



# Disability Law Center's FY 2025 Focus Areas

October 1, 2024

Fiscal Year 2025 (October 1, 2024 - September 30, 2025)

## Board of Directors

Dawn Castillo Harper, *President*  
Lauren Wilton, *President Elect*  
Jill Valdes Horwood, *Vice President*  
Scott Semel, *Treasurer*  
Kate Bartlett, *Secretary*  
Nick Carbone  
Sera Davidow  
Lionel Frechette

**Barbara L'Italien**  
*Executive Director*

## Funding

DLC receives funding from government grants, private foundations, and individual contributions. For details about our funding and programs, please visit:

<https://www.dlc-ma.org/>



## What Is DLC?

DLC is the federally mandated protection and advocacy (P&A) system in Massachusetts. We receive most of our funding from the federal government. The majority of DLC's funding must be devoted to our core functions of monitoring and investigating abuse and neglect in places where people with disabilities live or receive services.

Learn more by viewing this [short video about the P&A system.](#)

DLC has an obligation as the P&A system to increase public understanding of the rights of people with disabilities. DLC does this by helping policymakers understand the rights of people with disabilities and by educating people with disabilities about current laws and other programs and empowering people to be self-advocates.

The rest of the work we do (like representing individuals, litigation and systemic advocacy) needs to focus on legal issues DLC is uniquely situated to address. DLC's core work centers on keeping people with disabilities safe from abuse and neglect and challenging the widespread violations of disability rights laws in a way that will help the most amount of people possible.

## Why Does DLC Need Focus Areas?

DLC sets focus areas to maximize our impact as we work toward our goal of achieving full equality and justice for people with disabilities. DLC is obligated to use most of its P&A funding to accomplish its core mission. Our remaining resources need to be used on targeted systemic issues so that DLC can achieve the greatest positive change with its limited resources. DLC's focus areas are based on input from the community and the systemic issues that we identify through our work.

## How Does DLC Set Its Focus Areas?

Throughout the year, DLC asks for input from the community so that we can gather information on the most widespread barriers or threats to independence people with disabilities face. This information is used to develop a plan that focuses DLC's work on its core functions as well as the problem areas that are identified based on input from the community. DLC cannot address every issue, but we try very hard to focus on the most widespread disability rights violations we hear about from the disability community.

The next part of this document is broken out into DLC's Core Functions and DLC's Focus Areas. DLC is obligated to spend most of our resources on our Core Functions. DLC's Focus Areas are the issues we work on with our remaining resources.

\*\*\*

### **DLC's Commitment to Respect, Inclusion, and an Intersectional Approach**

DLC is committed to protecting the civil and human rights of ALL persons with disabilities through zealous advocacy and representation. Our work is firmly rooted in the belief that everyone deserves to be treated with respect and dignity. The guiding principles for DLC's advocacy are to promote and protect inclusion, independence, integration, and equal opportunity.

DLC recognizes that the disability justice movement is inseparable from the human rights movements for racial, economic, and gender and LGBTQ+ equity. We understand that systems of oppression interlock and commit to achieving our mission applying an intersectional approach. Prejudices that harm people with disabilities are often compounded based on race, ethnicity, immigration status, gender, sexual orientation, and socio-economic status and structural inequities in housing, employment, health care, education, and the justice system, among others. DLC understands that without an intersectional framework, advocacy and legal efforts that aim to address injustice towards one group may end up perpetuating systems of inequities towards other groups. With this in mind, DLC staff work to make change and provide meaningful assistance while appreciating that each person has unique needs and experiences.

# Core Functions

## Information, Referral, and Training

### Access to Information and Referral

DLC does not have enough resources to represent everyone who contacts us. DLC strives to provide all P&A-eligible callers with some level of information and referral (I&R) when their issue falls outside our focus areas and/or we don't have the capacity to take their case.

#### **Our work in FY 2025:**

- DLC will provide targeted information, self-advocacy assistance, and reliable referrals for people with disabilities on a wide variety of disability-related issues, as DLC capacity permits.
- DLC will develop and maintain online materials for people with disabilities so they can clearly understand their legal issues and the steps they need to take for self-advocacy. DLC will ensure individuals communicating in languages other than English will have access to the same information.
- DLC will provide non-client technical assistance to legal services professionals, independent living center staff, legislative staff, and other professionals or service providers working directly with a client with disabilities experiencing a legal issue who call us requesting information and advice on issues impacting people with disabilities.

**\*Funding:** PAIDD, PAIMI, PAIR, PAAT, PATBI, PAVA, PABSS, PABRP, GS, CLAVC

### Training on Disability Rights Issues

DLC provides training on disability rights issues. We offer training to peer, self-advocate, professional, and other groups across the state to build advocacy skills and knowledge of specific areas of law.

