

House District _____

Senate District _____

**THE TWENTY-SEVENTH LEGISLATURE
APPLICATION FOR GRANTS & SUBSIDIES
CHAPTER 42F, HAWAII REVISED STATUTES**

Log No: _____

For Legislature's Use Only

Type of Grant or Subsidy Request:

GRANT REQUEST – OPERATING

GRANT REQUEST – CAPITAL

SUBSIDY REQUEST

"Grant" means an award of state funds by the legislature, by an appropriation to a specified recipient, to support the activities of the recipient and permit the community to benefit from those activities.

"Subsidy" means an award of state funds by the legislature, by an appropriation to a recipient specified in the appropriation, to reduce the costs incurred by the organization or individual in providing a service available to some or all members of the public.

"Recipient" means any organization or person receiving a grant or subsidy.

STATE DEPARTMENT OR AGENCY RELATED TO THIS REQUEST (LEAVE BLANK IF UNKNOWN): _____

STATE PROGRAM I.D. NO. (LEAVE BLANK IF UNKNOWN): _____

1. APPLICANT INFORMATION:

Legal Name of Requesting Organization or Individual: Hawaii Disability Rights Center

Db/a:

Street Address: 1132 Bishop Street

Mailing Address: 1132 Bishop Street, Suite 2102
Honolulu, Hawaii 96813

2. CONTACT PERSON FOR MATTERS INVOLVING THIS APPLICATION:

Name LOUIS ERTESCHIK

Title Executive Director

Phone # 949-2922 ext. 211

Fax # 949-2928

e-mail louis@hawaiidisabilityrights.org

3. TYPE OF BUSINESS ENTITY:

- NON PROFIT CORPORATION
- FOR PROFIT CORPORATION
- LIMITED LIABILITY COMPANY
- SOLE PROPRIETORSHIP/INDIVIDUAL

6. DESCRIPTIVE TITLE OF APPLICANT'S REQUEST:

PROTECTION AND ADVOCACY SERVICES FOR INDIVIDUALS WITH DISABILITIES

4. FEDERAL TAX ID #: _____

5. STATE TAX ID #: _____

7. AMOUNT OF STATE FUNDS REQUESTED:

FISCAL YEAR 2014: \$ 100,000

8. STATUS OF SERVICE DESCRIBED IN THIS REQUEST:

- NEW SERVICE (PRESENTLY DOES NOT EXIST)
- EXISTING SERVICE (PRESENTLY IN OPERATION)

SPECIFY THE AMOUNT BY SOURCES OF FUNDS AVAILABLE AT THE TIME OF THIS REQUEST:

STATE \$ 52,000
 FEDERAL \$ 1,268,700
 COUNTY \$ 0.00
 PRIVATE/OTHER \$ 0.00

LOUIS ERTESCHIK
NAME & TITLE

January 24, 2013
DATE SIGNED

Application for Grants and Subsidies

I. Background and Summary

This application is from the Hawaii Disability Rights Center (HDRC), the State of Hawaii's designated Protection and Advocacy (P&A) System for individuals with disabilities, as established in federal law.

The goal is to have a service agency provide a system to protect and advocate for the human, civil, and legal rights of persons with developmental disabilities and mental challenges, as established in the constitutions and laws of the United States and the State of Hawaii. That service agency shall be independent of any agency that provides treatment, service or habilitation to such a person.

HDRC is applying for this State funding to expand its federally-funded:

- **Protection and Advocacy System services (six programs):**
 - Protection and Advocacy for Assistive Technology (PAAT)
 - Protection and Advocacy for Developmental Disabilities (PADD)
 - Protection and Advocacy for Individuals with Mental Illness (PAIMI)
 - Protection and Advocacy for Individual Rights (PAIR)
 - Protection and Advocacy for Individuals with Traumatic Brain Injury (PATBI)
 - Protection and Advocacy for Voter Access (PAVA)

Services will be offered to resolve rights violations related to the following eight issues:

- Care and Treatment
- Citizenship
- Education
- Employment
- Freedom of Association
- Housing
- Justice
- Programs and Services

All Services will strive to achieve one of the following outcomes:

- Freedom from Abuse and Neglect
- Accessible Communities
- Independence, Productivity, Integration and inclusion
- Self Determination

Services will include:

- Outreach
- Education

- Information and Referral
- Materials Distribution
- Individual Advocacy, including Technical Assistance for Self Advocacy, Short Term Assistance and Comprehensive Advocacy, including legal representation, and, if necessary, litigation.
- Systemic Advocacy, which may include Collaboration for Change, Legal/Class Action Litigation and Legislative/Regulatory Advocacy.

Services of all programs will be provided for individuals with disabilities throughout the State of Hawaii. The funding will enable HDRC to expand its federally-funded services by approximately six percent.

The requested funding amounts and funding periods are:

- FY 2014 (July, 2013 - June 2014) \$100,000.00
- This would represent a modest restoration of the cuts in state and federal funding which have reduced HDRC's budget by \$365,000.00 per year.

II. Service Summary and Outcomes

HDRC provides a range of services to address and rectify rights violations experienced by individuals with disabilities. They are:

Client Services - Definitions of "Core" Services

As required by certain Federal contracts, the Center provides "core services" for members of the community, who may not necessarily meet the eligibility criteria of one of the HDRC programs, and for whom HDRC does not collect individual demographic data. These core services are:

1. Outreach - the provision of targeted information to specific populations regarding the activities of HDRC; and that is linked to an objective of a specific priority. Outreach is utilized by the Center to inform "un-served" and "under-served" (disability, ethnic, geographic) communities about HDRC services.
2. Education - the dissemination of information through an interactive event to promote a greater understanding of the constitutional or statutory rights of people with disabilities. The activity is specifically targeted to meet the unique needs of the group being trained and may be linked to one or more specific HDRC priorit(y/ies).
3. Information and Referral - the provision of brief oral or written information (not legal advice) such as generic information about HDRC, or about other additional programs and resources external to HDRC that relate to the individual's service needs and statutory or constitutional rights as a person with a disability. I&R is generally of short duration, typically ranging from a few minutes to an hour and does not involve direct advocacy intervention by staff, or any type of follow-up. Individuals receiving I&R services are not counted as HDRC clients. To the extent possible, applications staff will:
 - Determine the problem or issue for which the person is seeking assistance;
 - Determine the nature of the assistance being requested and/or needed; and
 - Explain why HDRC is not able to provide services requested.Using resource directories (such as "211" and "Real Choices"), provide the requester with the name, address and phone numbers of at least two agencies or persons that may be able to provide assistance.

Client Services - Definitions of Individual Advocacy Services

Individual advocacy is a service provided for individuals who meet the eligibility criteria of one of HDRC's programs, for whom demographic data is collected, who have a complaint, and for whom HDRC provides an intervention. The Center provides, and keeps data, on three levels of individual case work, as follows:

1. Technical Assistance in Self-Advocacy (TASA) - Time limited advice and assistance which may include reviewing information, explaining service delivery system(s), counseling a client on actions one may take, and assisting the client in preparing letters, documents or making telephone calls to resolve the issue. *The problem is resolved by the client, under the guidance of the advocate*, who follows up to assure the success of the client in resolving the

problem. This service definition involves limited expenditure of hours extending over hours or days or, rarely, several weeks. As a general guideline, assistance that required four or more hours should be reviewed to determine if Comprehensive Advocacy was provided.

