



# Transition to Adulthood

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A guide for transition age individuals with disabilities and their families

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## **CONTACT INFORMATION**

If you need more information or need help, please contact the Disability Rights Network of Pennsylvania (DRN) at 800-692-7443 (voice) or 877-375-7139 (TDD). The email address is: [intake@drnpa.org](mailto:intake@drnpa.org).

The mission of DRN is to advance, protect, and advocate for the human, civil, and legal rights of Pennsylvanians with disabilities. Due to our limited resources, DRN cannot provide individual services to every person with advocacy and legal issues. DRN prioritizes cases that have the potential to result in widespread, systemic changes to benefit persons with disabilities.

While we cannot provide assistance to everyone, we do seek to provide every individual with information and referral options.

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This project is funded by a grant to the Disability Rights Network of Pennsylvania under the Protection and Advocacy for Beneficiaries of Social Security (\$250,000, 100%).

## Introduction

The transition to adulthood can be an exciting, yet difficult time in a young person's life. When you leave high school, you get to make more decisions for yourself, but you may not have all the supports you're used to having. You may be wondering where you will live, how you will earn money, whether you want to continue your education, and how you will keep yourself healthy. If you have a disability, some of these questions can become even more complicated. For instance, do you need accessible housing? Will you need accommodations to help you be successful in school or a job? How will you pay for your disability-related medical expenses? It takes time to find the answers to these questions and organize your life as an adult, so it's important to start thinking about your transition before it happens. If you receive special education services in high school, planning for your transition to adulthood must be a part of your Individualized Education Program (IEP).

When you're in high school, you probably have family, friends, and/or teachers to help make sure you get everything you need and are entitled to receive. As an adult, you'll have more responsibility for making sure your rights are protected and for taking care of your own needs. You have the chance to decide what your life will be like, and there are many possibilities and opportunities open to you.

And remember, even though you have more responsibilities as an adult, you don't have to do everything by yourself. There are many programs and organizations that can help you get what you need. The purpose of this guide is to explain your rights as an adult with a disability and to help connect you to resources that can help you thrive, regardless of what you want to do. If you are still in high school, this guide can give you and your IEP team ideas about the kinds of things you should be planning for and the resources you should be connected to before you leave school. If you are already out of high school, you can use this guide to learn about your rights and help you navigate the world as an adult.

In the following pages, you will learn about effective IEP transition planning, and you will find tips and resources for taking care of some of the essential areas of independent living: housing, healthcare, postsecondary education, and employment. This guide addresses many of the questions

facing all young adults, as well as the unique questions facing young people with disabilities.

This guide is aimed at youth and young adults in Pennsylvania. If you live in another state, you will still find lots of useful information, but many of the resources may not be available to you, and some of the laws may be different in your state.

There is a lot of information in this guide, and the laws that protect you can be very complicated. This guide is meant to give you a brief overview of your rights. If you still have questions or need help understanding how the laws apply to a particular situation, please contact the Disability Rights Network of Pennsylvania at (800) 692-7443 (voice) or (877) 375-7139 (TDD) for assistance.

## **Chapter 1: Special Education in High School**

Effective transition planning in high school is an essential part of helping young people with disabilities make a smooth transition to adulthood. The transition planning portion of an Individualized Education Program (IEP) is an excellent tool for educating youth about the topics discussed in this guide and for connecting them to many of the related services. This chapter will discuss the rights of students with disabilities enrolled in public schools as they approach the end of their secondary education. It will also explain some of the ways in which the IEP team can help students make the most of the resources they have while still in high school in order to have an easier transition out of school and into adult life.

### **Transition Planning**

The Individuals with Disabilities Education Act (IDEA) and Pennsylvania's Special Education Law, sometimes referred to as "Chapter 14", require public schools to help students with disabilities succeed while in school and prepare them for life after graduation. As part of this responsibility, schools work with families to create an IEP laying out the student's educational program, including any special support services he or she may need to successfully transition to life after high school.

Starting at least in the school year when you will turn 14, your IEP needs to include a transition plan. Your IEP team – including you – must create a transition plan to help you set and reach goals for after high school, such as further education, employment, and independent living. This transition plan must be based on your needs and interests, and it must be updated every year. In most cases, it is a good idea to review and update it more frequently, such as every semester or quarter. Remember, you and your parents can request an IEP meeting at any time.

Once transition planning becomes part of your IEP meetings, your school must invite you to participate. It is very helpful to have you at these meetings because you are the one who knows the most about your goals and interests. You are not required to attend, though. If you don't feel comfortable going to your IEP meeting, there are other ways for you to participate, such as writing down some of the things you want from your transition plan and sending this note to the meeting with your parents.

Your IEP meeting is a great opportunity to practice self-advocacy skills, which will be essential in all areas of life after high school. Your school should help you learn self-advocacy skills, and training in this area can even be a part of your transition plan. Regardless of whether you attend the meeting, your IEP team must gather information about your strengths, interests, and preferences and consider them while completing the transition plan.

Creating a good transition plan takes several steps. There are a lot of ideas about the best way to write a transition plan, but all transition planning should involve the following components:

1. Your transition plan must be based on **age-appropriate transition assessments**. Assessments are required by law and are essential to creating an effective transition plan. Your school must perform assessments in the areas of training, education, employment, and, if appropriate for you, independent living skills. The IEP team should use a variety of assessments, both formal and informal.

To help set your transition goals, your IEP team should use assessments to learn about your interests. Some examples of these assessments are:

- Interest inventories
- Surveys
- Interviews
- Online assessments
- Direct observation

To help determine what transition services you need, your IEP team should use assessments related to aptitudes, abilities, and skills. These will help identify gaps between your current abilities and the skills you will need to reach your goals. These assessments can cover numerous areas, such as:

- Academic skills
- Self-determination
- Adaptive behavior and independent living skills

- Various relevant aptitudes (such as artistic ability, clerical ability, and music ability)

There is no set list of assessments that you can or should use, and there is no real definition of exactly what a transition assessment should look like. Your IEP team will select assessments for you based on your specific needs, but an interest inventory is a good place to start for any student, as it can help to shape your goals and determine what other assessments you might need. There are many free interest assessments online. One example is the Department of Labor's Interest Profiler on its "My Next Move" website. You can use the Interest Profiler at <http://www.mynextmove.org/explore/ip> to help you figure out some careers that might appeal to you.

Another helpful resource is the National Secondary Transition Technical Assistance Center's "Age Appropriate Transition Assessment Toolkit", which provides sample lists of both formal and informal assessments in many of the different categories mentioned above. You can link to this Toolkit at <http://nstattac.org/content/age-appropriate-transition-assessment-toolkit-3rd-edition>.

2. As with any area of your IEP, your IEP team must set clear, **measurable post-secondary goals** for you. You will also set broader goals for your **post-school outcomes**. These two kinds of goals are described in more detail in the following paragraphs. You should take the lead role in setting goals in the areas of education and/or training, employment, and independent living skills. Sometimes a student's goals seem unrealistic to the rest of the IEP team (not every student can become a famous baseball player or movie star). You should have the final say in setting your goals, but let the rest of your IEP team help. If your goal seems unrealistic, try talking it through with the rest of your IEP team to figure out the interests and skills that led you to that goal. Maybe your IEP team can suggest other goals that would fit the same criteria. But "realistic goals" don't have to be small or easy. Your IEP team should have high expectations for you and should work under the belief that, with the right supports and services, you can achieve your goals.

Your transition plan should include two kinds of goals. First, you will set broad, long-term goals for your post-school outcomes. You will work to achieve these goals throughout high school and after graduation. Your

transition plan must include goals in both education and employment, or one goal that fits both areas. Whether your IEP team sets goals related to independent living skills will depend on your individual needs.

Your desired post-school outcomes may not start out very specific. Few students know at age 14 exactly what they want to do after high school! For example, an early goal in the area of employment might be, “Jonathan will have a job that uses his strong math skills and his interest in technology.” This goal doesn’t say what specific job Jonathan wants, but it gives enough information to write a transition plan outlining the type of instruction and services he will need to prepare for the kind of job he wants. Since your transition plan must be reviewed and updated every year, your goals can evolve over time.

Of course, schools are not responsible for making sure you achieve these post-school outcomes – you’ll be working on these long after you leave high school. However, your school is responsible for making sure you have the skills and knowledge you need to reach these goals, so you will also set focused, measurable goals that you will work on during school to prepare you to reach your post-school outcomes. These goals are similar to the measurable annual goals you have always had in your IEP. For each post-school outcome, your IEP team will identify skills you need to develop and will create a measurable goal(s) related to these skills. Each goal will include an objective, as well as criteria for measuring whether you have achieved your objective. Each goal should be broken down into benchmarks with detailed explanations of how your achievements will be measured and tracked.

To help clarify what your transition plan might look like, below are some examples of goals you might have:

**Post-school outcome:** After graduation, Sarah will enroll in a culinary arts program at a community college.

**Measurable post-secondary goal:** When given a 10 ingredient recipe, Sarah will correctly measure all ingredients in 8 out of 10 trials.