#### **DLC will prioritize requests for training and presentations promoting the rights of persons with disabilities on the following issues:**

- Human Rights and Disability Rights issues
- Restraint, seclusion and the use of time out rooms in schools
- Obtaining reasonable accommodations in housing, higher education, and employment
- Civic participation and rights to accessible voting
- The impact of working on benefits
- Effective communication in health care and criminal justice settings for people with disabilities
- The role of Representative Payees

Requests for training can be submitted online at <https://www.dlc-ma.org/request-a-training/>.

**Funding:** PAIDD, PAIMI, PAIR, PAAT, PATBI, PAVA, PABSS, PABRP, GS, CLAVC

# Monitoring for Abuse, Neglect, and Serious Human Rights Violations

## Keeping People Safe Through Monitoring

Consistent with our federal mandate, DLC monitors places where people with disabilities live or receive services to prevent, detect, and address instances of abuse, neglect, or exploitation. Our primary goal is to ensure that the individual's rights are protected and that they are living or receiving services in a safe environment. We also want to ensure that appropriate services are being provided and that individuals have access to effective communication and opportunities to participate in activities and work that are important to them. Finally, we want to identify people who could live in the community if they had the proper supports and services. In short, we monitor to ensure compliance with respect to legal rights and safety.

When DLC invokes our P&A monitoring authority, federal law places limitations on our ability to share information we obtain. What we discover during monitoring visits is unpredictable and may warrant follow up work with individuals, families, vendors and state agencies. Monitoring visits may also reveal the need for further investigation of an issue.

### Our Work in 2025

- DLC will monitor places where people with disabilities live or receive services, including but not limited to state-operated and private psychiatric facilities, including hospitals with designated psychiatric units and emergency rooms; Bridgewater State Hospital; intermediate care facilities for individuals with I/DD; neuromedical/TBI facilities; state and county correctional facilities and juvenile justice facilities; group homes; nursing homes; shelters; day habilitation and other day programs; segregated work environments; and public, private, therapeutic and residential schools serving students with disabilities. **Funding: PAIDD, PAIMI, PAIR, PATBI, PABSS**
- DLC will monitor schools for compliance with restraint and seclusion regulations and time-out guidance, with a focus on eliminating the use of restraints and time-out rooms. **Funding: PAIDD**

## Protecting Voting Rights by Monitoring Polling Sites and Facilities

### Goal for Systemic Change:

Ensure that all people with disabilities will be able to register to vote, have access to educational materials about elections and have an equal opportunity to vote throughout the state.

### Our Work in 2025

- DLC will survey polling locations to ensure ADA compliance.
- DLC will monitor implementation of accessible electronic voting processes and other provisions of voting reform legislation enacted in 2022.

**Target Population:** All individuals with disabilities who want to register to vote, participate in the political process, and use their power to vote as well as become better educated about local, statewide, and national elections, with a focus on communities that have been underserved as it pertains to voting rights.

**Funding: PAVA**

# Investigating Abuse, Neglect, and Suspicious Deaths

## Abuse, Neglect and Suspicious Death Investigations

People with disabilities who live or receive services in facilities and the community are particularly vulnerable to abuse and/or neglect, especially those that cannot report the abuse and neglect themselves. DLC conducts investigations into situations where serious abuse or neglect may have occurred or may still be occurring. An investigation is a thorough examination of information, records, evidence, and circumstances surrounding the allegation of abuse and neglect. We may also conduct a “secondary investigation” into how the incident was investigated by public authorities. Our monitoring efforts can and do reveal the need to conduct investigations, but we also initiate investigations based upon complaints we receive. Because of our limited resources, we focus on investigations where the outcome may be systemic change resulting in a better quality of care for large groups of people with disabilities and incidents that are particularly egregious. When DLC invokes our P&A investigative authority, federal law places limitations on our ability to share information we obtain.

### Our Work in 2025

Each year, we investigate as many reports of abuse and neglect as our resources will allow. We use the following criteria, among other factors, to determine which reports we will investigate:

- Nature and pervasiveness of the problem, including location and/or the vendor, whether there is a death or serious injury, the extent of any serious human rights violation, what triggered the allegation, how long the problem has persisted, the impact on other people with disabilities in the same or similar environments (whether the problem is indicative of a larger systemic problem), number of complaints received about facility/staff, and whether accepting an issue for investigation presents the opportunity for systems reform.
- Whether this is a primary or secondary investigation, potential policy violations and implications, and the potential relief sought.

**Funding: PAIDD, PAIMI, PAIR, PATBI**

## Investigating and Protecting Beneficiaries from Financial Misuse

DLC is assigned beneficiary reviews by the Social Security Administration (SSA) and is required to engage in statewide site visits to beneficiaries’ homes, residential facilities, and state institutions to conduct face-to-face interviews, financial record reviews, and educational visits. The goal of the project is to ensure payees are performing their payee duties satisfactorily and to protect beneficiaries from financial misuse.