2. Short-term Assistance (STA) - Time limited advice and assistance which may include information review, investigation, counseling a client on intervention options, and *staff intervention on behalf of the client* by preparing letters and/or other documents or making telephone calls to resolve the issue for the client, and short-term monitoring. This service definition involves limited expenditure of hours extending over days or, rarely, several weeks. As a general guideline, assistance that required four or more hours should be reviewed to determine if Comprehensive Advocacy was provided.
3. Comprehensive Advocacy (CA) - The expenditure of multiple hours, usually extending over a period of several months or, rarely, spanning years. Comprehensive Advocacy addresses one problem of one individual, requiring the use of any of the following specialized Intervention strategies by an HDRC advocate or attorney:
 - *Investigation* - The systematic and thorough searching, gathering, examination and study of factual information from people, records, evidence and circumstances that answers questions or solves problems surrounding an allegation, usually of neglect or abuse. The end result of an investigation is a factual explanation of what happened, or what is happening now. Simply defined, an investigation is a systematic gathering of the facts. Investigations require a significant expenditure of time, and include interviewing witnesses, gathering evidence and generating a written report.
 - *Monitoring* - HDRC staff may serve as monitors, as in "court-ordered monitor" of a settlement agreement or consent decree, and to inform the Court of failures to comply with the agreement or decree. HDRC may monitor other situations, such as Medicaid deficiency reports, utilizing the same intense methodology and reporting requirements. 'Monitoring' means review of reports and on-site visits of facilities to assess risk of neglect and/or abuse; identify unsafe or questionable conditions and practices; to eliminate or prevent neglect, abuse and death of individuals with disabilities receiving services in public or privately operated facilities; and to enhance the effectiveness of the systems charged with licensing and accrediting facilities that provide care and treatment for individuals with disabilities.
 - *Informal Review / Negotiation / Other Alternative Dispute Resolution* - Non-legal intervention by HDRC staff to assist the client in resolving problems with facility staff or other agency representatives, without a formal appeal. In negotiation, HDRC staff clearly represent and advocate for the expressed preference of our client. In mediation (HDRC rarely acts as the mediator) the mediator remains neutral, guiding both parties to a mutually satisfactory resolution.
 - *Administrative Remedies* - The use of procedures within an agency or facility, or between agencies, (not involving adjudication by a court of law) to appeal a decision.

- *Legal Remedies/Litigation* - The legal representation of clients in court processes concerned with rights, grievances, or appeals of such rights or grievances.

Client Services - Definitions of Systemic / Policy Advocacy Services

Systemic Advocacy is an activity undertaken to effect changes in policies and practices of systems that impact people with disabilities. These "systems" include State agencies, residential facilities, and other service providers.

Before a systems case is opened, a problem must be clearly identified and articulated in writing, and a plan to address and resolve the problem must also be clearly articulated in writing. Quarterly written progress reports must be prepared during the duration of the case. At the time of resolution, a concisely written outcome narrative must be prepared and submitted with the case file.

1. **Collaboration for Change** - Activity conducted in concert with one or more other organizations with a time-limited plan and a specific strategy to achieve a desired change in social practice.
2. **Legal / Class Action Litigation** - A legal action undertaken on behalf of a group (class) of individuals who are all experiencing the same violation of a legal or civil right.
3. **Legislative / Regulatory Advocacy** - Activity that involves monitoring, evaluating, and commenting upon the development and implementation of Federal, State, and local laws, regulations, plans, budgets, taxes and other actions which affect people with disabilities.

Legal Representation

Federal Protection and Advocacy statutes and regulations require the designated P&A System to have the capacity to provide full legal representation, including litigation, if necessary, to protect the rights of the System's clients. Federal reviewers monitor and verify compliance with this requirement. The HDRC staff includes attorneys licensed and in good standing in the State of Hawaii, supported by paralegal, advocate and administrative staff. In addition, HDRC retains Co-Counsel or Of Counsel attorneys from the private bar, as needed, to fulfill its legal requirements.

Basic Eligibility Requirements

1. The individual has a **disability**, as defined in one of our P&A programs; and
2. The individual meets the **eligibility criteria** as defined in P&A program; and
3. The individual has a **problem** that has resulted from or is related to the disability; and
4. The individual's problem is within HDRC's current Client Services **priorities**.

These questions help HDRC evaluate requests for assistance

1. Is the individual able to advocate for the resolution of his/her own problem?
2. Are there other advocacy resources available to this individual?
3. How immediate, severe and long-lasting are the effects of the problem on the individual?
4. How complex is the individual's problem or the bureaucracy or service delivery system causing the problem?
5. Does the individual have a claim backed up with strong moral or legal grounds or other evidence?
6. Does this claim have the potential to impact the legal rights of other people with disabilities?
7. Does this claim have a good possibility of satisfactory resolution through HDRC intervention?
8. Does HDRC staff have the expertise necessary to resolve this problem?
9. Does HDRC have adequate staff and resources to accept this case without negatively affecting existing clients?

HDRC does not provide assistance when:

1. The individual does not have a disability, or does not have a disability-related problem.
2. The individual is represented by another attorney or agency.
3. The individual's problem is one commonly accepted by the private bar or by local legal services programs, or the legal expertise is available elsewhere.
4. The individual's problem involves a statutory right to appointed counsel.
5. The problem concerns the interests of service providers or families, guardians, or conservators of persons with disabilities, unless that interest is consistent with the interest of the person with a disability.

HDRC, Hawaii's designated P&A is already offering and providing these services to all geographic areas of the State of Hawaii.

The amount of the requested funds is approximately six (6) percent of HDRC's federal income for Protection and Advocacy System services. Over all, this means this funding purchases the following Protection and Advocacy System services from the Hawaii Disability Rights Center in a twelve-month period:

- 35 - 40 Outreach Activities
- 15 - 20 Education Activities
- 750 Printed Materials distributed
- 100 Information and Referrals
- 65 Individual Cases
- 1 Systemic Issue Cases

The target population for these services are individuals with disabilities in the State of Hawaii.

The U.S. Census Bureau estimated in 2011, that the State of Hawaii had 1,374,810 residents. The number of Hawaii's citizens with a disability, over the age of 5 in 2010, was 333,142.

Disability refers to a restricted capability to perform or an inability, as in a medically diagnosed condition, that makes it difficult to perform some or all of the tasks of daily life. American Heritage defines disability as "a disadvantage or deficiency, especially a physical or mental impairment that interferes with or prevents normal achievement in a particular area, or something that hinders or incapacitates." This definition of disability parallels most civil rights laws today that protect the rights of people with disabilities, including:

The Rehabilitation Act and Americans with Disabilities Act (ADA) definition is a functional one and does not list specific disabilities. It defines the term disability with respect to an individual as "(1) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such a impairment."

