal year 2023 Priorities.





NDALC activated onsite inspections of polling sites throughout the State for the Pre-Early Voting period, Early Voting, as well as Elections Day.

Objectives for surveying the locations covered inspection of possible issues that could create barriers to individuals with disabilities being able to exercise their rights under the compliance standards of the ADA and HAVA Acts.

Agency members developed a polling site survey form and purchased survey kits that included an electric level, a door pressure gauge, and other measuring devices.

Onsite surveys included polling site(s) parking lots for accessible parking spaces, proper signage, appropriate angle slopes in the accessible spaces, closeness to the entrances, unpaved lots being packed down to avoid issues with mobility devices, no abrupt level changes, and no wall or pole mounted objects protruding into pathways. Doors were checked for appropriate 'pounds of force' both entering and exiting, and access ramps were checked for running slopes within required levels.

Issues identified and discussed with the respective County Clerks were addressed and remedied.

NDALC also collaborated with Silver State Voices (SSV) and the Nevada ACLU to participate in the Election Protection program in Washoe County.

Agency staff co-presented with the Governor's Council on Developmental Disabilities to the Nevada Legislature about voting rights for individuals with disabilities and the importance of retaining a state law that provides for automatic mail in ballots and the use of the EASE system, and mandating the availability of accessible, electronic voting machines.