**Post-school outcome:** Craig will work part-time in a local bookstore with necessary supports.

**Measurable post-secondary goal:** Craig will be able to describe his disability and list three accommodations that would help support him in his work.

**Post-school outcome:** Lisa will live independently in an apartment with a roommate.

**Measurable post-secondary goal:** Lisa will open a checking account and accurately track her income and expenditures over the course of one month.

- **A note about employment goals:** The IDEA requires that schools meet a student’s educational needs in the Least Restrictive Environment (LRE) possible for that student. This requirement includes work placements that are part of a student’s IEP. This means that whenever possible, a student must be placed in a job with peers without disabilities and be given the supports and services he or she needs to succeed there. In many cases, IEP teams decide that segregated employment, or a “sheltered workshop,” is an appropriate post-secondary goal for a student, but this restrictive option is rarely necessary. Sheltered workshops employ individuals with disabilities and are allowed to pay far below minimum wage. Students who go from school to segregated employment often find themselves “trapped” without the skills and supports needed to move into more fulfilling work. Students should understand that supports are available to help them succeed in competitive, integrated employment. If you would like to work after high school, make sure that your IEP team considers all your options instead of automatically choosing segregated employment.

3. **Present levels of academic achievement and functional performance** must be documented in your transition plan. This section should include data from your age-appropriate transition assessments. It should describe your current levels of achievement as they relate to your transition goals.

If applicable, this section of the transition plan should also be used to explain why your IEP team chose not to set a goal in any of the three post-secondary goal areas. For example, if your IEP team has not set a goal in independent living, this section should contain data demonstrating that your skills are currently age-appropriate and you

don't need specific activities during high school to develop these skills further.

4. Finally, the transition plan must describe, in detail, the **transition services, including the course of study**, you will receive in order to achieve your post-secondary goals. This section must include who is responsible for each service – which may include outside agencies and you or your family – and when it will happen. Your school must invite to your IEP meeting (with your parent's consent) any outside agencies that may be responsible for providing one or more of your transition services. It may be helpful to have representatives present from a variety of outside agencies, including post-secondary education, vocational rehabilitation services, centers for independent living, and vocational training. The school is not responsible for ensuring that outside agencies fulfill their commitments. However, if an outside agency fails to provide a transition service listed in your IEP, your school must find other ways for you to meet your transition goals.

Many transition services may take place outside of the classroom. If you are concerned about the idea of staying in high school past age 18, you can ask to have opportunities for community-based learning, job opportunities, and classes at the local community college, including vocational courses.

One good example of a college-based transition program for young adults who are 18 - 26 years old with intellectual or other developmental disabilities, is the Career and Independent Living and Learning Studies ("CILLS") Program at East Stroudsburg University (ESU). The CILLS Program is a non-degree, full-time, three year certificate program that promotes self-advocacy and utilizes mentors and peer supports to accommodate the different learning abilities of its participants. The CILLS Program activities include personal development situations and academic enrichment, along with opportunities to develop essential skills for independent living and future employment. If you are interested in learning more about the CILLS Program, contact ESU's Special Education and Rehabilitation Department at 570-422-3558 and/or visit [http://www4.esu.edu/academics/departments/special\\_education\\_rehabilitation/career\\_independent\\_living\\_learning\\_studies.cfm](http://www4.esu.edu/academics/departments/special_education_rehabilitation/career_independent_living_learning_studies.cfm).

Another good example of a transition program that is designed for students with intellectual and developmental disabilities who are still in high school is the Project SEARCH High School Transition Program (“Project SEARCH”). Project SEARCH is a business-led, one year, school-to-work program that takes place entirely at the workplace. The goal for each student is competitive employment and the program provides real-life work experience combined with training in employability and independent living skills to help participants make successful transitions from school to a productive adult life. If you are interested in learning more about Project SEARCH, including finding a Project SEARCH Program in your area, visit <http://www.projectsearch.us/OurPROGRAM/HighSchoolTransition.aspx>.

These kinds of college-based and workplace-based transition services and programs, especially during the time after your senior year, may help keep your interest. Remember that, even though you are remaining in high school, you are still transitioning into adulthood along with your peers.

Transition services should include the following five areas: instruction, related services, community experiences, employment and other post-school objectives, and daily living skills. If your IEP team determines that you don’t need any services in a particular area, your team should put a statement in your IEP explaining why.

Every student has unique needs, so every IEP will have a unique set of transition services. But there are two really important transition services that every IEP team should consider: registering to vote and getting referred to the Office of Vocational Rehabilitation (OVR).

- **Registering to vote:** In Pennsylvania, at any IEP meeting when you are 17 or older, your IEP team must discuss whether you and your parents want voter registration to be one of your goals. If you decide that you do, the team must set out when, where, and how you will register. All students must be given the option to register at school during the school day, with assistance from designated school officials. The school officials will then transmit the completed voter registration forms to the appropriate voter registration office. You and your parents may also choose to register to vote outside of the school setting, or may decline to register at all. Voter registration must be

discussed annually, in case it needs to be renewed or changed for any reason. Your IEP team should not discuss political party affiliation or your political views, unless there is a specific reason to do so, such as if you want to volunteer with a political campaign as one of your transition activities.

- **Referrals to OVR:** The Office of Vocational Rehabilitation (OVR) helps individuals with disabilities reach their employment and education goals. If you work with OVR, you will set a career goal, which might include going to college, and OVR will provide you with services to help you work toward it. Some available services include counseling, job assessments, training and education, job placement, and other support services you may need to help you be independent. OVR may even be able to help you pay for college. The services you get will be based on your needs. For more information on how to qualify for services from OVR, refer to “Chapter 4: Employment” of this guide, beginning on page 48.

## **Other Transition Services**

Below are several examples of other transition services. This is not a complete list of available services. Your IEP team should think thoroughly and creatively to find the right transition services for you.

### **1. Instruction**

- Opportunities to learn and practice self-advocacy skills
- Classes needed to graduate and to get into college
- Practical reading instruction, such as reading employment training materials and prescription bottles
- Practical math instruction, such as understanding your utility bills and learning to use coupons
- Instruction on test-taking and note-taking skills
- College exploration or research
- Instruction on rights and responsibilities after high school

### **2. Related Services**

- Connecting to adult service providers

- Learning about and getting assistive technology
- Navigating the adult health care and mental health care systems
- Connecting to SSI, Medicaid, or other available government benefits

### **3. Community Experiences**

- Registering to vote
- Obtaining a driver's license or state ID card
- Training on using public transportation
- Visiting or joining a community recreation center

### **4. Employment and Other Post-school Objectives**

- Job search strategies and assistance, including learning internet job search skills
- Interviewing skills
- Instruction on completing a job application and creating cover letters and resumes
- Connection to the Office of Vocational Rehabilitation
- Job shadowing or work placement
- Developing job skills
- Informational interviews allowing the student to meet with someone in his or her desired profession to ask questions about how to get the job the student wants

### **5. Daily Living Skills**

- Budget planning, including learning to read a pay stub, opening checking and savings accounts, and using online banking tools
- Refilling prescriptions
- Personal safety
- Living situations and housing options
- Computer skills
- Maintaining your house, including laundry, shopping, and cooking

In addition to your transition plan, your school must create a **Summary of Performance (SOP)** before you leave, to help guide you after your special education services end. Your school must create a SOP during the last year that you will be receiving special education services, regardless of

whether you are graduating or “aging out” (turning 21 years old.) The SOP is a summary of your academic achievement and functional performance at that time, and it must include recommendations on how to help you reach your post-secondary goals. The SOP is not a part of your IEP, so your school does not need to hold an IEP meeting to create it, and no additional evaluations are required. The IDEA does not specify who needs to be involved in creating the SOP, but because of the information it requires, it should be created by members of your IEP team. When possible, you should be involved in creating the SOP, as you will have valuable input about the supports and services that have helped you during school and that may continue to help as you work toward your post-secondary goals.

Because the SOP provides you with a clear description of your goals and the services that can help you reach them, it can be a good tool as you transition to adulthood. However, it is important to remember that once you exit high school, the IDEA no longer applies. While the SOP may help provide documentation of your disability and give you ideas about possible accommodations you might need, it does not guarantee any supports or protections in post-secondary education, employment, or other adult services. The other chapters in this guide contain information on the laws governing these areas.

## **Graduation**

There are two ways for you to earn a regular diploma from your public school district or public charter school. One way to earn a diploma is by completing the required courses and credits for graduation. The other way is by completing your Individualized Education Program (IEP). Your IEP team will decide which way is right for you. At the end of your 12<sup>th</sup> grade year, if you have not completed the goals in your IEP, you have the right to delay graduation and continue in school until you turn 21, whether or not you have completed the required courses and credits for graduation.