The Individuals with Disabilities Education Act defines disability (in regards to learning) as "A physical or mental impairment that adversely affects a child's educational performance."

Disability (in regards to work) as contained in the Social Security Act means "inability to engage in any substantial gainful activity. . ."

The definition of "Disability" contained in the Developmental Disabilities Act: "A developmental disability is a severe, chronic disability of a person five years of age or older which is attributable to a mental or physical impairment or combination of mental or physical impairments; is manifested before the person attains age twenty-two; is likely to continue indefinitely; results in substantial functional limitations in three or more of the following areas of major life activity: 1) self-care, 2) receptive and repressive language, 3) learning, 4) mobility, 5) self-direction, 6) capacity for independent living, and 7) economic self-sufficiency . . ."

It is the policy of HDRC to only serve individuals who have a disability and who are residents of the State of Hawaii.

HDRC application procedures require the identification of the applicant's disability, so that the appropriate federal funds are used to serve the individual, and the service provided is reported to the appropriate federal agency. The following disabilities are specifically reported to HDRC's federal grantors on the annual Program Performance Reports (PPRs):

- | | | |
|----------------------------|------------------------|--------------------------------------------------------------|
| 1. AIDS/HIV | 14. Epilepsy, Seizure | 25. Multiple Sclerosis |
| 2. Alzheimer's | 15. Fibromyalgia | 26. Muscular Dystrophy |
| 3. Arthritis | 16. Genitourinary | 27. Neurological |
| 4. Autism | 17. Heart, Circulatory | 28. Oncology, Cancer |
| 5. Blind/Visual Impairment | 18. Hydrocephaly | 29. Orthopedic, Absence of
Extremities, Para/Quadriplegia |
| 6. Brain Injury, TBI | 19. Kidney, Liver | 30. Parkinson's |
| 7. Cerebral Palsy | 20. Learning | |

8. Deaf, Hard of Hearing	Disability/ADD/ADHD/	31. Speech, Language Impairments
9. Developmental Disability	SLD/Dyslexia	32. Spina Bifida
10. Diabetes	21. Lung/ Emphysema/Respiratory	33. Spinal Cord Injury
11. Digestive, Eating Disorders	22. Lupus	34. Tourette's Syndrome
12. Dwarfism	23. Mental Illness, SED, ODD	35. Other
13. Environmental Illness, Multiple Chemical Sensitivity Syndrome	24. Mental Retardation/Down Syndrome	

Advocacy Principles

HDRC strives to provide services that are:

- Sensitive to the personal dignity, choice and cultural/ethnic diversity of each client;
- Offered with appropriate accommodations;
- Distributed based on the needs of people with disabilities; and
- Consumer driven and consumer responsive.

Advocacy Interventions

HDRC always tries to resolve problems with the lowest feasible level of intervention, such as **counseling/professional assistance, investigation, monitoring, mediation, negotiation, arbitration, administrative reviews; and administrative appeals.**

However, Congress has directed that protection and advocacy systems should have the capacity to provide full **legal representation** for its clients, **including litigation**, if necessary.

Priorities for the Provision of Services

Priorities are those issues that are given preference in the case screening and selection process. Once each year HDRC holds a public comment period to solicit comments and recommendations from its constituency and the community on those issues which should be priorities for the Center. HDRC client services priorities should be:

- Compatible with our mission and values
- Compatible with our areas of expertise (i.e. problems have legal implications)
- Compatible with our federal eligibility requirements
- Unmet by other organizations
- Of probable significant impact (Individual and systemic)
- Feasible - cost is within HDRC resources; and
- Consistent with funding requirements

Client Services Outcome Measurements

HDRC strives to achieve one of the following outcomes each time it intervenes on behalf of an

individual with a disability:

1. Freedom from Abuse and Neglect (FAN) - People with disabilities are free from acts, or failures to act, which result in their physical, psychological or financial harm or death.
2. Accessible Communities (AC) - People with disabilities gain access to employment, public facilities, programs and services and transportation as established in the Americans with Disabilities Act.
3. Independence, Productivity, Integration and Inclusion (IPII) - People with disabilities have the right to live freely; to enjoy the opportunities to experience personal growth, to work and contribute to society; and to be accepted and recognized for their abilities. They have the right to accept challenges, to take risks, to learn from mistakes and to experience success. They have the right to live in interdependent relationships in their own homes and communities.
4. Self Determination (SD) - People with disabilities advocate and make choices for themselves; select, control and evaluate the services they receive; and demonstrate their own competence.

Table 1, below, identifies HDRC's "*Advocacy Goals*" at the nexus of each Rights Issue and Outcome Measure. So, for example, at the intersection of Issue 6, "Housing", and Outcome B, "Accessible Communities", the goal is "*People with disabilities have accessible homes.*"

Table 2, below, lists the "*Rights Violations*" reported to our federal grantors, by Rights Issue and Outcome Measure. So, for example, at the intersection of Issue 3, "Education", and Outcome C, "Independence, Productivity, Integration and Inclusion" the rights violations tracked and reported are "*Early ID & Intervention, Evaluation, IEPs, 504 Plans, Placement-Integration, School to Work Transition, Related Services, AT – SPED, and AT – Post Secondary.*"

Table 1. HDRC Advocacy Goals - HDRC services are provided to protect these rights (1-8), advocate for these outcomes (A-E) and achieve these goals (1.A – 8.E).

