

Chapter 14

LEGAL RIGHTS & ASSISTANCE

Persons with spinal cord injuries are entitled to the same rights as all other citizens in the United States. Federal statutes support the legal rights of people with disabilities in many areas including education, transportation, accessibility, medical services, vocational rehabilitation and social security benefits.

FEDERAL LAW

Federal Law may have a major impact on State Law and Benefits that are available. Follow and support legislation that will help individuals with disabilities and ask questions and make your needs known to legislatures. Do not assume others will do this.

Each state also has its own statutory extension of legal rights of persons with disabilities through a variety of state laws. To learn more about Connecticut General Assembly go to the following: www.cga.ct.gov. On the site you can find information about how to find your legislator, session information, committee info, general statutes of Connecticut and the current status of bills being addressed in both the House and Senate.

THE OFFICE OF PROTECTION & ADVOCACY FOR PERSONS WITH DISABILITIES

The Office of Protection and Advocacy for Persons with Disabilities (better known as OPA or simply "P&A") is an independent State agency created to safeguard and advance the civil and human rights of people with disabilities in Connecticut. The Office was established in 1977 to promote the rights of children and adults with disabilities. Part of a nationwide network of protection and advocacy systems, the Office operates under both State and federal legislative mandates to:

- provide information, referral, and advocacy services;
- pursue legal and administrative remedies on behalf of people with disabilities who experience disability-related discrimination;

- investigate allegations of abuse and neglect that arise in specific service settings or that affect individuals with particular disabilities; and,
- provide education, information and training on disability rights to policy makers, advocacy groups and members of the public.

Mission Statement – The mission of the Office of Protection and Advocacy for Persons with Disabilities is to advance the cause of equal rights for persons with disabilities and their families by:

- increasing the ability of individuals, groups and systems to safeguard rights;
- exposing instances and patterns of discrimination and abuse;
- seeking individual and systemic remediation when rights are violated;
- increasing public awareness of unjust situations and of means to address them; and
- empowering people with disabilities and their families to advocate effectively.

OPA 2012 Policy Statements – can be found online in a PDF form on their website. This includes: Affirmative Action, Americans with Disabilities Act, Anti-Harassment Policy and Discrimination Complaint Procedure.

Principles of the P&A System – P&A is an active advocate in many issues and concerns for its citizens such as housing, education, employment, the ADA, accessibility issues and state regulations and benefits. In an effort to educate individuals about their rights and to give people resource information, P&A has available number of informational help booklets. Areas covered include:

- Supplemental Security Income
- Social Security Disability Income
- Connecticut Fair Housing Laws
- Building Accessibility
- Planes, Trains and Automobiles
- Accessible Parking
- Your Rights to Vocational Rehabilitation
- How to File a Complaint with the Commission on Human Rights and Opportunities
- Access to Your Medical Records

- Disability Resources
- The American with Disabilities Act

Individuals may obtain copies of these booklets or look for new booklets by contacting: **The Office of Protection and Advocacy for Persons with Disabilities** State of CT, 60-B Weston Street Hartford, Connecticut 06120-1551, 860-297-4300 (V), 860-297-4380 (TTY) 1-800-842-7303 (V/TTY in CT only) or go to www.ct.gov/opapd or email OPA-Information@po.state.ct.us.

BEING YOUR OWN ADVOCATE

In addition to advocacy efforts being made by the National Spinal Cord Injury Association, CT Chapter and The Office of Protection and Advocacy, self-advocacy is crucial. As noted in a P&A publication Claiming Citizenship written in 1982: "One of the important lessons learned from the civil rights history of persons with disabilities is that only people with disabilities themselves can really understand what is meant by their rights and be motivated purely by the need to attain them. Without strong and vocal representation by people with disabilities, the disability rights movement is particularly susceptible to being sidetracked by well-meaning reformers. The urgency of the movement at the present time (1982) cannot be overstated. As competing interest groups vie to survive the balancing of the federal budget, the civil rights of people with disabilities continue to be severely threatened. Furthermore, not just funding, but the laws themselves are in danger of extinction or, at the least, modification that would significantly weaken their effect"

P&A offers the following "Self Advocacy Tips." The adage that the "squeaky wheel gets the grease" is a true comment on complaining and human nature, but squeaks can be annoying, and, if too loud, can be counterproductive. Nevertheless, assertive, articulate advocacy is a necessity when service providers and other bureaucracies are unwilling to correct either individual or systematic problems. With P&A's permission the "How To's of Self Advocacy" are as follows:

- Know your rights - In daily exchanges with people it is your own standards of respect that govern when you feel you must assert yourself or correct someone's misconception about you. In more formal situations such as trying to get services or even dealing with a public employee such as a bus driver, it helps, and at times is essential, to know your rights. Some recent

legislation has strengthened the position of people with disabilities but the laws are only effective if the people they are meant to protect know about them. Who else will bring attention to their violation? Publications such as those listed above available through P&A can be a good place to start to learn more about your rights.

- Learn how to deal with bureaucracies - Remember that employees of government agencies are public servants, paid by your taxes to provide the services you seek. They are not doing you a favor. Try not to be intimidated or feel you need to apologize be prepared and learn the steps to escalate your efforts if need be. Assertiveness lessons might come in handy in addition to patience and persistence.
- Join or organize an advocacy group - A collective effort can have greater impact than a single individual. This is especially true when advocating for the rights of people with disabilities. It pays to have an organization ready to take on an issue before it becomes a disaster, and to serve as a “watchdog” meanwhile, so that relevant agencies watch their step a little more carefully.
- Get the legislature to respond - Every citizen should know who his or her elected representatives are and vote. You can find out who your state Senator and Representative is by calling your local town hall. Federal Senators and Congressmen are listed in the blue pages of your telephone book under “United State Government.” When there is a bill pending (state or federal) that you support or oppose or an issue you are concerned about, write, telegram or phone your elected official. Get a group to write. You can also make an impact through personal contact, especially with a group of people behind you. If you don’t know the legislative process in Connecticut works--make it your business to find out
- Use the media - Never underestimate the “power of the press.” The media, including newspapers, radio and television can be an effective device either for publicizing a particular issue or gaining publicity for a group’s activities. Positive portrayals of people with disabilities are particularly important. Approaches can include press releases, features, community affairs programs and public service announcements. As we

continue to see increased cuts in services increased public awareness of the needs of people with disabilities will be even more critical.

ADDITIONAL ADVOCACY EFFORTS CAN INCLUDE

The SCIA, CT Chapter has an active Advocacy Committee, which is always looking for new members. Contact the Chapter if you are interested. Please support "Special Alerts" when you get them in your email. Contact the Chapter if you have additional issues that should be addressed.

Get Legal Advice - Several attorneys in Connecticut have been involved in legal issues relevant to individuals with disabilities such as home care and durable medical equipment.

Contact:

Statewide Legal Services of Connecticut

1290 Silas Deane Highway
Wethersfield, CT 06109
800-453-3320 (Toll-Free)
860-344-0380 (From Middletown & Hartford)
www.slsct.org

For individuals on Medicare there is also:

Center for Medicare Advocacy

P.O. Box 350
Willamantic, CT 06226
860-456-7790
www.medicareadvocacy.org