If you decide to continue in school after your 12<sup>th</sup> grade year, you are still allowed to walk in the graduation ceremony with your class, even if you will not be accepting a diploma. At the ceremony, you will get a certificate of attendance that recognizes your achievement, but you will not get a diploma. No one else has to know that you are not getting your diploma if you don't want them to. Your certificate of attendance does not disqualify you from continuing to receive special education services – only a regular

diploma does that. When you do officially graduate, you will receive a regular diploma.

Unless you are illegally “forced” to graduate, which is discussed in more detail later in this section, you no longer have the right to attend public schools or receive special education services once you accept a diploma. The decision to graduate a student who receives special education services must be made by the IEP team, which includes you and your parents. If you and your parents don’t think you should graduate, explain your reasoning at an IEP meeting and put your reasons in a letter to the district.

After your IEP meeting, if your school still thinks you should graduate, you and your family can disagree with this decision. The law considers graduation to be a “change in placement.” This means that when your school district proposes that you graduate with a regular diploma, they have to give you a Notice of Recommended Educational Placement (NOREP) informing you of that decision. A NOREP is a form that your school must give your parents when they want to change something about your IEP.

If you and your parents disagree with the school district’s proposal that you should graduate, you can challenge the district’s decision. There are two ways to do that:

- You can disagree with the NOREP and ask for mediation; or
- You can disagree with the NOREP and ask for a Due Process Hearing.

If you and your family are going to challenge the school district’s decision that you graduate through mediation or a Due Process Hearing, you should indicate that on the NOREP and return a copy of the NOREP as soon as possible (within 10 days). You must also file your request for mediation or a Due Process Hearing with the Office for Dispute Resolution (ODR). These options are discussed in more detail in the next section on Dispute Resolution.

In some cases, a school may try to force a student with a disability to accept a diploma and pressure his/her parents to agree to a NOREP recommending graduation, even if the student is under 21 and has not yet attained his/her IEP goals. In these circumstances, a school may tell a

family that “the school cannot teach anything more” to the student or the student “cannot learn anything else by staying in school.” These tactics of “forcing” the student to graduate and accept a diploma may not prevent the family from challenging the graduation at a later time. Such a challenge, if successful, would allow the student to receive compensatory education services – whatever is needed for the student to work towards and attain his or her IEP goals – directly from the school district and/or services paid for by the district in an appropriate post-graduation setting. If you believe that you were forced to accept a diploma and graduate from high school, and you would like to know more about your educational rights, please contact the Disability Rights Network of Pennsylvania (DRN) at 800-692-7443 (voice) or 877-375-7139 (TDD). The email address is: [intake@drnpa.org](mailto:intake@drnpa.org).

### **Dispute Resolution**

There are many people on an IEP team, so sometimes it’s not easy to get everyone to agree on an appropriate IEP or placement. If you and your parents think you are not getting the services you need, there are several options for dispute resolution. Your parents can request any of these options at any time. For more information about any of these options, contact the Office for Dispute Resolution (ODR) at (800) 222-3353 or visit ODR’s website at <http://odr-pa.org/>.

While you are involved in the dispute resolution process, the school cannot change your placement or your services unless your parents agree to the change. This is because of a legal concept called “stay put” or “pendency” which means that you have the right to stay put in your current educational program until the dispute is over. For instance, if you and your family challenge the school district’s decision that you graduate, you will be allowed to continue attending school until the dispute has been resolved.

- **If you think there will be problems at the IEP meeting**, your parents can request a neutral IEP facilitator to sit in on the meeting. A facilitator can’t make decisions about the IEP or order the school to do anything, but sometimes it helps to have a neutral third-party present to keep everyone on topic and make sure everyone gets heard. You can get a request form at <http://odr-pa.org/early-dispute-resolution/iep-facilitation/> or by calling ODR. The form needs to be signed by your parents and your school.

- **If your school issues a NOREP that you and your parents don't agree with**, mediation is another option. Mediation is a free service offered by ODR, and it is less complicated than going to a Due Process Hearing. When your parents request mediation, ODR will assign a mediator who is trained to help your family and the school reach an agreement. The mediator does not work for you or for the school. He or she is a neutral person. In Pennsylvania, neither your parents nor your school are allowed to bring an attorney to mediation.

Everything discussed at mediation is confidential, meaning that nobody at the meeting can tell other people what you said without your permission. This also means that your discussion during mediation can't be used as evidence if you later go to a Due Process Hearing. If your family and your school reach an agreement during mediation, it has to be put in writing and signed by both sides. Both sides are then required to follow the agreement.

If you want to go to mediation, you can get a request form at <http://odr-pa.org/wp-content/uploads/pdf/Mediation-Request-Form.pdf> or by calling ODR. You can also request mediation by checking the mediation box on your NOREP and then contacting ODR.

- **If there is little hope you can resolve your disagreement through mediation, or if mediation has already been unsuccessful**, you may consider requesting a Due Process Hearing. In a Due Process Hearing, your school and your family go in front of a Hearing Officer to explain what they want and why. Both sides will present evidence (including documents and testimony from witnesses). Both sides can also bring in experts (such as psychologists) to help present their case. Your parents can request a Due Process Hearing for almost any disagreement they have with the school district regarding your special education services. You do not need to have IEP facilitation or go to mediation before requesting a Due Process Hearing.

If your parents want to request a Due Process Hearing, they must do so within two years of the date they knew (or should have known) about the problem. They can start the process by checking the "Due Process Hearing" box on the NOREP, but they also have to write a letter – a "complaint" – and send copies to the school and ODR. They can write this letter themselves or ask an attorney or special education advocate

to help them. Your parents don't need to fill out any special form, but ODR has one they can use. It is available at <http://odr-pa.org/wp-content/uploads/pdf/Due-Process-Request-Form.pdf>.

Regardless of whether your parents use ODR's form, there are several things that must be included in the complaint (giving as much detail as possible): (1) the student's name, school, and home address; (2) an explanation of the problem; and (3) suggestions for solving the problem – that is, what you want the school to do. Be sure to include any and all problems that you want the Hearing Officer to make a decision about. If you forget to include something in your complaint, you can't bring it up in the Hearing.

Parents have the right to have an attorney represent them at the Due Process Hearing, but they will be responsible for paying for the attorney. This isn't always possible. Parents are allowed to represent themselves at Due Process Hearings, but it's a good idea to have someone help them if at all possible. The school will always have an attorney. If your parents can't afford an attorney or an advocate, they can sometimes get one for free from a local non-profit organization. Also, if your parents win the case, they may be able to collect attorney's fees from the school. This is not guaranteed, though, and your parents may still have to pay certain costs up front.

To give parents and school districts another option to resolve disagreements before going through a Due Process Hearing, ODR has instituted a relatively new process called an Evaluative Conciliation Conference (ECC). During the first phase, an ECC Consultant provides an assessment of the strengths and weaknesses of each side's position based on her understanding of the law and on her analysis of hearing decision and case law trends for similar types of issues. If both sides agree to engage in the second phase of ECC, the ECC Consultant will facilitate discussions with both sides which may result in a settlement agreement on some or all of the issues. The ECC process is voluntary, so each phase requires each side's willingness to participate in good faith with the ultimate goal of settling issues before litigation ensues. You can download the ECC Request Form at <http://odr-pa.org/wp-content/uploads/pdf/ECC-Request-Form.pdf>.

- Requests for facilitation, mediation, ECC, or a Due Process Hearing can be sent to ODR by mail, email, or fax:
  - Fax: (717) 657-5983
  - Email: [odr@odr-pa.org](mailto:odr@odr-pa.org)
  - Address:  
Pennsylvania's Office for Dispute Resolution  
6340 Flank Drive  
Harrisburg, PA 17112-2764

## Chapter 2: Post-Secondary Education

If you choose to pursue post-secondary education, such as college or vocational school, it is important to understand that it will be a lot different than high school. After you leave high school, the Individuals with Disabilities Education Act (IDEA) no longer applies to you. This means you won't have an Individualized Education Program (IEP) and you won't get all the services and supports your IEP gave you. However, you are still protected by the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Section 504). You have access to educational opportunities like people without disabilities, and you may be eligible for accommodations that can help you succeed in the educational program you choose.

### Post-Secondary Education Options

You have several options when you are choosing the kind of post-secondary education you want. You can choose a four-year college/university, a two-year community college/junior college, or a vocational or technical school (career schools).

### Types of Programs

- **Four-year college or university:** Most students who graduate from a four-year program at a college or university earn a bachelor's degree. Generally, you earn either a Bachelor of Arts or a Bachelor of Science in a "major" concentration that you choose, such as engineering, English, photography, or geology. However, there are many other kinds of bachelor's degrees and some specialty colleges, such as art school or theater school.

After you get your bachelor's degree, you may want to go to graduate school or a professional school. Graduate degrees include master's degrees and doctoral degrees (Ph.D.). Some professional schools are law school, medical school, and business school. If you plan to go to graduate school, you may want to choose a major in college that relates to your future program. But your undergraduate major doesn't lock you into one type of career or educational path. Many graduate programs require certain undergraduate classes though, so make sure you find out what those are.