	1. CARE & TREATMENT	2. CITIZENSHIP	3. EDUCATION	4. EMPLOYMENT	5. FREEDOM OF ASSOCIATION	6. HOUSING	7. JUSTICE	8. PROGRAMS & SERVICES
A. FREEDOM FROM ABUSE AND NEGLECT	1.A - Goal	2.A - Goal	3.A - Goal	4.A - Goal	5.A - Goal	6.A - Goal	7.A - Goal	8.A - Goal
	People with disabilities who live in 24-hour care and treatment facilities are free from abuse and neglect.	People with disabilities are not abused or neglected while performing their duties as citizens.	Children with disabilities are not unlawfully disciplined, suspended or expelled from school.	People with disabilities are not abused or neglected in the workplace.	People with disabilities are not subject to involuntary sterilization.	People with disabilities are not abused or neglected in their homes.	People with disabilities are not abused or neglected during detention, nor denied lawful release.	People with disabilities are not abused or neglected by their service providers.
B. ACCESSIBLE COMMUNITIES	1.B - Goal	2.B - Goal	3.B - Goal	4.B - Goal	5.B - Goal	6.B - Goal	7.B - Goal	8.B - Goal
	Care & treatment facilities are accessible to people with disabilities.	Public facilities are accessible to people with disabilities.	Schools are accessible to children with disabilities	Vocational preparation sites and workplaces are accessible to people with disabilities.	Freedom of Association is not limited by inaccessible facilities.	People with disabilities have accessible homes.	Judicial and detention facilities are accessible to people with disabilities.	Programs and services are accessible to people with disabilities.
C. INDEPENDENCE, PRODUCTIVITY, INTEGRATION, INCLUSION	1.C - Goal	2.C - Goal	3.C - Goal	4.C - Goal	5.C - Goal	6.C - Goal	7.C - Goal	8.C - Goal
	People with disabilities receive care and treatment that is appropriate and provided in the least restrictive environment.	People with disabilities can vote, serve on juries, and become naturalized citizens.	Children with disabilities are identified, evaluated, and receive a free and appropriate public education and related services.	People with disabilities receive training and are accommodated in hiring, employment and advancement.	People with disabilities enjoy freedom of movement and choice of activities.	People with disabilities live in the community; and keep service or companion animals at home.	People with disabilities have competent and timely legal representation	People with disabilities have the finances, services, technology and transportation they need to live independently
D. SELF DETERMINATION	1.D - Goal	2.D - Goal	3.D - Goal	4.D - Goal	5.D - Goal	6.D - Goal	7.D - Goal	8.D - Goal
	People with disabilities make their own decisions about their care and treatment.	People with disabilities can own property, enter contracts, make wills and travel freely.	Parents and children make decisions about their education.	People with disabilities make decisions about their vocational training goals and employment.	People with disabilities make decisions about relationships, marriage, and parenthood.	People with disabilities own homes. make decisions about their housing.	People with disabilities with capacity are their own guardians.	<i>People with disabilities make decisions about their programs and services.</i>
E. PROVISION OF INFORMATION	1.E - Goal	2.E - Goal	3.E - Goal	4.E - Goal	5.E - Goal	6.E - Goal	7.E - Goal	8.E - Goal
	People with disabilities have information about and appropriate referrals for care and treatment issues not addressed by HDRC.	People with disabilities have information about and appropriate referrals for citizenship issues not addressed by HDRC.	People with disabilities have information about and appropriate referrals for education issues not addressed by HDRC.	People with disabilities have information about and appropriate referrals for employment issues not addressed by HDRC.	People with disabilities have information about and appropriate referrals for family issues not addressed by HDRC.	People with disabilities have information about and appropriate referrals for housing issues not addressed by HDRC.	People with disabilities have information about and appropriate referrals for justice issues not addressed by HDRC.	People with disabilities have information about and appropriate referrals for services issues not addressed by HDRC.

Table 2. Disability Rights Violations - HDRC works to protect these rights (1-8), advocate for these outcomes (A-E), and resolve these rights violations (1.A - 8.E).

	1. CARE & TREATMENT	2. CITIZENSHIP	3. EDUCATION	4. EMPLOYMENT	5. FREEDOM OF ASSOCIATION	6. HOUSING	7. JUSTICE	8. PROGRAMS & SERVICES
A. FREEDOM FROM ABUSE AND NEGLECT	1.A - Violations 01 Death Abuse 02 Financial 03 Physical 04 Psychological 05 Sexual 06 Medications 07 Medical 08 MH Treatment 09 MH Aversive Therapy 10 MH ECT 11 MH S&R <u>Neglect</u> 12 Facility Condition 13 Failure to Discharge	2.A - Violations 14 Personal Care 15 Personal Safety 16 Medications 17 Mental Health 18 Medical <u>Inappropriate or excessive:</u> 19 Physical restraint 20 Chemical restraint 21 Mechanical restraint 22 Seclusion	3.A - Violations 01 Abuse at School 02 Arrest, Suspension, Expulsion	4.A - Violations 01 Abuse in the Workplace 02 Neglect in Vocational Rehabilitation Programming	5.A - Violations 01 Involuntary Sterilization	6.A - Violations 01 Unlawful Eviction 02 Other Abuse in Housing	7.A - Violations 01 Denial of Rights in Pre-Sentencing 02 Inhumane Treatment during Detention 03 Delayed Release after Civil Commitment 04 Delayed Release after Criminal Commitment 05 Denial of Rights During Probation or Parole	8.A - Violations 01 Abuse in Provision of Programs & Services 02 Substandard Programs & Services
	1.B - Violations 01 Accessible Care & Treatment Facilities	2.B - Violations 01 Accessible Public Facilities 02 Accessible Voting 03 AT - Architectural Accessibility 04 AT - Accessible Polling Places	3.B - Violations 01 Accessible Schools 05 AT - Accessible Voter Registration 06 Accessible Emergency Shelters	4.B - Violations 01 Accessible Workplaces	5.B - Violations	6.B - Violations 01 Accessible Housing 02 AT - Accessible Housing	7.B - Violations 01 Accessible Judicial & Detention Facilities	8.B - Violations 01 Accessible Programs and Services 02 Accessible Public Transportation
C. INDEPENDENCE, PRODUCTIVITY INTEGRATION & INCLUSION	1.C - Violations 01 Care and Treatment in Most Integrated Setting 02 ADA Integration Mandate	2.C - Violations 01 Jury Service 02 Naturalization 03 Voting Education & Registration 04 Voting Complaints	3.C - Violations 01 Early ID & Intervention 02 Evaluation 03 IEPs 04 504 Plans 05 Placement Integration 06 School to Work Transition 07 Related Services 08 AT - SPEID 09 AT - Post Secondary	4.C - Violations 01 VR Services 02 Discrimination in Hiring/Discharge 03 Reasonable Accommodation 04 Advance toward Competitive Employment 05 Return to Gainful Employment 06 Supported Employment 07 Employment Benefits	5.C - Violations 01 Freedom of Movement 02 Choice of Activities AT - 08 Employment 09 AT - SSI/SSDI Work Incentives 10 AT - VR 11 Work Incentives	6.C - Violations 01 Eligibility 02 Zoning/NIMBY 03 Companion or Service Animal at Home	7.C - Violations 01 Access to Timely Legal Representation 15 Vehicle Mod 16 SSI 17 SSDI 18 Independent Living 19 AT - Medicaid 20 AT - Medicare 21 AT - Private Insurance 22 AT - Transport 23 FP Plans	8.C - Violations Access to: 01 Assistive Technology 02 DD Services 03 Financial Entitlements 04 Habilitation/ Rehabilitation 05 HIV/AIDS 06 Insurance 07 Legal Services 08 Medicaid/ MedQuest 09 Mental Health P&A 10 Information 11 Recreation 12 Transportation 13 ACD 14 DME
	1.D - Violations 01 Admission, Commitment 02 Advance Directives 03 Right to/Choice of Treatment 04 Informed Consent 05 Records - Access 06 Records - Confidential 07 Right to Privacy 08 Failure to Follow Advance Directives 09 Consumer Finances	2.D - Violations 01 Contracts & Property Ownership 02 Wills and Estates 03 Right to Travel from State to State 10 Personal Assistance 11 Discharge w Appropriate Services 12 Maintain Services - Recidivism Prevention	3.D - Violations	4.D - Violations	5.D - Violations 01 Reproductive Rights 02 Parental Rights to Raise Children 03 Rights to Form and/or Find Personal/Sexual Relationships	6.D - Violations 01 Home Ownership	7.D - Violations 01 Guardian ad litem 02 Termination of Guardianship 03 I&R on Guardianship 04 Civil Commitment for Treatment of Mental Illness 05 Criminal Commitment for Treatment of Mental Illness 06 Criminal Justice Issues	8.D - Violations Decision-Making About: See 01 - 23 in Box 8.C
E. PROVISION OF INFORMATION	1.E - Violations 01 Medical Malpractice 02 Other Malpractice	2.E - Violations 01 Bankruptcy 02 Estate Planning 03 Tax Issues 04 Tort Defense	3.E - Violations 01 Student Loans	4.E - Violations 01 ERISA Issues 02 Workers Compensation	5.E - Violations 01 Adoption 02 Child Support 03 Custody Issues 04 Divorce 05 TROs 06 Other Family Law Matters	6.E - Violations 01 Landlord/Tenant Disputes 02 Real Estate Issues 03 Other Property Issues	7.E - Violations 01 Criminal Defense	8.E - Violations 01 Consumer Protection 02 Products Liability

HDRC is committed to the operational principle that **quantity** and **quality** are two sides of the same coin, and that in the non-profit environment, outcome standards for both quantity and quality must be established and continuously monitored for achievement.

