

The Protection and Advocacy System for the
State of Wyoming

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A graphic element consisting of a vertical black line on the left, with three overlapping squares (blue, red, and yellow) to its left. A horizontal black line extends from the vertical line to the right, underlining the 'CAP' text.

CAP

Client Assistance Program

Independent Living



A Handbook of Services and Procedures
Protection & Advocacy System, Inc.

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**PROTECTION & ADVOCACY
SYSTEM, INC.**

**CLIENT ASSISTANCE PROGRAM
(CAP)**

320 West 25th Street, 2nd Floor
Cheyenne, Wyoming 82001

1-307-638-7668 (Voice/TDD)
1-800-821-3091 (Assistance Requests
Only/Outside of Cheyenne)
1-307-638-0815 (FAX)
E-mail: wypanda@wypanda.com
Website: www.wypanda.com



This handbook was made available by the Wyoming Client Assistance Program, a federal program under the Rehabilitation Act of 1973, Title I, Section 112, as amended.

This pamphlet is not intended to constitute legal advice. For legal advice, you should contact an attorney. The Wyoming State Bar Association operates a lawyer referral service. For lawyer referrals, please contact the Wyoming State Bar office at (307) 632-9061.

IL CENTERS

Wyoming Independent Living Rehabilitation 305 West 1st Street, Casper, WY 82601	1-307-266-6956 1-800-735-8322 Clients Only
Wyoming Services for Independent Living 1156 South Second Street, Lander, WY 82520	1-307-332-4889 1-800-266-3061 Clients Only

DVR ADMINISTRATION

1100 Herschler Building, Cheyenne, WY 82002 1-307-777-7386

DVR DISTRICT OFFICES

851 Werner Court, Suite 120, Casper, WY 82601	1-307-261-2172
1510 East Pershing Boulevard, Cheyenne, WY 82002	1-307-777-7364
1026 Blackburn, #3, Cody, WY 82414	1-307-527-7174
355 Russell Ave., Douglas, WY 82633	1-307-358-4688
350 City View Drive, #205, Evanston, WY 82930	1-307-789-2766
1901 Energy Court, Suite 140, Gillette, WY 82718	1-307-682-2672
P. O. Box 2873, 155 West Gill, Jackson, WY 83001	1-307-733-6150
259 Main Street, Lander, WY 82520	1-307-332-4465
710 Garfield, #110, Laramie, WY 82070	1-307-745-3160
215 West Buffalo, #312, Rawlins, WY 82301	1-307-324-2238
609 East Madison, Suite 3, Riverton, WY 82501	1-307-856-2393
2451 Foothill Blvd, #100, Rock Springs, WY 82901	1-307-362-2770
61 South Gould, Sheridan, WY 82801	1-307-674-7529
1618 East M Street, Torrington, WY 82240	1-307-532-4431
1200 Culbertson, Suite F, Worland, WY 82401	1-307-347-3396
P. O. Box 87, Kemmerer, WY 83101	1-307-877-9334

BRAIN INJURY ASSOCIATION OF WYOMING

111 West 2nd Street, Suite 106, Casper, WY 82601 1-307-473-1767
1-800-643-6457
Clients Only

ILS GRANT FUNDS (Part C funding) (As of April 1, 2005)

Level 1—Informal Review—Promptly contact the supervisor of the Independent Living specialist after the specialist makes a final decision with which you do not agree.

Level 2—Administrative Review—Within 10 days of the informal review decision, request by letter to the Independent Living center director a review of the supervisor's decision. If the center's director is the specialist's supervisor, proceed directly to a Fair Hearing.

Level 3—Formal Review (Fair Hearing)—Within 10 days of an administrative review decision, request by letter to the Independent Living center director a Fair Hearing.

Note: Mediation Option—Include in the letter requesting a Fair Hearing the option of mediation prior to a Fair Hearing.

Level 4—Review of the Fair Hearing Decision—Within 20 days of the Fair Hearing decision, request a review by the Independent Living center's board of directors.

Level 5—Appeal to District Court—Within 30 days of the disputed decision, file an appeal with the District Court.

It is important for you to respond within applicable deadlines, in writing, to any correspondence you receive concerning your appeal. If you have any questions, get assistance!

WHAT IS THE CLIENT ASSISTANCE PROGRAM?