## **Benefits of four-year colleges or universities:**

- They don't prepare you for one specific career – instead, they leave open many options.
  - There are many jobs that require a bachelor's degree, or at least prefer to hire candidates who have one.
  - They usually have many school-sponsored activities and groups, such as sports teams, drama clubs, LGBT or other identity groups, and volunteer groups. These can provide opportunities to socialize, learn something, and get involved in your community.
- **Two-year community college or junior college:** Most students who graduate from a two-year program at a community college or junior college earn an associate's degree. Many students choose to start their post-secondary education in a two-year program and then go on to a four-year program to earn their bachelor's degree. Some reasons to do this include saving money during your first two years of school, raising your grades so you can get into a better four-year college, and staying close to home longer.

Most community colleges and junior colleges have something called “articulation agreements” with four-year colleges and universities. This means that the credits you earn at your two-year program will transfer to your four-year program, so you'll have fewer classes to take once you get there. Before you enroll, make sure to ask about the types of articulation agreements your community college or junior college has. You should also check the transfer policies of schools you might want to transfer into. Otherwise, you might lose the credits from your two-year program and get stuck paying for four more years of school if you want your bachelor's degree.

## **Benefits of two-year community colleges or junior colleges:**

- They are usually much less expensive than four-year programs, especially if you choose a public school.
- They often have more open admissions standards, so they are a good place to start if your high school transcript or test scores aren't as strong as you'd like.
- There are so many community colleges and junior colleges that there is almost certainly one near your home. There are many

- reasons why you might want to live at home or near home, and you can usually do that with a two-year program.
- They often have flexible schedules, so you can schedule classes around work and other commitments.
  - Many two-year programs can prepare you to transfer to a four-year program to earn your bachelor's degree.
  - Many two-year programs offer the same certificates and technical or vocational degrees as a career school, but with a better reputation and lower tuition.
- **Vocational or technical school:** You have probably seen career schools advertised on television, buses, and billboards. Career schools offer specialized education related to a specific career that you choose. Some examples of the most popular careers at career schools are paralegal, dental assistant, electrician, and auto mechanic. Most students who graduate from a career school earn a certificate or diploma, but some earn an associate's degree or even a bachelor's degree. Many career school programs are only one year long, but some are two years or longer, depending on the type of degree, diploma, or certificate you will earn. Career schools tend to have more hands-on training than community colleges.

**Benefits of vocational or technical schools:**

- They help you get the training you need for your career in a much shorter time than getting a college degree.
- They often provide hands-on training, which some students find more helpful and more interesting than sitting in a classroom.
- You only have to take classes that apply to the career that interests you.
- They tend to have open admissions policies. This means you can apply even if you don't have a strong high school transcript. For some schools, anyone over 18 can apply, even without a diploma.
- There are so many career schools that there is almost certainly one near your home. Many career schools also offer online or distance-learning programs, meaning you have to go to campus a lot less, or not at all.
- They often have flexible schedules, so you can schedule classes around work and other commitments.

- Good career schools have very high post-graduation employment rates.
- You can always go back to get an associate's or bachelor's degree later, after you have worked for a little while.

### **Risks of vocational or technical schools:**

Be careful when choosing a career school. Since most career schools are for-profit, they tend to cost more than similar programs at other schools. And credits from a career school are less likely to transfer to another school if you decide you want to go on and work toward a four-year degree. Many career schools also have bad reputations and leave students with lots of debt and few job opportunities. Here are some ways to find out whether the career school you're considering is trustworthy and high-quality:

- Ask for information about employment rates and a list of companies that have hired recent graduates.
- Ask for contact information for recent graduates so you can speak with them about the program.
- Ask about hands-on training and the type of services the school has to help you find a job after you graduate.
- Call up companies you might like to work for and ask their opinion of the school.
- Check with the Better Business Bureau (BBB) to see what kinds of complaints have been filed against the school. The BBB monitors and evaluates businesses and organizations and gives people information about fraud. If the BBB accredits a business, it means that business has met certain Standards for Trust that the BBB sets. You can find the BBB's review of the school you're considering at <http://www.bbb.org/us/consumers/>.
- Look at the school's student loan default rates. If a school has a high student loan default rate, it means that a large percentage of its graduates aren't paying back their federal student loans for some reason. It is a good bet that students from this school have trouble finding good jobs. You also may not be able to get federal student loans if you go to a school with a high student loan default rate. Under current rules, if a school's default rate was over 40% in either of the last two years, students there cannot get federal student loans. You can find a school's student loan default rate at

[http://www.nsls.ed.gov/nsls\\_SA/defaultmanagement/search\\_cohort\\_3yr2010.cfm](http://www.nsls.ed.gov/nsls_SA/defaultmanagement/search_cohort_3yr2010.cfm).

- **Transition and Post-secondary Programs for Students with Intellectual Disabilities (TPSID):** Several colleges offer programs specifically designed for youth with intellectual disabilities who are transitioning out of high school. These can be degree, certificate, or non-degree programs, and are designed to provide students with intellectual disabilities with the training and supports they need to prepare them for employment. Visit <http://www.thinkcollege.net/for-students> to hear from students about why college might be right for you, and to get advice from current college students. You can also learn more about the TPSIDs around the country and search for one that fits your needs.

Most TPSIDs must be paid for out-of-pocket or through scholarships. However, some TPSIDs apply to the U.S. Department of Education to become approved Comprehensive Transition and Post-secondary (CTP) programs. If a program is an approved CTP program, students may be eligible to receive funding through federal financial aid. For more on federal financial aid, see page 33. A CTP program can be a degree, certificate, or non-degree program, and may be offered by a college or career school. CTP programs offer academic advising and a structured curriculum and require students to participate in inclusive education with students without disabilities for at least half of the program. As of March 1, 2014, there are 30 approved CTP programs across the country. Unfortunately, there is only one CTP program in Pennsylvania at this time (through Arcadia University). For a complete list of approved CTP programs, visit <http://studentaid.ed.gov/eligibility/intellectual-disabilities>.

### **Benefits of TPSIDs:**

- Studies show that individuals with intellectual disabilities who get some kind of post-secondary education are more likely to find competitive employment, require less on-the-job support, and earn more money.
- TPSIDs are designed specifically for students with intellectual disabilities, so they are likely to have more of the supports students need.

- TPSIDs offer students with intellectual disabilities the opportunity to experience college with students both with and without disabilities. This allows students to succeed in an inclusive environment and can increase self-esteem.

## Choosing a School

Post-secondary schools come in all sizes, from a few dozen students to tens of thousands. There are large universities, which offer graduate programs in addition to undergraduate programs, small liberal arts colleges, religious colleges, and many others. Some schools are famous for their sports teams and some don't have any sports teams. So how do you find out what your options are and pick a school?

- **The school search:** Your high school's guidance counselor or career office is a good place to start your school search. Another good option is to look through a college guide at the library or bookstore. These days, though, the internet may be the best resource in your school search. Here are a few websites that can help you find the schools that are right for you. Some of the websites listed here require you to sign up for an account before you search, but all of them are free.
  - **The U.S. Department of Education's College Navigator** has information about four-year programs, two-year programs, and career schools. You can get more information about different programs here - <http://nces.ed.gov/collegenavigator/>
  - **Zinch and Cappex** let you search based on standard search topics, such as location, as well as hundreds of interests, such as clubs you belong to, your hobbies, and classes that interest you. On Cappex, you can use a calculator to find out your chances of getting into the school you choose. You can also link them up to your Facebook account. You can find four-year programs, two-year programs, and career schools. The websites for Zinch and Cappex are below –

<http://www.zinch.com/college/search>

<http://www.cappex.com/>

- **College View and The College Board's Big Future** let you choose a number of features you want to search by, such as diversity and disability services, and rank how important each feature is to you. You can find four-year programs, two-year programs, and career schools.

<http://www.collegeview.com/collegesearch/index.jsp>

<https://bigfuture.collegeboard.org/college-search>

- **RWM and The Accrediting Commission of Career Schools and Colleges (ACCSC)** let you search for private career schools by location, subject area, and degree type. ACCSC only lists accredited schools.

<http://www.rwm.org/rwm/>

<http://www.accsc.org/Directory/index.aspx>

- **Picking your school:** There are many factors to consider when you decide where to go to school. Try not to get caught up in choosing a school with a famous name. A school's reputation is one thing to think about, but finding the right fit for you is much more important.
  - **Academics:** Take a look at the school's course catalog to see if you are interested in the classes the school offers. Find out if any classes are required and how much time you have before you need to choose a major. Ask the school about the average size of classes and how much time professors devote to their undergraduate students. See if the school offers any statistics about what students go on to do after they graduate.
  - **Student life:** Find out what kind of activities and clubs the school has. If you can, visit the school to talk to current students and see if you like the location. If you can't visit, ask the admissions office to give you contact information for some current students who are willing to talk to you. You can also read college guides and search the internet to find out what students say about the school.