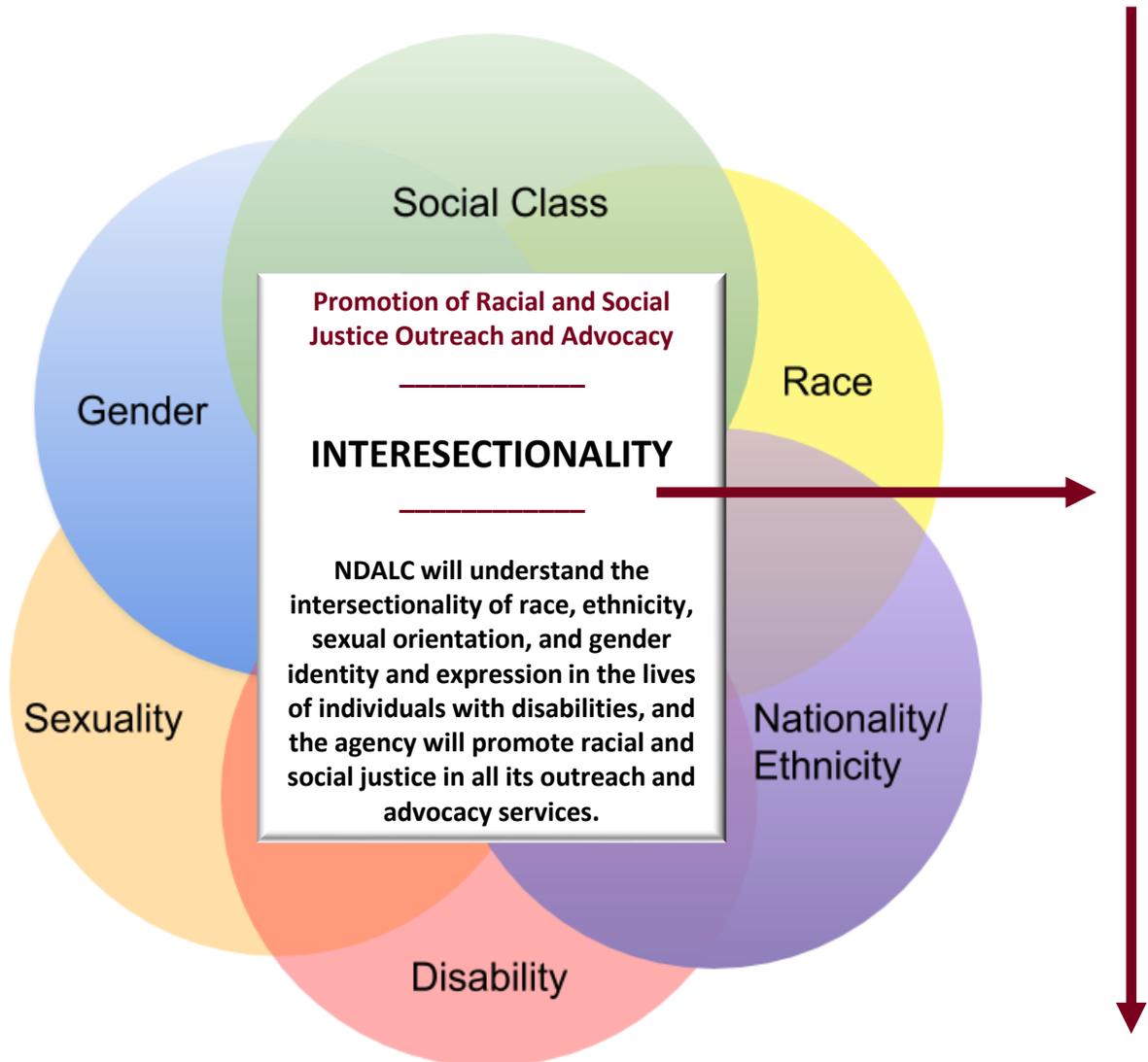
## VOTING Surveys & Monitoring



NDALC contacted County Clerks throughout the State advising them of upcoming survey initiatives and also offered to provide training and technical assistance to their staff as needed.

Other voters rights' trainings were facilitated in the northern, rural areas of Elko in senior centers and at a Jobs and Day Training (JDT).

Advocates in the north also participated in multiple community events and resource fairs to educate attendees on voting rights.



# Fiscal Year 2022 PRIORITIES

*Abuse and Neglect*  
*Client Assistance Program*  
*Individual Rights*  
*Developmental Disability Partners*  
*Representative Payee Project*  
*Education*

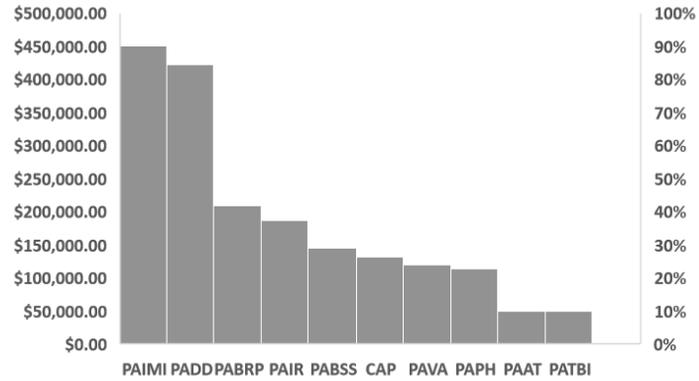
*Assistive Technology*  
*Voting Access*  
*Community Integration*  
*Health Care*  
*Disability Discrimination*  
*Employment*



### Grants (Total) Awarded - FY22

PAIMI	\$450,000.00	24%
PADD	\$421,561.00	22%
PAVA	\$119,365.00	6%
PAAT	\$50,000.00	3%
PATBI	\$50,000.00	3%
PAIR	\$186,177.00	10%
CAP	\$131,917.00	7%
PABSS	\$144,776.00	8%
PAPH	\$114,000.00	6%
PABRP	\$208,821.00	11%