HDRC's Client Services Policies and Procedures include both quantitative and qualitative standards, as follows:

It is the policy of HDRC that its programs maintain the following standards:

- 1. The advocacy program is accountable to the people it represents and such accountability is reflected in the policies and practices of the program as well as in the composition of the governing authority and staff.*
- 2. The advocacy program is accessible and reasonably available to its constituents.*
- 3. The advocacy program is administratively independent and physically separate from service providers and state agencies responsible for the provision of services to persons with disabilities.*
- 4. The advocacy program resources and priorities address the human, legal, and civil rights of those individuals in the greatest jeopardy and with the greatest needs.*
- 5. The advocacy program recognizes and promotes the right of people with disabilities to a range of appropriate and humane treatment and habilitation.*

It is the policy of HDRC that its advocates shall maintain the following standards:

- 1. The advocate recognizes, protects, enforces and advances the human, legal and civil rights of people with disabilities; assists them to express preferences and choices; and ensures that these preferences are heard and vigorously pursued within the scope of the law.*
- 2. The advocate is sensitive and responsive to the unique needs of people from diverse backgrounds.*
- 3. The advocate takes direction from clients.*
- 4. The advocate safeguards people with disabilities from abuse and neglect and advances their human, civil and legal rights when they cannot make decisions or express choices.*
- 5. The advocate's priorities include the special concerns of people in segregated settings and promotion of opportunities for full inclusion.*
- 6. The advocate seeks to gain access to, and participation in, forums such as state rule making, state planning, legislative and policy development processes that affect the rights and opportunities for people with disabilities.*
- 7. The advocate employs multiple means of action and redress such as individual and class representation, legislative and other systemic advocacy, training and consumer education.*

It is the policy of HDRC to scrutinize both quality and quantity of its services, to achieve optimal utilization of Center resources.

- 1. In order to achieve optimal quality of services, the Executive Director will establish qualitative standards, and provide regular evidence that the qualitative standards are being achieved.*
- 2. In order to achieve optimal quantity of services, the Executive Director will establish quantitative standards, based on staff and activity time studies. A time study will be completed in any year there is a significant change in program requirements, staffing patterns, or client service priorities, but at least once every five years. The Executive Director will provide regular evidence that the quantitative standards are being achieved.*

HDRC has created and maintains a unique database to monitor and report on both quantitative and qualitative objectives.

HDRC's Client Services Policy and Procedures Manual provide the following Service Quantity Standards:

Client Services Priorities - HDRC develops specific measureable objectives for each one of its annual client services priorities, based on net staff hours available to complete the objectives, as well as time required

to complete each activity. Annual staff work plans are prepared and regularly monitored to assure that all the objectives written into the Client Services Priorities are assigned and completed.

- Client services priorities and objectives are written and defensible
- Staff work plans are written and defensible
- 100% of client services objectives achieved

Distribution of Client Services - HDRC maintains data on the percentage of the State's population by type of disability, ethnicity and geographic area, and strives to allocate and provide a similar percentage of HDRC services to each of these communities.

- Each disability, ethnic and geographic community receives its "fair share" of HDRC services

HDRC establishes annual Client Services Priorities and Objectives that project ambitious numbers for Outreach Activities, Education Activities, Distribution of P&A Materials, Individual Advocacy Cases, and Systemic Advocacy Cases. Every number projected on the Priorities and Objectives is then assigned to a staff member on his/her individual work plan. Each staff member prepares and submits a monthly report on progress toward achievement/completion of his/her work plan. The HDRC database sorts and consolidates information from the individual staff reports to a monthly Client Services report on progress toward the achievement of the Center's annual priorities and objectives. Each month approximately another eight percent of the established projections should be achieved. Any shortfalls can then be addressed in scheduling the next month's activities.

HDRC's Client Services Policy and Procedures Manual provide the following Service Quality Standards:

Advocacy staff is expected to provide thorough, vigorous and professional representation of clients' goals and expressed preferences. It is the responsibility of each individual staff to strive to achieve each of the following standards that apply to his/her workload:

Requests for Assistance

- 85% of calls returned within 1 working day
- 95% returned within 2 working days
- 100% returned within 5 working days

Acceptance or Denial of Request for Assistance

- 90% within 7 working days
- 100% within 14 working days

Client Contacts - Status Reports/Updates

- Every 30 days

Accommodations

- Requested accommodations (TDD, ASL, Large Print, Braille, etc.) are provided to at least 95% of applicants/clients requesting them.

Client Complaints

- All clients are informed of complaint procedures when their case is opened, and again when it is closed.
- Not more than 5% of the clients served will file a written complaint to express dissatisfaction with services received
- Center provides response within 20 days following receipt of complaint

Client Appeals

- Step 1: Center provides decision within 30 days following receipt of appeal.
- Step 2: Center schedules hearing within 10 – 45 day timeframe following receipt of appeal, followed by decision within 5 working days of the hearing.

Client Records

- Of the client records audited, 95% will meet Center standards for case management.

Client Driven Services

- A majority of Board members are people with disabilities, their family members or advocates/representatives of people with disabilities.
- At least 60% of the members of Center Advisory Councils are people with disabilities or their family members.

Cases Resolved and Closed

- 50% within 3 months
- 60% within 6 months
- 70% within 9 months
- 80% within 12 months
- 90% within 24 months
- 100 % within 36 months

Case Resolution

- At least 80% of cases resolved with a favorable (Y) resolution.
- No more than 5% of cases resolved with an unfavorable (N) resolution.
- No more than 15% of cases withdrawn (W) and closed.

Qualitative data is input into HDRC's database, which sorts and reports on qualitative objectives.

III. Financial

Budget

1. The applicant shall submit a budget utilizing the enclosed budget forms as applicable, to detail the cost of the request. (*See Attached*)
2. The applicant shall provide its anticipated quarterly funding requests for the fiscal year 2014.

Quarter 1	Quarter 2	Quarter 3	Quarter 4	Total
25,000	25,000	25,000	25,000	100,000

3. The applicant shall provide a listing of all other sources of funding that they are seeking for fiscal year 2014.

State: ILAF - \$ 52,000
 Federal - \$1,268,700

4. The applicant shall provide a listing of all state and federal tax credits it has been granted within the prior three years. Additionally, the applicant shall provide a listing of all state and federal tax credits they have applied for or anticipate applying for pertaining to any capital project, if applicable.