### Our Work in 2025

- Schedule, conduct and complete detailed reports on compliance reviews of both organizational and individual representative payees as assigned by SSA under the PABRP program.
- Develop and implement training, educational materials, and corrective action plans to assist representative payees in conforming to requirements specified by SSA.
- Identify and analyze trends in data from investigations and monitoring activities to determine if they present systemic issues which may be appropriate for DLC to address.

### Target Population

Organizational and individual Representative Payees identified by SSA for review to ensure SSI/SSDI beneficiaries with Representative Payees are free from financial abuse and neglect.

**Funding: PABRP**

## Focus Areas

Along with the work DLC does under its Core Function Areas, DLC also advocates for the interests of people with disabilities across Massachusetts. To maximize our impact, we focus primarily on systemic reform efforts through advocacy, litigation, and other legal forums. DLC has limited capacity (due to staffing and funding limitations) to provide direct representation to individuals to address legal violations that adversely impact a wide range of individuals with disabilities.

### Access to Services for SSA Beneficiaries

#### Access to Employment Opportunities

##### Goal for Systemic Change

People with disabilities will be employed in meaningful, integrated, competitive employment with any reasonable accommodations necessary to do their jobs.

##### Our Work in 2025

- DLC will provide information, advice, and referral to Social Security Administration (SSA) beneficiaries about SSA's work incentives and how earnings impacts benefits. **Funding: PABSS**
- DLC will provide advice and self-advocacy assistance or, as resources allow, take a limited number of matters for individual representation, for individuals who are beneficiaries of SSI/SSDI. Such cases may include advocacy on behalf of individuals who are experiencing a current legal issue involving disability-related discrimination or a need for reasonable accommodation if legal advice or advocacy would have the likely effect of reducing the individual's dependence on SSI or SSDI benefits through work. **Funding: PABSS**
  - Examples of settings in which we might do such work include employment, housing, transportation, higher education.
- DLC will systemically address issues relating to sub-minimum wage waivers and segregated employment or pre-employment programs. **Funding: PABSS**

#### Disability Benefits Project (DBP) Work

##### Goal for Systemic Change

Ensure proper benefits allocations for low-income Massachusetts residents who have been wrongfully denied federal disability benefits or who have had their benefits unfairly reduced or terminated by the Social Security Administration.

##### Our Work in 2025

- DLC will provide timely and high-quality technical support and training to DBP funded advocates on issues relating to Social Security Administration (SSA) law and policy changes and federal case law. DLC will also provide basic training to DBP advocates on Basic Benefits, SSI Financial Eligibility, SSA use of a Pay Distribution Calculator to determine Substantial Gainful Activity (SGA), etc. **Funding: DBP**

## Civil Legal Aid for Victims of Crimes (CLAVC)

DLC will focus on the representation of individuals with disabilities who are victims or survivors of crime **when** they experience a disability-related civil legal issue arising from a crime. DLC cannot provide criminal defense representation.

### Our Work in 2025

Based on capacity, DLC will accept cases for representation and/or information or referral if the civil legal issue is related to the crime the individual has experienced, including but not limited to community inclusion, employment, health care, housing, Abuse Prevention or Harassment Prevention Order, financial exploitation, human rights, access to programs and services of public and private entities, and special education (e.g., abuse, neglect, bullying, restraint, seclusion).

Learn more by viewing a short video [about the CLAVC program and the types of cases DLC can take](#).

**Funding: CLAVC**

## Civil Rights

### Goal for Systemic Change

People with disabilities have full and equal access to all aspects of society, with a focus on combating discrimination and ensuring appropriate provision of reasonable accommodations and modifications, including communication access, in both public and private settings throughout the Commonwealth.

### Our Work in 2025

- **Disability Discrimination:** DLC will work to address, systemically and through a limited number of individual cases, issues where people with disabilities are discriminated against or denied an equal opportunity to access programs and services of public or private entities because of their disabilities. This includes, but is not limited to, ensuring:
  - Access to programs and services provided by state entities (including but not limited to the Department of Correction, Department of Mental Health, and Department of Developmental Services) **Funding: PAIR, PAAT, PAIMI, PAIDD, PATBI, GS**
  - Access to public accommodations. **Funding: PAIR; PAAT, PAIMI, PAIDD, PATBI, GS**
  - Communication access for individuals with disabilities engaging in programs and services provided by state entities, including the criminal justice system **Funding: PAIR, PAAT, PAIMI, GS**
  - Accessible medical and mental health care **Funding: PAIR, PAAT, PAIMI, PAIDD, PATBI**
  - Appropriate employment practices **Funding: PAIR, PAAT, PAIMI, PAIDD, PATBI, GS**
- **Housing Discrimination:** DLC will, as resources permit, take housing discrimination cases where individuals with disabilities and their families need reasonable accommodations or modifications for current or prospective tenants. DLC does not take eviction cases. **Funding: PAIR, PAAT, PAIMI, PAIDD, GS**
- **Program Access:** DLC will work in collaboration with other disability organizations to ensure that residential, day and employment services for persons with developmental disabilities are operated in a manner consistent with the Americans with Disabilities Act, other federal statutes and the CMS HCBS Guidelines. **Funding: PAIDD, GS**