### Grants Awarded - Fiscal Year 2022

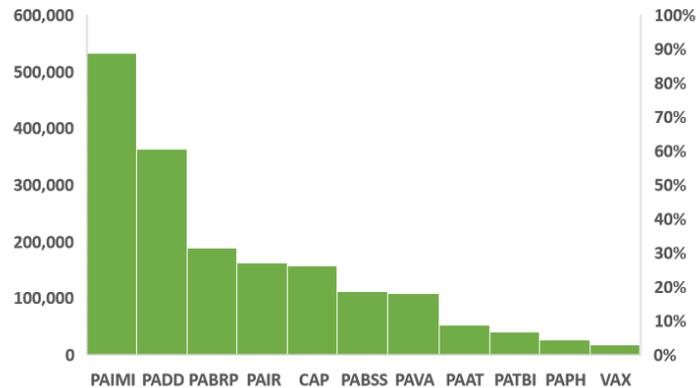


\$1,876,617.00 100%

### Funding - Actual Draws - FY22

PAIMI	531,218	30%
PADD	361,976	21%
PAVA	108,371	6%
PAAT	51,394	3%
PATBI	39,447	2%
PAIR	161,372	9%
CAP	156,583	9%
PABSS	111,077	6%
PAPH	25,587	1%
PABRP	188,036	11%
VAX	17,196	1%

### Funding - Actual Draws - Fiscal Year 2022

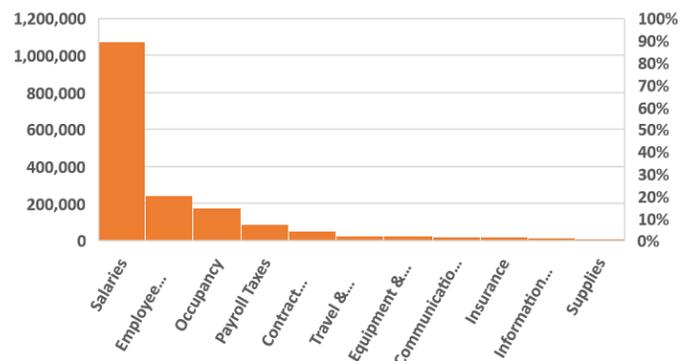


1,752,257 100%

### Expenses by Fiscal Year - FY22

Salaries	1,074,920	61%
Payroll Taxes	90,567	5%
Employee Benefits	241,953	14%
Travel & Training	27,560	2%
Occupancy	174,331	10%
Insurance	19,342	1%
Communications	22,427	1%
Supplies	10,776	1%
Information Services	17,557	1%
Contract Services	51,121	3%
Equipment & Maintenance	25,334	1%