Not Applicable

BUDGET REQUEST BY SOURCE OF FUNDS
(Period: July 1, 2013 to June 30, 2014)

Applicant: HAWAII DISABILITY RIGHTS CENTER

BUDGET CATEGORIES	Total State Funds Requested (a)	(b)	(c)	(d)
A. PERSONNEL COST				
1. Salaries	56,600			
2. Payroll Taxes & Assessments	5,500			
3. Fringe Benefits	10,505			
TOTAL PERSONNEL COST	72,605			
B. OTHER CURRENT EXPENSES				
1. Airfare, Inter-Island	500			
2. Insurance	2,650			
3. Lease/Rental of Equipment	1,500			
4. Lease/Rental of Space	9,000			
5. Staff Training	850			
6. Supplies	780			
7. Telecommunication	1,200			
8. Utilities	0			
9. Programming	2,200			
10. Payroll Preparation	340			
11. Audit	1,320			
12. Maintenance	1,600			
13. Transportation	1,080			
14. Postage	500			
15. Admin. Hearings/Litigation	2,000			
16. Professional Association	675			
17. Other (ASL, Accommodations)	1,200			
18				
19				
20				
TOTAL OTHER CURRENT EXPENSES	27,395			
C. EQUIPMENT PURCHASES				
D. MOTOR VEHICLE PURCHASES				
E. CAPITAL				
TOTAL (A+B+C+D+E)	100,000			
SOURCES OF FUNDING				
(a) Total State Funds Requested	100,000	Ann B	949 2922	
(b)		Name	Phone	
(c)				
(d)		Signature	Date	
TOTAL BUDGET	100,000	Ann B	ns	
		Name and Title (Please type or print)		

**BUDGET JUSTIFICATION
PERSONNEL - SALARIES AND WAGES**

Applicant: HAWAII DISABILITY RIGHTS CENTER

Period: July 1, 2013 to June 30, 2014

POSITION TITLE	FULL TIME EQUIVALENT	ANNUAL SALARY A	% OF TIME ALLOCATED TO GRANT REQUEST B	TOTAL STATE FUNDS REQUESTED (A x B)
Advocate	1	\$46,000.00	100.00%	\$ 46,000.00
Executive Director	1	\$85,000.00	3.00%	\$ 2,550.00
Director of Operations	1	\$83,000.00	5.00%	\$ 4,150.00
Administrative Specialist	1	\$40,000.00	3.00%	\$ 1,200.00
Executive Assistant/MIS	1	\$50,000.00	3.00%	\$ 1,500.00
Intake Advocate	1	\$40,000.00	3.00%	\$ 1,200.00
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
TOTAL:				56,600.00
JUSTIFICATION/COMMENTS:				

BUDGET JUSTIFICATION - EQUIPMENT AND MOTOR VEHICLES

Applicant: HAWAII DISABILITY RIGHTS CENTE Period: July 1, 2013 to June 30, 2014

DESCRIPTION EQUIPMENT	NO. OF ITEMS	COST PER ITEM	TOTAL COST	TOTAL BUDGETED
Not applicable			\$ -	
			\$ -	
			\$ -	
			\$ -	
			\$ -	
TOTAL:				
JUSTIFICATION/COMMENTS:				

DESCRIPTION OF MOTOR VEHICLE	NO. OF VEHICLES	COST PER VEHICLE	TOTAL COST	TOTAL BUDGETED
Not Applicable			\$ -	
			\$ -	
			\$ -	
			\$ -	
			\$ -	
TOTAL:				
JUSTIFICATION/COMMENTS:				

BUDGET JUSTIFICATION CAPITAL PROJECT DETAILS

Applicant: HAWAII DISABILITY RIGHTS CENTER

Period: July 1, 2013 to June 30, 2014

FUNDING AMOUNT REQUESTED						
TOTAL PROJECT COST	ALL SOURCES OF FUNDS RECEIVED IN PRIOR YEARS		STATE FUNDS REQUESTED	OF FUNDS REQUESTED	FUNDING REQUIRED IN SUCCEEDING YEARS	
	FY: 2011-2012	FY: 2012-2013	FY:2013-2014	FY:2013-2014	FY:2014-2015	FY:2015-2016
PLANS	N/A	N/A				
LAND ACQUISITION	N/A	N/A				
DESIGN	N/A	N/A				
CONSTRUCTION	N/A	N/A				
EQUIPMENT	N/A	N/A				
TOTAL:						
JUSTIFICATION/COMMENTS:						

IV. Experience and Capability**A. Necessary Skills and Experience****1. Necessary Skills**

HDRC possesses the necessary skills, abilities and knowledge to effectively deliver the proposed services, as identified here:

Skills (Proficiency acquired or developed through training or experience)	Possessed by Staff Member(s)
• Non-Profit Governance and Administration	Executive Director, Director of Operations
• Non-Profit Operations	Executive Director, Director of Operations
• Non-Profit Human Resources	Executive Director, Director of Operations
• Non-Profit Financial Management	Director of Operations
• Information Management	Director of Operations, Executive Assistant
• Technology Management	Executive Assistant
• Inventory & Supplies Management	Executive Assistant, Admin Specialist
• Planning and Development	Executive Director, Director of Operations
Abilities (Power or capacity to do or act; talents; special skills or aptitudes)	Possessed by Staff Member(s)
• Advocacy - Investigation, Monitoring, Negotiation, Technical Assistance, other Advocacy Interventions	Advocates, Attorneys
• Community Collaboration	Advocates, Executive Director, Director of Operations
• Legislative and Regulatory Advocacy	Executive Director, Attorneys
• Legal Advocacy, Litigation	Paralegal, Attorneys
Knowledge (Facts, truths, principles, information)	Possessed by Staff Member(s)
• Disabilities - Intellectual, Mental and Physical	Executive Director, Director of Operations, Attorneys, Advocates, Paralegal, Intake Advocate
• Disability Rights - Human, Civil and Legal	Executive Director, Director of Operations, Attorneys, Advocates, Paralegal, Intake Advocate
• Disability Entitlements and Services	Executive Director, Director of Operations, Attorneys, Advocates, Paralegal, Intake Advocate

2. Experience

The Hawaii Disability Rights Center (HDRC) has thirty-five years experience providing Protection and Advocacy Services for individuals with disabilities throughout the State of Hawaii. HDRC has been the designated Protection and Advocacy System for the State of Hawaii, continuously, since such a system was authorized and funded by Congress in 1977. HDRC has never compromised its mission and purpose, nor allowed "mission creep" to dilute its mission and purpose.

Charter of Incorporation

On July 1, 1977, Kahua Ho'omalua Kina (A Place of Protection for Handicapped Persons), Inc., was registered with the State of Hawaii Department of Regulatory Agencies, as a non-profit corporation in the State of Hawaii, to carry out the new federal Protection and Advocacy mandate. Shortly thereafter, the corporation registered and began doing business as (dba) Protection and Advocacy Agency of Hawaii. In January 2000, the corporation, following a national trend among P&A Systems, changed its name to Hawaii Disability Rights Center (HDRC).