- **Financial aid:** Look at your financial aid offer and really think about whether you can afford to go to a particular school. If the school is offering loans as part of your financial aid package, consider how much debt you are comfortable taking on. Don't forget to look at any outside scholarships you might be able to get.
- **Accreditation:** If a school is accredited, it means that an outside agency has looked over the program and decided that it meets certain standards. Four-year programs, two-year programs, and career schools can all be accredited. It is a good idea to choose a school that is accredited. You need to go to an accredited school to get federal financial aid and many other types of financial aid. And if your school is not accredited, there is a good chance you won't be able to transfer credits to another school. Depending on where you live, you will also need to go to an accredited school to get many jobs or licenses, such as a license to be a lawyer or a psychologist. Most schools will say whether they are accredited, but you should double-check on the Department of Education's accreditation website at - <http://ope.ed.gov/accreditation/Search.aspx>.

## **Paying for School**

Finding money to pay for school can be one of the hardest things about post-secondary education. Almost all students need some kind of financial aid, such as scholarships, grants, and low-interest loans. You can get financial aid from the U.S. federal government, the state where you live, the college you go to, or a nonprofit or private organization. Below is a brief summary of the financial aid that may be available to you. For more information, talk to your school's financial aid office, or visit the U.S. Department of Education's helpful financial aid website at <http://studentaid.ed.gov/>.

One of the first things you should do when applying to college is fill out the Free Application for Federal Student Aid (FAFSA) to see what kind of financial aid you can get from the U.S. government. Many states, schools, and private organizations also use the FAFSA to help them decide who should get their grants and scholarships. You can fill out the FAFSA at <http://www.fafsa.ed.gov/>. **You should fill out the FAFSA early, because some types of aid are offered on a first come, first served basis.**

The FAFSA is always free. Watch out for websites that try to make you pay for help filling out the FAFSA. There are many free places to get the help you need. Check out the help page on FAFSA's website, and if you still have questions, you can contact the Federal Student Aid Information Center by phone at (800) 433-3243 or (800) 730-8913 (TTY) or by email at [FederalStudentAidCustomerService@ed.gov](mailto:FederalStudentAidCustomerService@ed.gov).

○ **Aid from the federal government:**

After you submit the FAFSA, your school will send you a financial aid offer, which may include some combination of grants, loans, and work-study. A large portion of the financial aid offered will probably come from the federal government. Financial aid from the federal government is usually based on need. To get federal financial aid, you need to be enrolled at least half time in a college, university, or career school that participates in federal financial aid. You also need to be making satisfactory progress toward your degree or certificate. Each school decides what it means to be making "satisfactory progress," so ask your school's financial aid office about this.

- **Grants:** When you get a grant, you are given money for school that you usually don't have to pay back. Some grants have requirements you need to follow after you get them. In some cases, if you don't follow these requirements, you will have to pay back some or all of your grant money. For more information on federal grants, visit <http://studentaid.ed.gov/types/grants-scholarships>.
- **Loans:** When you take out federal loans, the government lets you borrow money that you are expected to pay back later, with interest. This means you will have to pay back more than you borrowed, so you should be careful about how much you take. Your school will decide the maximum amount you can borrow. This number can seem pretty low, so you might be tempted to take out private loans to give you more spending money. But remember, private loans don't have many of the benefits that federal loans have. For more information on federal loans, visit <http://studentaid.ed.gov/types/loans>.
- **Loan repayment programs:** Taking on a lot of debt can be scary. The federal government offers two assistance programs to

help you handle repaying your loans. These programs won't help you pay for school, but they can save you a lot of money after you graduate.

Anyone with federal loans can qualify for Income-Based Repayment (IBR). If you enroll in IBR, your monthly loan payments will be based on your income. If you earn less than 150% of the federal poverty level, you won't pay any money toward your federal loans. If you earn more, you will pay a small percentage of the money you earn that is above 150% of the federal poverty level. For most people, your total payments will be less than 10% of your income. After 25 years, the federal government will forgive any federal loans you still have, meaning you don't have to pay whatever's left over.

If you are eligible for Public Service Loan Forgiveness (PSLF) the federal government will forgive any federal loans that you have left over after only 10 years. You can use IBR with PLSF to reduce your monthly payments during the 10 years that you have to make payments. You are eligible for PSLF if:

- You work for a nonprofit, tax-exempt 501(c)(3) organization; or
- You work for the federal government or a state, local, or tribal government (this includes the military and public schools and colleges); or
- You serve full-time in the AmeriCorps or Peace Corps.

With IBR, either alone or with PSLF, you are still responsible for paying off any private loans in full.

- **Work-Study:** With the Federal Work-Study Program, you work to earn money for school. Although you are paid by your school, the funding comes from the federal government. Since this is a chunk of money that can only go to students participating in Federal Work-Study, it is usually a lot easier to get a Work-Study job than another kind of job. There are on-campus and off-campus Work-Study placements. Off-campus placements will usually be at local nonprofits or other organizations that serve the public interest. Your school will determine which jobs are eligible. The federal government will set a limit on how much you can earn through Work-Study, and

your school may set a limit on how many hours you can work each week. You apply for Federal Work-Study through the FAFSA, and your school may have additional application requirements. Check with your school's financial aid office.

○ **Aid from your state government:**

- **State Grant Agencies:** Each state has a state grant agency that offers different types of financial aid. Below is a description of some financial aid opportunities for residents of Pennsylvania. For more information on these and more state financial aid opportunities, visit the Pennsylvania Higher Education Assistance Agency's (PHEAA) website at <http://www.pheaa.org/>. PHEAA is Pennsylvania's state grant agency. If you don't live in Pennsylvania, you can find your state grant agency at <http://www2.ed.gov/sgt>.
- **Pennsylvania State Grant Program:** A Pennsylvania State Grant is money for school that you don't have to pay back. Pennsylvania State Grants are based on need. The amount of money you get will depend on your family's income and the type of post-secondary school you go to. Call PHEAA at (800) 692-7392 to see if your school is eligible for Pennsylvania State Grants. You can apply for a Pennsylvania State Grant by selecting that option on the online FAFSA application, or by completing the separate online application on PHEAA's website. Either way, your application is not complete until you print, sign, and mail in the last page of the application. To be sure your application will be considered, get it in by May 1<sup>st</sup> of the year you will start post-secondary school. For more information and a list of eligibility requirements, visit PHEAA's funding website at <http://www.pheaa.org/funding-opportunities/index.shtml>.
- **Work-Study:** Pennsylvania has its own State Work-Study Program. To be eligible for State Work-Study, you need to be eligible for a Pennsylvania State Grant and meet a few other requirements. The purpose of State Work-Study is to help you earn money for school through career-related work experience, so Work-Study jobs need to be related in some way to your course of study. To find a job with a PHEAA-approved employer, visit <https://www.pheaa.org/state-work-study/index.cfm>. You can also

find your own job and ask the employer to apply for approval at <http://www.pheaa.org/partner-access/work-study-employers/index.shtml>. Employers benefit from participating in the State Work-Study Program, because PHEAA will pay for part or all of your earnings.

To find out application deadlines and apply for State Work-Study, visit <http://www.pheaa.org/funding-opportunities/work-study-employment/apply.shtml>. If you qualify, PHEAA will offer you a Work-Study award. The amount of your Work-Study award is the maximum amount that PHEAA will pay for. Your employer can pay you more, but anything above your award amount won't be reimbursed by PHEAA.

- **Other Pennsylvania grants and scholarships:** Pennsylvania offers several other grants and scholarships, including one for blind or deaf students and one reserved for students aging out of foster care. For details on other grants and scholarships, visit <http://www.pheaa.org/funding-opportunities/index.shtml>.
- **Office of Vocational Rehabilitation (OVR):** The Office of Vocational Rehabilitation helps individuals with disabilities reach their employment and education goals. If you work with an OVR, you and your counselor will write an Individualized Plan for Employment (IPE). Your IPE will include a career goal and the services that OVR will provide to help you work toward it. The services you get will be based on your needs. If your IPE includes college as part of your goal, OVR may provide money toward tuition. If you have special circumstances, such as medical expenses, you can apply for a waiver to receive additional aid. Tuition assistance from OVR is meant as a last resort. You need to use the FAFSA to apply for aid from the federal and state governments first. There are 21 different district offices in Pennsylvania. You can contact the Central Office at (800) 442-6351 or (866) 830-7327 (TTY). You can also find the local OVR that serves your county on the Pennsylvania Department of Labor and Industry's website.
- **Aid from your college or university:**

Your school may offer need-based scholarships, merit-based scholarships, or both. Some scholarships have no requirements, but some require you to do something, such as take specific classes or maintain a certain grade point average. For some, you may even have to promise to work in a certain job after you graduate. If you don't follow the requirements, you might have to pay back your scholarship. For some school-based scholarships, you will have to fill out a separate scholarship application, but for some, you will be considered for a scholarship based on your application for admission. Contact your school's financial aid office to find out what scholarships are available and what you need to do to apply.