- DLC will explore the current workforce crisis in continuous skilled nursing (CSN), the tools used to allocate nursing hours, and potential legal and policy solutions. **Funding: PAIDD**
- **Voting Access:**
  - DLC will take cases where people with disabilities encounter voter registration barriers, barriers at polling locations, or barriers to participation vote by mail and absentee voting. **Funding: PAVA, PAIR**
  - DLC will assist people in facilities with voter registration and with exercising their right to vote in local, state, and national elections. **Funding: PAVA**
  - DLC will continue its systemic work with REV UP Mass to ensure access to voting continues to be a priority among disability and other advocacy groups. **Funding: PAVA**
  - DLC will systemically address issues relating to maintenance and replacement of accessible voting machines. **Funding: PAVA, GS**

## Health Care

### Goal for Systemic Change

People with disabilities have access to the health care services and long term supports and services they need including the accommodations they may need to access those services.

### Our Work in 2025

- DLC will screen for referral and evaluate a limited number of cases of individuals with MassHealth insurance who have been denied medically necessary durable medical equipment, personal care attendant hours, or skilled nursing hours, or are not receiving timely wheelchair repairs. **Funding: PAIR, PAAT, PABSS, PAIDD**
- DLC will collaborate with other disability organizations to systemically address existing barriers that prevent or delay wheelchair repairs and how to eliminate those barriers. **Funding: PAIR, GS, PAAT**
- DLC will work to address, systemically and through a limited number of individual cases:
  - Denial of appropriate medical treatment on the basis of disability. **Funding: PAIR, PAIMI, PAIDD, PATBI**
  - Denial of access to effective communication in health care settings for systemic litigation. **Funding: PAIR**
- DLC will systemically address issues that become barriers to receiving health care services by providers accepting MassHealth funding. **Funding: GS**

## Human Rights

### Goal for Systemic Change

People with disabilities know their rights and have access to effective communication with others when their rights are being violated or threatened and are protected from human rights violations in congregate settings.

### Our Work in 2025

- DLC will work to address, systemically and through a limited number of individual cases:
  - Complaints of abuse and neglect, serious and systemic violations of human rights of individuals with disabilities where they live or receive services, including instances of improper or excessive restraint, seclusion, or use of force. **Funding: PAIDD, PAIMI, PAIR, PAAT, PATBI**

- Barriers to discharge in facilities. **Funding: PAIDD, PAIMI, PAIR, PATBI**
- Cross-agency failure to provide dually diagnosed individuals with appropriate, comprehensive, and effective supports and services. **Funding: PAIDD, PAIMI, PAIR, PATBI**
- Conditions and systems that impact the ability of people with disabilities to live in the least restrictive and appropriate environment of their choosing. **Funding: PAIR, PAIMI, PAIDD, PATBI, GS**
- Failure to provide individuals with disabilities access to AT/AAC devices that allow individuals to communicate. **Funding: PAIDD, PAIR, PAAT**
- DLC will work in collaboration with self-advocates and disability organizations to join a growing number of states with legislative recognition of supported decision-making as an alternative to guardianship. **Funding: GS**

## **\*Funding Explanations**

The majority of DLC's funding is obtained through grants and contracts from the federal government. Approximately 20% of DLC's funding is derived from grants and contracts from the Massachusetts Legal Assistance Corporation (MLAC). DLC also receives funds from **FY 2025 Budget (Line Item #8900-0001)**, and holds fundraising events and campaigns to supplement its grants and contracts. Below is a listing of the funding DLC uses to operate its programs:

### **U.S. Health & Human Services**

Protection and Advocacy for Individuals with Intellectual and Developmental Disabilities (PAIDD)

Protection and Advocacy for Individuals with Mental Illness (PAIMI)

Protection and Advocacy for Traumatic Brain Injury (PATBI)

Protection and Advocacy Vote Act (PAVA)

Protection and Advocacy for Assistive Technologies (PAAT)

### **U.S. Department of Education**

Protection and Advocacy for Individual Rights (PAIR)

### **Social Security Administration**

Protection and Advocacy for Beneficiaries of Social Security (PABSS)

Protection and Advocacy for Beneficiaries with Representative Payees (PABRP)

### **Massachusetts Legal Assistance Corporation (MLAC)**

General Support Program (GS)

Disability Benefits Project (DBP)

Civil Legal Aid for Victims of Crimes (CLAVC)