Designation as Hawaii's "Protection and Advocacy System"

HDRC is designated by the federal Administration on Developmental Disabilities (ADD) and Executive Orders 77-3, 82-4, 89-2 and 94-06 as Hawaii's Protection and Advocacy (P&A) system for people with disabilities.

Statutory Authority

Protection and Advocacy is authorized in:

- Federal law: 42 USC §15001, P.L. 106-402, Developmental Disabilities Assistance and Bill of Rights Act of 1975, as amended; and in
- Six subsequent additional federal P&A statutes, which expand P&A services far beyond the original target group of individuals with developmental disabilities; and in
- State law: Hawaii Revised Statutes 333F-8.5.

HDRC has been Hawaii's (only) designated "Protection and Advocacy System for Individuals with Disabilities" since 1977. As such, HDRC is the only agency authorized to administer and enforce the federal authority of the seven separate federal P&A statutes in the State of Hawaii.

Independent Agency

HDRC is independent of any agency that provides treatment, service or habilitation to such persons.

Mission and Policy

It is the mission and policy Hawaii Disability Rights Center to protect and advocate for the human, civil and legal rights of people with disabilities, as defined:

- Human Rights are those natural rights that are accorded to all human beings. They are clearly stated in the U.S. Constitution as the right to life, liberty and the pursuit of happiness.
- Civil Rights are an expansion of basic human rights and are specified in the U.S. Constitution, the Bill of Rights and the Hawaii State Constitution. They include the rights to: freedom of religion, speech, press, assembly; petition for change; equal protection under the law; privacy; confidentiality; appeal decisions; freedom from oppression, unlawful search and seizure; and cruel and unusual punishment.
- Legal Rights are an expansion of our human and civil rights as established by specific laws, such as those laws which authorize protection and advocacy for people with disabilities.

HDRC has advocated for many thousands of individuals with disabilities in Hawaii, and advanced their human, civil and legal rights for 35 years. No other agency has HDRC's authority, experience, capacity and proven track record to effectively provide legal advocacy for Hawaii's residents with disabilities.

B. Facilities

The main office of the Hawaii Disability Rights Center is located in downtown Honolulu at:

1132 Bishop Street, Suite 2102
Honolulu, Hawaii 96813

The office is conveniently located near stops for all major bus lines. The building, The Bishop Place, and the offices of HDRC are accessible for people with disabilities. The HDRC offices are equipped with several TDD machines, and staff also regularly use relay service and ASL interpreters. It is the policy of HDRC to provide, without cost to the client, all accommodations necessary to make our services accessible to the client.

Printed materials are available in alternate formats, such as large print, Braille, and on CDs, and are printed in languages other than English. The HDRC website is "Bobby Approved" and accessible to people with disabilities. All HDRC materials can be downloaded from the HDRC website. Language interpreters are obtained and provided as needed.

Most of HDRC's work is performed at the location of the client (institution, school, provider agency, government office, One-Stop Center, etc.), and it is always our goal to make our services as readily accessible and available to the client as possible.

There are also resident HDRC staffs on Maui and the Big Island. These one person offices are located in the homes of the staff members, and meetings with clients are always arranged at locations that are convenient and accessible for the client. The islands of Kauai, Molokai and Lanai are served from Honolulu, and again, meetings and appointments are always arranged for the convenience of the client.

V. Personnel: Project Organization and Staffing**A. Staffing****1. Proposed Staffing**

Because HDRC current Protection and Advocacy Agency, the positions necessary to provide these services have already been identified, and staff members are already in place and providing the services. HDRC will require no start-up time, but will simply continue to provide the requested services with the addition of one (1) staff member.

2. Staff Qualifications

Please see "Section IV.A., Necessary Skills." for a detailed list of the skills, abilities and knowledge of HDRC staff. HDRC is very fortunate to have a stable staff with many years experience providing Protection and Advocacy services. In addition, most staff members were very experienced in the field of disability before employment by HDRC.

Tenure of HDRC Staff

Position	Date of Hire	Years of Experience
ADMINISTRATIVE STAFF		
1. Executive Director (Erteschik)	July 2003	9 years
2. Director of Operations (Collins)	January 1995	18 years
3. Executive Assistant (Baltero)	January 1990	23 years
4. Administrative Specialist (Miyahara)	October 1994	18 years
LEGAL STAFF		
5. Attorney 1 (Bassett)	July 1997	15 years
6. Paralegal (Rabanal)	October 1999	12 years
7. Attorney 2 (Patricio)	June 2008	4 years
8. Attorney 3 (Yabui)	June 2008	4 years
ADVOCATE STAFF		
9. Advocate 1 (Mahony)	October 2012	3 months
10. Advocate 2 (Lesser)	October 2000	12 years
11. Advocate 3 (Kaulukukui-Palisbo)	May 2001	11 years
12. Advocate 4 (Yoshida)	October 2001	11 years
13. Advocate 5 (English)	July 2003	9 years
14. Advocate 6 (Ovitt)	October 2003	9 years
15. Advocate 7 (Lee)	October 2009	3 years
16. Advocate 8 (Waikiki)	July 2003	9 years
17. Peer Advocate 1 (Wilkinson)	April 2008	4 years
18. Peer Advocate 2 (Cholas)	October 2008	4 years

The Peer Advocates provide "Technical Assistance in Self Advocacy" and "Short Term Assistance" to HDRC clients on the following topics:

- Advance Directives
- Assistive Technology
- Emergency Preparedness

- Employment Preparation
- Site Surveys for Accessibility
- Voter Education and Registration

HDRC has written, current position descriptions which fully describe the qualifications – education and experience - required for each position, and which fully describe the duties of each position.

HDRC maintains written, current standards and procedures in its Policies and Procedures Manual to ensure that all employees are fully qualified to engage in the necessary activities and perform the necessary services to provide the Protection and Advocacy services. The Policies and Procedures include standards to measure and evaluate both the quantity and the quality of the services provided.