The Client Assistance Program (CAP) of Protection & Advocacy System, Inc. is a federal program initiated under the Rehabilitation Act of 1973, as amended. It is available to clients, client applicants, and former clients of Independent Living centers. The primary goal of CAP is to identify, explain, and resolve as quickly and efficiently as possible any problems you may be having with your Independent Living center and/or related services.

CAP can:

- ◆ Advise you of ways to resolve problems that interfere with the delivery of services from your Independent Living center
- ◆ Explain services and programs provided by Independent Living centers
- ◆ Refer you to other resources for services
- ◆ Assist Independent Living centers in identifying and removing barriers to better serve clients

CAP services are free of charge and available to individuals regardless of sex, race, religion, color, national origin, age, or disability.

If you need assistance or have further questions at any time during your Independent Living program, call (307) 638-7668 or (800) 821-3091 (Assistance Requests Only/Outside of Cheyenne).

WHAT IS INDEPENDENT LIVING?

Independent Living offers a menu of services that are consumer-oriented and individualized to meet the needs of persons whose significant disabilities are a barrier to independence within family and/or community. All services are designed to enhance mobility, increase the ability to care for oneself, to communicate and to be able to independently live in the community of choice. Services are provided by an Independent Living specialist through an Independent Living center or through individual contracts for services.



Wyoming's State Independent Living Council (SILC) advises on priority needs of persons with significant disabilities in Wyoming and participates actively in long range planning to meet and fund these needs. A majority of council members are persons with significant disabilities.

DVR AFFILIATION (Part B funding) (As of April 1, 2005)

Level 1—Informal Review —Promptly contact the director of the Independent Living center after your Independent Living specialist makes a final decision with which you do not agree.

Level 2—Administrative Review—Within 10 days of the Independent Living center director's decision, request by letter to the DVR State administrator a review of the decision and copy to the Independent Living center director.

Level 3—Formal Review (Fair Hearing)—Within 10 days of an administrative review decision, request by letter to the DVR State administrator a Fair Hearing and copy to the Independent Living center director.

Note: Mediation Option —Include in the letter requesting a Fair Hearing the option of mediation prior to a Fair Hearing.

Level 4—Review of the Fair Hearing Decision—Within 20 days of the DVR administrator decision, request by letter to the DVR administrator a review by the Director of the Department of Workforce Services.

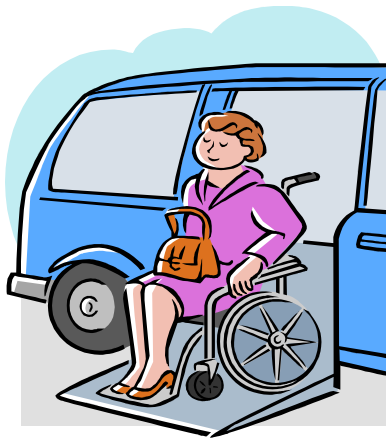
Level 5—Appeal to District Court—Within 30 days of the disputed decision, file an appeal with the district court.

It is important for you to respond within applicable deadlines, in writing, to any correspondence you receive concerning your appeal. If you have any questions, get assistance!

HOW DO I APPEAL A DECISION?

By talking openly with your Independent Living specialist about your situation, most concerns can be resolved early. It is only when there is a problem that cannot be resolved by you and your Independent Living specialist that you may need the appeal process.

There are several progressive steps in the appeal process. By complying with deadlines and procedures, you may appeal to the next level of authority. Keep a copy of all correspondence you send or receive.



Since Independent Living centers receive funds from the Division of Vocational Rehabilitation and from other sources, your appropriate

appeal procedure will be determined by the funding source for your particular program. Your Independent Living specialist or CAP representative can assist you. The process works basically in the same manner; the people involved will differ. Following are two step-by-step lists of how the process works.

WHAT CAN INDEPENDENT LIVING DO FOR ME?

Independent Living can assist in a number of ways. Needs may be met with one telephone call or may require ongoing assistance.

The Independent Living core services are:

- ◆ Individual and systems advocacy
- ◆ Information and referral
- ◆ Independent Living skills training
- ◆ Counseling (including cross disability peer counseling)

Other related services may include:

- ◆ Visually Impaired Program (VIP) provides services for senior citizens, 55 years or older, who have blindness or severe visual impairments
- ◆ Community advocacy services around the state
- ◆ Specialized adaptive equipment available for loan
- ◆ Provision of job coach services
- ◆ Braille services

Additionally, contractual agreements can be made in order to better reach groups that are unserved or under-served. One such agreement is with the Brain Injury Association of Wyoming (BIAW) to assist people with acquired brain injury. BIAW can provide direct services or services that are in addition to those provided by Independent Living centers.