○ **Aid from nonprofit and private organizations:**

There are thousands of scholarships available through nonprofit and private organizations. Scholarships can come in any amount. They may be only a few hundred dollars, or they may cover all of your tuition and school expenses. Some of these scholarships are based only on financial need. Others are based on numerous criteria, such as your grades, a writing competition, an identity-group you belong to (such as women or African-American students), or your background (such as first-generation college students). Start your scholarship search early – before your last year of high school, if possible. Scholarship deadlines vary and some deadlines may be a whole year before you start post-secondary school.

▪ **Scholarships for students with disabilities:** There are many organizations that offer scholarships that are only for students with disabilities or give preference to students with disabilities. Some of these scholarships are described below, but this is not a complete list. There are scholarships available based on specific disabilities. You can find these on the internet.

- **Incight** offers scholarships of \$500 to \$2,500 to students with disabilities who “have demonstrated outstanding merit in giving back to the community and overcoming obstacles in order to pursue higher education.” Apply online at <http://www.incighteducation.org/scholarship/>.

- **The Google Lime Scholarship Program** provides \$10,000 toward tuition for students with disabilities who are pursuing degrees in computer science, computer engineering, or a closely related field. Apply online at <http://www.limeconnect.com/opportunities/page/google-lime-scholarship-program>.
- **Mays Mission for the Handicapped** offers scholarships to students with disabilities. For more information, visit <http://www.maysmission.org/schol.html>.
- **The American Association on Health and Disability** offers scholarships of up to \$1,000. For more information, visit <http://www.aahd.us/initiatives/scholarship-program/>.
- **Finding other scholarships:** There are several great free websites that let you search for scholarships with all different eligibility criteria, including scholarships for students with disabilities. And remember, you should never have to pay to search for scholarships.
  - The U.S. Department of Labor’s Scholarship Search: <http://www.careerinfonet.org/scholarshipsearch/>
  - FastWeb: <http://www.fastweb.com/>
  - Scholarships.com: <http://www.scholarships.com/>

## **Legal Rights**

**The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Section 504)** prohibit schools from discriminating against students and potential students based on their disability. To be protected by the ADA and Section 504, you need to have a disability and you need to be qualified for the educational program. To be “qualified” means that you meet the essential requirements for getting admitted to the program. You need to have the necessary skills, education, and experience, and be able to fulfill the essential requirements of the program, with or without reasonable accommodations.

○ **Which schools are covered?**

Almost all schools, including most vocational and technical schools, are covered by both laws. The ADA covers all public and private colleges, universities, and other educational programs, except colleges and universities controlled by religious organizations. Section 504 covers any program that receives any federal financial assistance. The assistance can be direct or indirect, including something as simple as accepting students who get federal financial aid. This means that almost all colleges and universities are covered by Section 504, and other educational programs may be as well.

○ **What counts as a disability?**

Under the ADA and Section 504, a disability is an impairment that substantially limits one or more major life activities. Major life activities include functional activities such as your ability to care for yourself, see, walk, work, learn, read, or communicate. Major life activities also include major bodily functions, such as the respiratory or immune systems. You are protected by these laws if:

- You currently have such an impairment;
- You have a record of having such an impairment; or
- You are regarded as having such an impairment.

These laws are supposed to make it easy for you to get protections, so many impairments can qualify. You can even qualify if your impairment is in remission or if it's episodic, such as epilepsy or major depression. Also, you have a disability even if mitigating measures, such as medication or hearing aids, help you to function better. If you only need ordinary eyeglasses or contact lenses, though, your vision impairment is not a disability.

○ **Illegal practices**

**Discrimination** includes many different types of action under the ADA and Section 504. If a school does any of the following, the action is illegal. Not every illegal practice is included in this list.

- Denies you admission because you have a disability.

- Excludes you from any class or course of study because you have a disability.
- Excludes you from school-sponsored events and activities because you have a disability.
- Guides you toward more restrictive educational or career options than other students because you have a disability.
- Refuses to allow reasonable accommodations for your disability.
- Charges you for your accommodations.

## Getting Accommodations

Both the ADA and Section 504 require schools to make reasonable accommodations if you need them because of your disability.

### ○ **What are reasonable accommodations?**

Reasonable accommodations are changes or adjustments that make it possible for you to be successful in school and access all the services and benefits other students get. Just like in high school, the school needs to make it possible for you to get all these services and benefits in the most integrated setting that is possible and appropriate for you. You and your school should work together to find the right accommodations for you. Some examples of reasonable accommodations are listed below. This is not a complete list and not all of the listed accommodations will be necessary for all people with disabilities.

- Giving extra time for tests.
- Not lowering your grade for spelling errors on papers and exams.
- Letting you take extra time to complete the degree.
- Providing note-takers, qualified interpreters, or qualified readers.
- Making class materials available in alternative formats, such as Braille or as an audiobook.
- Providing assistive technology for use in your schoolwork.

However, there are also several things your school **doesn't** have to provide:

- Items that you also need in your personal life.

- For example, personal computers, hearing aids, and personal care aids.
- Accommodations allowing you access to services and benefits other students don't get.
  - For example, providing accessible housing when housing is not available to other students.
- Anything that would fundamentally change the educational program.
  - For example, reducing or eliminating requirements of a class or the program.

You are the expert about your disability, so don't be afraid to tell your school what accommodations would help you the most.

○ **How to get Reasonable Accommodations:**

To get a reasonable accommodation, you should talk to your school's disability services office or the ADA or Section 504 coordinator. If your school does not have these services, ask the dean of student affairs or your academic advisor about your school's procedure for requesting accommodations. Ask if your school has documentation requirements for proving that you have a disability and for proving that you need your accommodations because of it. Make your request in writing and keep a copy for yourself so that you have proof of what you asked for and when you asked for it. In your request, you may want to give a reasonable deadline for the school to respond, such as two weeks. That way, you can assume they have denied your request if they don't respond by the deadline. If your school refuses to make a reasonable accommodation or fails to make one in a reasonable amount of time, you may be able to file a complaint. For more information on how to file a complaint, see page 37.

Once your school approves your request for accommodations, you and your disability services office should work together to figure out the best accommodations for you. Accommodations may be different for different courses. You will get an accommodation letter to show to your teachers or professors. The letter will state that you have a disability and explain the accommodations you need, but it does not need to say what your disability is. You are responsible for meeting

with your teachers and professors to discuss the accommodations you need and the best way to put them in place.

- **Documentation:**

Getting accommodations in post-secondary school is a lot different than in elementary, middle, and high school. Under the IDEA, your school had to evaluate you to figure out if you needed special education services and what services you needed. Under the ADA and Section 504, you have to ask for accommodations, and your school may ask to see documentation. Documentation requirements vary from school to school, but you are the one responsible for getting it and for getting any evaluations you need. In addition to any standard health evaluations, you may want to get an assistive technology evaluation to see what types of assistive technology could help you. If you don't already have a medical professional to do your evaluations, you may be able to get your evaluations through your school's student health services. Ask your school whether this is an option.

Under the ADA and Section 504, you are considered to have a disability based on your functional impairments, not on your diagnosis. This means that it is not enough to tell your school, "I have ADHD." Whoever provides your documentation should write a letter that includes the following information: (1) the individual's credentials and qualifications for evaluating your specific disability and needs; (2) a description of any testing and evaluations you have had; (3) your diagnosis and how you meet that diagnosis; (4) how your disability substantially limits one or more major life activities; and (5) the accommodations that you need. The letter should be as specific as possible.

- **Admissions exams:**

Many schools require you to take a standardized test, such as the SAT, ACT, or TOEFL, as part of your application process. You are entitled to reasonable accommodations while taking your test. Because these tests are usually given by organizations other than your school, you need to contact the organization that gives the test you are taking. Make sure to do this long before test day! Some

organizations have strict rules and deadlines for requesting accommodations. When the testing organization reports your score to your schools, they may note that you took the test under “nonstandard” conditions. They cannot specify why or what the conditions were, and schools cannot give different weight to your test scores. They must treat them the same as any test score from a student who did not use accommodations.

## **Disclosing Your Disability**

You have the right to decide how much information you want to disclose about your disability and whether you even want to disclose that you have a disability. Whether you are applying to a school or are already a student, schools may not ask if you have a disability, what your disability is, or if you will need accommodations. However, schools may ask you to voluntarily disclose that you have a disability in their application materials. This information can only be used for affirmative action purposes. Many schools use affirmative action to make sure that they have a diverse student body. You are not required to answer this question.

- **Deciding to disclose:**

When you have a hidden disability, it can be tough to decide if you should tell people. It is your decision, but you need to disclose your disability if you want protections under the anti-discrimination laws. If you don't tell your school that you have a disability, you can't get reasonable accommodations. However, even if you choose not to disclose, you are protected from discrimination if the school acts because someone thinks you have a disability.