### Expenses for Fiscal Year 2022



1,755,888 100%

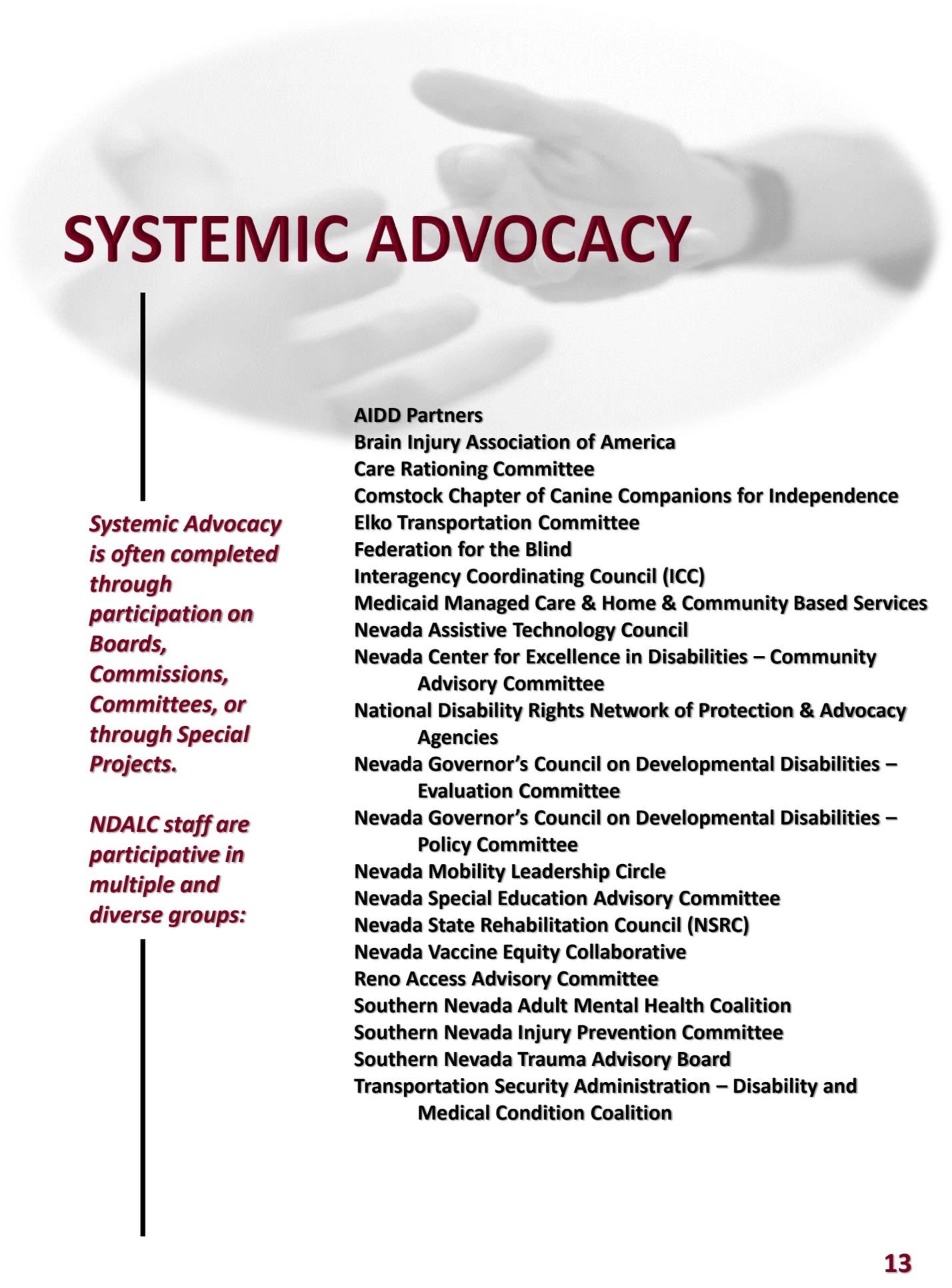
*Clients Self-Identify for Ethnicity & Disability*

<b>GENDER</b>	<b>%</b>	<b>Clients</b>	<b>S/R</b>	<b>PRIMARY DISABILITY</b>	<b>%</b>	<b>Clients</b>	<b>S/R</b>
Male	53%	459	486	Absence of Extremities	0.6%	5	5
Female	47%	401	422	ADD/ADHD	2.2%	19	19
		860	908	AIDS/HIV	0.2%	2	2
<b>AGE</b>	<b>%</b>	<b>Clients</b>	<b>S/R</b>	<b>Arthritis</b>	0.5%	4	4
0-5	4%	34	34	Autism Spectrum Disorder	11.2%	96	101
6-11	7%	59	65	Autoimmune Disease	0.7%	6	6
12-18	9%	78	86	Blindness (both eyes)	1.0%	9	9
19-25	7%	60	61	Cancer	0.5%	4	4
26-35	13%	116	120	Cerebral Palsy	1.4%	12	14
36-45	14%	123	136	Deaf-Blind	0.0%	0	0
46-55	13%	109	116	Deafness	1.6%	14	15
56-65	16%	141	146	Diabetes	0.5%	4	5
66-75	7%	59	59	Digestive Disorders	0.3%	3	3
76+	2%	18	20	Epilepsy	0.3%	3	3
Unknown	7%	63	65	Genitourinary Conditions	0.6%	5	5
		860	908	Hard of Hearing (not deaf)	1.2%	10	10
<b>ETHNICITY</b>		<b>Clients</b>	<b>S/R</b>	Heart & Other Circulatory Condition	2.2%	19	19
American Indian / Alaskan Native	2%	15	17	Intellectual Disabilities	6.3%	54	58
Asian	3%	25	25	Learning Disabilities	0.2%	2	2
Asian (H/L)*	0%	0	0	Mental Illness	31.6%	272	296
Black	16%	141	151	Multiple Sclerosis	0.7%	6	6
Black (H/L)*	1%	5	6	Muscular Dystrophy	0.3%	3	3
Two or More Races	4%	33	34	Muscular/Skeletal Impairment	0.1%	1	1
Two or More Races (H/L)*	5%	41	43	Neurological Disorders	4.0%	34	35
Native Hawaiian / Other Pacific Islander	1%	6	6	Orthopedic/Physical Impairments	15.1%	130	135
Not Stated	1%	8	8	Other Emotional/Behavioral	0.2%	2	2
Unknown	7%	59	59	Respiratory Disorders	1.5%	13	15
White	52%	446	474	Specific Learning Disabilities (SLD)	2.3%	20	20
White (H/L)*	9%	81	85	Speech Impairments	1.0%	9	9
		860	908	Spina Bifida	0.2%	2	2
				Substance Abuse	0.2%	2	2
				Tourettes	0.0%	0	0
				Traumatic Brain Injuries (TBI)	4.1%	35	36
				Visual Impairment (Not Blind)	1.7%	15	15
<b>REGION</b>	<b>%</b>	<b>Clients</b>	<b>S/R</b>	None	0.3%	3	3
Northern	23%	200	214	Not Stated/Unknown	4.9%	42	44
Southern	67%	573	605		100%	860	908
Rural	10%	87	89				
		860	908				
Northern Counties:	Carson City, Douglas, Lyon, Storey, Washoe						
Southern Counties:	Clark, Lincoln, Nye						
Rural Counties:	Churchill, Elko, Esmeralda, Eureka, Humboldt, Lander, Mineral, Out of State, Pershing, White Pine						