Examples of services of BIAW are:

- ◆ Advocacy
- ◆ Education/Training/Annual Conference
- ◆ Information, referral, and resource location
- ◆ Lending Library
- ◆ Support groups and community resource teams
- ◆ Prevention/Helmets

WHO CAN GET SERVICES?

To be eligible for services, one must:

- ◆ Have a significant physical or mental impairment...that causes severe limitations in the ability to function independently in the family or community.
- ◆ Be able to benefit from Independent Living services to function independently in the family or community.

HOW DO I GET SERVICES?

Contact the nearest Independent Living specialist who will set up an appointment. Two Independent Living centers and the BIAW serve the state. (See inside back cover for Independent Living centers, DVR offices, and BIAW office.)

Your local Wyoming Division of Vocational Rehabilitation (DVR) also can refer you to the Independent Living specialist in your area.

WHAT ARE MY RIGHTS?

As a client or client applicant of Independent Living, you need to know and understand your rights.

- ◆ Independent Living services are provided on a nondiscriminatory basis without regard to race, color, religion, sex, age, national origin, or disability.
- ◆ All information given to Independent Living by you or someone who has examined you will be used toward providing services. This information may be shared within the Independent Living center and during periodic case file reviews done by local, state, or federal reviewers. These reviews are to ensure the best quality of service to you. No personal information will be released to anyone else without your signing a release form.
- ◆ You have the right to see most of the information in your case file. If there is information which your Independent Living specialist believes could be harmful to you, then you will be advised to consult with the person who wrote the report. This is the only situation where information can be withheld from you.
- ◆ You have the right of appeal. For further explanation of the procedure, contact the Independent Living specialist or a Client Assistance Program representative.

Services are clear and directed. If your requests are realistic and appropriate, your Independent Living specialist will make every effort to assist you to accomplish those changes.

HOW LONG DO THESE SERVICES CONTINUE?

That is between you and your Independent Living specialist.

You and your Independent Living specialist will see if the goals have been achieved. If it is agreed that no additional or continued services are needed, you will be informed in writing that your case will be closed.

Also, you will be advised that you can reapply to Independent Living for services if your situation changes. Closing a case is not final; you may reapply at any time.



At the appointment, a specialist will explain the eligibility requirements and the Independent Living process. The specialist will want to know your medical, educational, and vocational background.

This information gives the specialist a better understanding of the disability, what further information is needed to determine eligibility, and the services which might be beneficial.

WHAT IS THE PROCESS?

A diagnostic evaluation is necessary to determine eligibility. All information must reflect your current situation. The Independent Living specialist can assist you in gathering this necessary information at no cost to you. It may be necessary to have current examinations by medical specialists or psychologists in order to complete the eligibility process. Once the Independent Living specialist has a complete understanding of your situation, then eligibility can be determined. This determination can usually be made within a few weeks of application.



WHO PAYS FOR THESE SERVICES?

There are services which are free of charge. Included are advocacy, IL skills training, peer counseling, information and referral, and diagnostics. For services which are not free, you will be asked to contribute based on your resources. Resources such as Social Security, Worker's Compensation, medical insurance, and in-kind contributions will be considered. The application includes a financial statement to list income, assets, and expenses.

- Any services that Independent Living is to pay for must be agreed upon with your Independent Living specialist prior to the purchase.
- Independent Living cannot pay for services that were purchased before your Independent Living specialist agreed to the payment and authorized it in writing.



THE INDEPENDENT LIVING PLAN—WHAT IS IT?

After being determined eligible for services, you and your Independent Living specialist may develop a plan of services or the Independent Living Plan (ILP). The Independent Living Plan should fit you and your unique needs. That is why it is important to share your thoughts, goals, and motivations. The Independent Living specialist can then use his/her expertise to make the plan as comprehensive as possible. By working together, your program can succeed.

- Services can be provided without an Independent Living Plan if you prefer. You will then be asked to sign a waiver.

- If you choose to have a plan, be involved in its development. If you are unclear on any point, ask questions. Once you and your Independent Living specialist have agreed to and signed the plan, you will be given a copy. Keep this copy and refer to it often.

- After your plan has been signed and implemented, circumstances can change. You and your Independent Living specialist must review your Independent Living Plan at least once a year. If at any time you think a change is necessary, ask for a review.