Even if you tell your school about your disability, you don't need to tell your classmates or any professors or teachers if you don't need accommodations. It's okay to keep your disability private if it makes you more comfortable. But remember that even though you can't control what people think about your disability, you have the right to be protected from discrimination and harassment.

- **When to disclose:**

You should tell someone about your disability as soon as you realize that you need an accommodation. If you already know that you will need accommodations, you should meet with your school's disability services office as soon as possible after you are accepted. Getting the proper documentation together can take a while and some accommodations may take time to put in place. But you can ask for accommodations at any time. Some people like to start classes and see how they do without accommodations before asking for any. But don't wait until you are already having problems to tell someone you need an accommodation.

## **Filing a Complaint**

Two agencies enforce the ADA and Section 504: the Department of Justice (DOJ) and the Office for Civil Rights of the U.S. Department of Education (OCR). If you think a school has discriminated against you because of your disability, including denying a reasonable accommodation, you can file a complaint. Where you file your complaint depends on the type of educational program. But don't worry about making a mistake – if you send the complaint to the wrong place, it will be forwarded to the right agency. The ADA and Section 504 prohibit retaliation, such as expulsion from the program, for filing a complaint.

It is a good idea to start by filing an internal grievance or appeal with the school. You don't have to do this before filing a complaint with the DOJ or OCR, but it might help your problem get resolved more quickly. The DOJ and OCR may also ask you to do this before they investigate your claim. Every school has its own procedures for filing a grievance or appeal. Ask your school's disability services office or dean of student affairs what the procedure is at your school.

Both the ADA and Section 504 also allow you to file a lawsuit in federal court. You do not need to file a complaint before you file a lawsuit, and you can file a lawsuit even if the DOJ or OCR decides that there was no discrimination and dismisses your complaint. You must file your lawsuit within two years of the date of discrimination.

**OCR** enforces Title II of the ADA and Section 504 of the Rehabilitation Act. If the school is a state or local government entity, such as a state school or a local community college, you are protected by Title II of the ADA. If the

school gets federal financial assistance, you are covered by Section 504 of the Rehabilitation Act. You have 180 days from the date the discrimination happens to file a complaint with OCR.

To file a complaint with OCR, you can file online at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>. If you don't want to use the electronic complaint form, you can file your complaint with the OCR office for the state your school is in. To find your state office, go to <http://wdcrobcopl01.ed.gov/CFAPPS/OCR/contactus.cfm> or contact OCR's National Headquarters.

You can reach the National Headquarters by phone, fax, or email. OCR encourages communication by fax and email when possible.

- Phone: (800) 421-3481 (voice) or (877) 521-2172 (TDD)
- Fax: (202) 453-6012
- Email: [OCR@ed.gov](mailto:OCR@ed.gov)

To file a complaint in Pennsylvania, contact OCR's office in Philadelphia.

- Phone: (215) 656-8541 (voice) or (877) 521-2172 (TDD)
- Fax: (215) 656-8605
- Email: [OCR.Philadelphia@ed.gov](mailto:OCR.Philadelphia@ed.gov)
- Address:  
Office for Civil Rights  
U.S. Department of Education  
The Wanamaker Building  
100 Penn Square East, Suite 515  
Philadelphia, PA 19107

**DOJ** enforces Title III of the ADA. If the school is a private school, you are protected by Title III of the ADA. You have 180 days from the date the discrimination happened to file a complaint with DOJ.

To file a complaint with DOJ, mail, fax, or email a letter to the DOJ's Civil Rights Division. Your letter should include: (1) your full name and contact information; (2) the name of the school that discriminated against you; (3) a description of what happened, including dates and names of individuals involved; and (4) any other relevant information. Include copies of relevant documents and keep the originals for yourself. Send your complaint to:

- Fax: (202) 307-1197
- Email: [ADA.complaint@usdoj.gov](mailto:ADA.complaint@usdoj.gov)

- Address:  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Civil Rights Division  
Disability Rights – NYAVE  
Washington, D.C. 20530

If you need help filing your complaint, call the DOJ's ADA Information line at (800) 514-0301 (voice) or (800) 514-0383 (TTY).

The laws governing your rights in post-secondary education can get complicated, but it's important to remember that there are laws protecting you and that you have resources to ensure that you get those protections. The information in this guide is meant to give you a brief overview of your post-secondary education rights. If you still have questions or need help understanding how the laws apply to a particular situation, contact the Disability Rights Network of Pennsylvania at (800) 692-7443 (voice) or (877) 375-7139 (TDD) for assistance.

## Chapter 3: Housing

### Housing Resources

Most people need some support, especially when they are first out on their own. Below are some resources to consider if you are looking for **affordable housing** in the community. There are many sources for information about housing. If you need additional information please contact the Disability Rights Network of Pennsylvania at 1-800-692-7443.

**Rental Assistance** programs are run by your local Public Housing Agency (PHA). There are three main programs run by the PHA – Public Housing, Housing Choice Vouchers (Section 8), and Privately Owned Subsidized Housing. These programs often have long waiting lists, and some PHAs close their waiting lists when they get too full, so it's important to apply early. To find your local PHA, go to <http://www.hud.gov/local/pa/renting/hawebsites.cfm>.

- **Public Housing** is available to low income families and individuals, and rent is usually 30% of a household's monthly income. Most public housing units are apartments and townhouses, located near each other, but some – called "scattered sites" – are spread out in the community.
- **Section 8 Housing Vouchers** allow families and individuals to find their own housing in the community. The PHA pays part of the rent so that the household pays only 30% of its monthly income. The rent for the housing has to be within the Fair Market Rents for your community. This is set by the Department of Housing and Urban Development (HUD). If the housing you choose costs more than the Fair Market Rents, you have to pay the extra rent.

Sometimes a few of these vouchers are set aside just for persons with disabilities. When one person stops using one of these vouchers, it has to go to another person with a disability.

- **Privately Owned Subsidized Housing** is housing that is owned by a private person or company, but gets public money so it can have cheaper rent. You can search for some of these apartments and houses by going to <http://www.hud.gov/apps/section8/index.cfm>.

**Affordable Housing Locator Websites** can help you find affordable housing in Pennsylvania. There are at least two websites that let you search for units that are subsidized or have sliding scale rent (rent that is based on your income). You can also search for units that have special accessibility accommodations. These are good websites to use if you have a Housing Choice Voucher or if you don't qualify for Rental Assistance.

- PA Housing Search  
<http://www.pahousingsearch.com>
- Columbus Property Management (CPM) Home Finder (Southeast Pennsylvania only)  
<http://www.cpmhomefinder.com/>

There are also several housing programs that link supportive services to housing. These **supportive housing** programs are described below.

- **Domiciliary Care (Dom Care)** is for individuals with disabilities who need some help with activities of daily living, but do not need 24 hour care. In Dom Care you live in a provider's home. You and the provider will be matched, and some providers and consumers develop close, family-like relationships. Your rent gets you a private bedroom, use of common areas, such as the kitchen and living room, and food. The provider gives you some support and care based on your needs, such as help with meals and laundry. You and the Dom Care provider work together to set house rules about things like noise, visitors, pets, etc. You have rights in the Dom Care program that have to be respected and you can file complaints if you feel you are not treated well.

The cost of Dom Care is usually covered by your SSI benefit and a state supplement. There is a Dom Care program in every county in Pennsylvania. Although Dom Care is run by the Area Agency on Aging (AAA), you only have to be 18 or older to use it. To learn more, contact your local Area Agency on Aging – you can find yours on the Pennsylvania Department of Aging's website (<http://www.aging.state.pa.us/>) under "local resources."

- **Shelter Plus Care** (Western Pennsylvania) gives rental assistance to homeless persons with disabilities. Individuals get affordable housing and are connected to supportive services. Some Shelter Plus Care programs offer housing to anyone with a disability, but some are reserved for individuals with a behavioral health impairment or substance abuse disorder. For information about Shelter Plus Care in Western Pennsylvania, contact one of the organizations below:

- DuBois Housing Authority
  - Contact: Kimberly A. Stroka, Project Manager
  - Phone: (814) 371-2290
  - Fax: (814) 371-2733
  - Email: [duboisha@choiceonemail.com](mailto:duboisha@choiceonemail.com)
  - Address:  
Dubois Housing Authority  
21 East Long Avenue  
DuBois, PA 15801
  - <http://www.duboishousing.org/Shelter.htm>

- FamilyLinks
  - Phone: (412) 343-7166
  - Address:  
FamilyLinks  
2644 Banksville Road  
Pittsburgh, PA 15216
  - <http://www.familylinks.org/>

- **Permanent Supportive Housing** is affordable housing for persons with disabilities, including substance abuse disorders. Along with housing, supportive services are available, such as case management, employment support, mental health services, and life skills training. All supportive services are completely optional. Many organizations across the state offer Permanent Supportive Housing, but space is limited. A few are listed below.