RepPayee (PABRP) is NOT included in any of the above numbers - completely different service provision

Vaccine Award (VAX) & Public Healthcare (PAPH) Awards are NOT included in the above - different basis



# SYSTEMIC ADVOCACY

***Systemic Advocacy is often completed through participation on Boards, Commissions, Committees, or through Special Projects.***

***NDALC staff are participative in multiple and diverse groups:***

AIDD Partners  
Brain Injury Association of America  
Care Rationing Committee  
Comstock Chapter of Canine Companions for Independence  
Elko Transportation Committee  
Federation for the Blind  
Interagency Coordinating Council (ICC)  
Medicaid Managed Care & Home & Community Based Services  
Nevada Assistive Technology Council  
Nevada Center for Excellence in Disabilities – Community Advisory Committee  
National Disability Rights Network of Protection & Advocacy Agencies  
Nevada Governor’s Council on Developmental Disabilities – Evaluation Committee  
Nevada Governor’s Council on Developmental Disabilities – Policy Committee  
Nevada Mobility Leadership Circle  
Nevada Special Education Advisory Committee  
Nevada State Rehabilitation Council (NSRC)  
Nevada Vaccine Equity Collaborative  
Reno Access Advisory Committee  
Southern Nevada Adult Mental Health Coalition  
Southern Nevada Injury Prevention Committee  
Southern Nevada Trauma Advisory Board  
Transportation Security Administration – Disability and Medical Condition Coalition

# Our Service 'Fur'- Fessionals



**MARGIE**  
*Southern Nevada*



*Margie is only 6 months old in these pix, is in training as a guide dog, and is doing wonderfully!!!*



**FOREVER**  
*Northern Nevada*



**CAROLINA**  
*Southern Nevada*



# Locations

## SOUTHERN OFFICE

2820 W. Charleston,  
Suite B-11  
Las Vegas, NV 89102  
Phone: 702-257-8150  
Toll Free: 1-888-349-3843  
Nevada Relay: 711  
Fax: 702-257-8170

lasvegas@ndalc.org  
Se Habla Español

## NORTHERN OFFICE

1875 Plumas Street,  
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Reno, NV 89509  
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Fax: 775-786-2520

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## ELKO OFFICE

557 W. Silver Street,  
Suite 203  
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