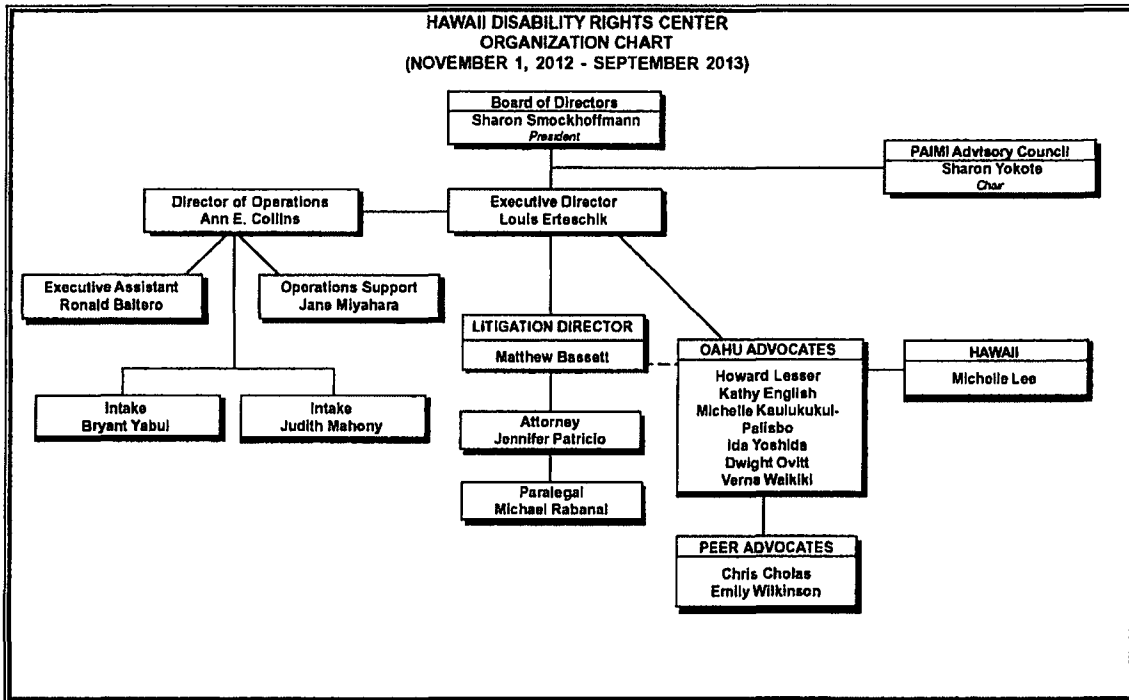
Staff members prepare annual self-evaluations and management staffs perform job performance reviews for each employee, based on job descriptions and annual individual work plans.

B. Organization Chart

See the attached Organization Chart. HDRC, a non-profit corporation is governed by a Board of Directors. Federal statutes and regulations require that the majority of the members of the board must be individuals with disabilities, their family members or their advocates. Sharon Smockhoffmann (Kona) is the current Chair of the Board, Kirby Shaw is Vice Chair, Pauline Arellano, Treasurer and Artice May Swingle (Molokai), Secretary. All meet the above criteria.

The members of the Board are elected for three-year terms, beginning in January, and may serve a maximum of three terms before rotating off the Board. The Board elects new directors and officers at its December meeting.

HDRC Executive Director reports directly to the Board of Directors. All other staff members report to the Executive Director and to Director of Operations. HDRC strives to direct maximum possible resources to the delivery of legal advocacy services to individuals with disabilities.



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VI. Litigation

Federal regulations for the PADD and PAIMI programs require the P&A System (HDRC) to have the capacity to utilize litigation, if necessary on behalf of individuals with disabilities. Both regulations specifically state that the P&A System (HDRC) does not have authority to implement a policy or practice restricting remedies which may be sought on behalf of individuals with disabilities.

PADD Regulations - CFR 45 Sec. 1386.21 Requirements and authority of the Protection and Advocacy System.

(c) A Protection and Advocacy System shall not implement a policy or practice restricting the remedies which may be sought on the behalf of individuals with developmental disabilities or compromising the authority of the Protection and Advocacy System (P&A) to pursue such remedies through litigation, legal action or other forms of advocacy.

PAIMI Regulations - CFR 42 Sec. 51.31 Conduct of protection and advocacy activities.

(a) Consistent with State and Federal law and the canons of professional ethics, a P&A system may use any appropriate technique and pursue administrative, legal or other appropriate remedies to protect and advocate on behalf of individuals with mental illness to address abuse, neglect or other violations of rights.

(b) A P&A system shall establish policies and procedures to guide and coordinate advocacy activities. The P&A system shall not implement a policy or practice restricting the remedies which may be sought on behalf of individuals with mental illness or compromising the authority of the P&A system to pursue such remedies through litigation, legal action or other forms of advocacy. However, this requirement does not prevent the P&A system from placing limitations on case or client acceptance criteria developed as part of the annual priorities. Prospective clients must be informed of any such limitations at the time they request service.

In FY 2012 (October 2011 - September 2012) HDRC provided services in 1,097 cases, and filed:

- 41 administrative hearings (special education and social security)
- 14 cases in state court (ADA Title III, Accessible public accommodations); and
- 10 cases in federal court (Abuse investigation - access to guardian names).

HDRC practiced the restraint also required by federal regulations, and only used legal interventions in two percent of its cases in 2012.

HDRC resolved and closed 752 (54.7%) cases in 2012. Of these, 627 (83.4%) were resolved in the client's favor.

**DECLARATION STATEMENT OF
APPLICANTS FOR GRANTS AND SUBSIDIES PURSUANT TO
CHAPTER 42F, HAWAII REVISIED STATUTES**

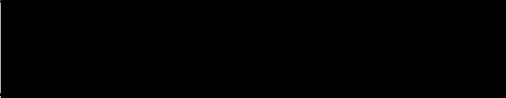
The undersigned authorized representative of the applicant certifies the following:

- 1) The applicant meets and will comply with all of the following standards for the award of grants and subsidies pursuant to Section 42F-103, Hawaii Revised Statutes:
 - a) Is licensed or accredited, in accordance with federal, state, or county statutes, rules, or ordinances, to conduct the activities or provide the services for which a grant or subsidy is awarded;
 - b) Complies with all applicable federal and state laws prohibiting discrimination against any person on the basis of race, color, national origin, religion, creed, sex, age, sexual orientation, or disability;
 - c) Agrees not to use state funds for entertainment or lobbying activities; and
 - d) Allows the state agency to which funds for the grant or subsidy were appropriated for expenditure, legislative committees and their staff, and the auditor full access to their records, reports, files, and other related documents and information for purposes of monitoring, measuring the effectiveness, and ensuring the proper expenditure of the grant or subsidy.
- 2) The applicant meets the following requirements pursuant to Section 42F-103, Hawaii Revised Statutes:
 - a) Is incorporated under the laws of the State; and
 - b) Has bylaws or policies that describe the manner in which the activities or services for which a grant or subsidy is awarded shall be conducted or provided.
- 3) If the applicant is a non-profit organization, it meets the following requirements pursuant to Section 42F-103, Hawaii Revised Statutes:
 - a) Is determined and designated to be a non-profit organization by the Internal Revenue Service; and
 - b) Has a governing board whose members have no material conflict of interest and serve without compensation.

Pursuant to Section 42F-103, Hawaii Revised Statutes, for grants or subsidies used for the acquisition of land, when the organization discontinues the activities or services on the land acquired for which the grant or subsidy was awarded and disposes of the land in fee simple or by lease, the organization shall negotiate with the expending agency for a lump sum or installment repayment to the State of the amount of the grant or subsidy used for the acquisition of the land.

Further, the undersigned authorized representative certifies that this statement is true and correct to the best of the applicant's knowledge.

HAWAII DISABILITY RIGHTS CENTER



(Signature)

1/18/2015

(Date)

LOUIS ERTESCHIK

(Typed Name)

EXECUTIVE DIRECTOR

(Title)