Allegheny County:

- Transitional Services, Inc.
  - Contact: Jessica Burr, Clearinghouse Manager
  - Phone: (412) 461-1322, ext. 252

- Fax: Attention: Clearinghouse Manager (412) 461-0308
- Email: [jburr@transitionalservices.org](mailto:jburr@transitionalservices.org)
- Address:  
Transitional Services, Inc.  
Attention: Clearinghouse Manager  
806 West Street  
Homestead, Pa 15120
- <http://www.transitionalservices.org>

Lackawanna County:

- Catherine McAuley Center
- Phone: (570) 342-1342
  - Fax: (570) 341-8108
  - Address:  
Catherine McAuley Center  
430 Pittston Avenue  
Scranton, PA 18505
  - <http://www.catherinemcauleycenter.org/>

Philadelphia:

- Project H.O.M.E.
- Phone: (215) 232-7272
  - <http://www.projecthome.org/our-work/housing>

- **Fairweather Lodges** provide shared housing and employment for individuals with behavioral health impairments. Five to eight people live in the house. They decide on the house rules together, run a business together, and share responsibilities, like paying bills and taking care of the house. There are not many Fairweather Lodges in Pennsylvania yet, but there will be more soon. For more information, contact one of the organizations listed below.

Allegheny County:

Family Services of Western Pennsylvania

- Phone: (888) 222-4200
- <http://www.fswp.org>

Mercy Behavioral Health

- Phone: (877) 637-2924

- <http://www.mercybehavioral.org/>

Centre County:

Strawberry Fields, Incorporated

- Phone: (814) 234-6023
- Fax: (814) 234-1439
- Email: [sfields@sfionline.org](mailto:sfields@sfionline.org)
- Address:  
Strawberry Fields, Inc.  
3054 Enterprise Dr.  
State College, PA 16801

Delaware County:

Elwyn

- Contact: Lewis Manges
- Phone: (610) 891-2081
- Email: [Lew\\_Manges@elwyn.org](mailto:Lew_Manges@elwyn.org)
- <http://www.elwyn.org/>

Erie County:

Stairways Behavioral Health

- Contact: Kim Stucke
- Phone: (814) 878-2170
- Email: [kmstucke@stairwaysbh.org](mailto:kmstucke@stairwaysbh.org)
- <http://www.stairwaysbh.org/>

**Need more help with housing? Contact your Center for Independent Living (CIL) or Local Housing Option Team (L-HOT).**

**CILs** offer many services to help empower people with disabilities. These services always include information and referral, advocacy, peer mentoring, and life skills training. Each CIL also has additional services based on the needs of its community. If you have a question about services and programs in your community, call your local CIL for help. You can find the CIL in your area at [http://www.pcil.net/pages/cils/locate\\_a\\_cil.aspx](http://www.pcil.net/pages/cils/locate_a_cil.aspx).

**L-HOTs** are made up of different agencies and individuals who are interested in finding solutions to the housing problems faced by people with disabilities. L-HOTs work to identify these problems and create more

housing options. If you have a behavioral health impairment, your local L-HOT can be a great source of information about supportive housing options in your area. You can find the contact information for all the current L-HOTs at <http://www.pahousingchoices.org/housing-resources/local-housing-options-teams/>.

## **Housing Rights**

When you are looking for housing, you have the right to have access to the same housing as a person without a disability. Landlords and realtors cannot discriminate against you because you or someone you know has a disability. They also have to allow certain changes to the building and to their rules if you need the changes to have full access to the house or apartment.

It is illegal for most landlords or realtors to:

- Refuse to rent or sell to you because of a disability;
- Tell you a house or apartment isn't available when it is;
- Set a different price or different contract terms for you;
- Give you fewer services than other tenants;
- Use discriminatory language in advertisements. This includes stating that an apartment or house is not accessible;
- Threaten, intimidate, or harass you;
- Refuse to make reasonable accommodations in policies, practices, or procedures that are necessary to allow you equal enjoyment of the premises;
- Make you pay extra fees because of your reasonable accommodation;
- Refuse to allow you to make reasonable modifications to the premises at your own expense if necessary to provide you with equal enjoyment of the property; or
- Ask you if you have a disability or what kind of disability you have. If you need an accommodation or modification and it is not obvious why you need it, the landlord can ask for just enough information to understand. The landlord cannot ask you for more details than he needs. The landlord also cannot ask about other disabilities that don't relate to the accommodation or modification.

It is okay for a landlord to give preference to people with disabilities or to advertise that housing is accessible to people with disabilities.

**Reasonable accommodations** are changes in rules, policies, or services to allow an individual with a disability to have an equal opportunity to use and enjoy the housing. The accommodation must be related to your disability. The landlord is responsible for any costs related to making the accommodation. There is no complete list of reasonable accommodations, but some examples are listed below:

- Giving you a reserved parking space if you need to park close to the building because of your disability;
- Letting you have a service animal even if the housing doesn't allow pets;
- Not charging guest fees or parking fees for your home health care aide;
- Helping you fill out the rental application form if you have a visual impairment; and
- Letting you mail your rent check instead of bringing it to the office if you have a behavioral health impairment that makes you afraid to leave your apartment.

**Reasonable modifications** are physical changes to your house, apartment, or apartment building to allow you full use of your home. You can request a reasonable modification before you move in or at any time while you live at the premises. You are responsible for paying for reasonable modifications and you might have to put things back the way they were when you move out. You are also responsible for the upkeep of the modification unless it is in a common area that the landlord normally maintains. Your landlord can insist that whoever makes the modification get the necessary permits and do the work in a workmanlike manner. However, if your landlord wants you to use a certain contractor to do the work or make it look a certain way, you only have to agree if the modification will still do what you need and the landlord pays any extra costs. There is no complete list of reasonable modifications, but some examples are listed below:

- Putting a grab bar in your bathroom;
- Widening doors or lowering counters because you use a wheelchair;
- Putting a ramp into the building or your apartment;
- Replacing your doorknobs with levers;

- Installing a peephole because of a hearing disability so you can see who is at the door; and
- Replacing carpeting with a smooth, finished floor.

**REMEMBER**, you can only get an accommodation or modification if you need it because of your disability. Your landlord can't guess what you need. He or she only has to make changes that you ask for. There is no special way that you have to ask for your accommodations or modifications, but it's a good idea to make your request in writing and keep a copy for yourself. If the landlord doesn't respond to your request promptly, it counts as failing to allow a reasonable accommodation. You'll want the written request as proof of what you asked for and when you asked for it, in case you need to file a complaint.

### **Filing a Complaint**

If you think a landlord or realtor has discriminated against you, you have one year to file a complaint with the Department of Housing and Urban Development (HUD) or two years to file a lawsuit in federal court. If you want to file a complaint, you can file online or download a form from [www.hud.gov](http://www.hud.gov). You can also send a letter that includes the following: (1) your name and address; (2) the name and address of the person your complaint is about; (3) the address of the house or apartment you were trying to rent, buy, or get an accommodation for; (4) the date the incident occurred and whether it happened one time or is ongoing; and (5) a short description of what happened. Send your form or letter to:

Fair Housing Hub  
U.S. Dept. of Housing and Urban Development  
The Wanamaker Building  
100 Penn Square East  
Philadelphia, PA 19107

Keep track of when you filed your complaint, because HUD has to complete an investigation into your situation within 100 days. If you need help, you can contact the complaints office for Pennsylvania at (888) 799-2085 or (215) 656-3450 (TTY) or [Complaints\\_office\\_03@hud.gov](mailto:Complaints_office_03@hud.gov).

## Chapter 4: Employment

When you become an adult, you may have to begin supporting yourself financially. If you have a disability, sometimes you just need the right supports to help you find and keep a job. If you decide that you want to work, you have many rights and resources to help you reach your work goals.

### **Starting to Work**

When you are still in high school, your Individualized Education Program (IEP) should have goals designed to help you gain the skills you need to work, but once you leave school, you might need help gaining a few more skills or locating the right job. Finding a job can be difficult for anyone, with or without a disability. But the good news is that many employers are starting to realize that people with disabilities are a valuable and talented pool of applicants who are often overlooked. Below are some resources that can help you prepare for and find a job.

### **Preparing to Work**

There are several places in Pennsylvania that can help you figure out your skills, learn new skills, set goals, and find jobs.

- **The Office of Vocational Rehabilitation (OVR)** can provide many different services to help individuals with disabilities get ready to work, find a job, and keep their job. If you work with OVR, you will set a career goal and OVR will provide you with services to help you work toward it. Some available services include counseling, job coaching, job assessments, training, job placement, and other support services you may need to help you be independent. OVR may also be able to provide assistive technology. To qualify for OVR services you must meet two factors:
  1. You have a mental or physical disability that causes a substantial impediment to employment and you can benefit from OVR services; and
  2. You need OVR services to prepare for, enter, engage in, or retain employment.

There are 21 different district offices in Pennsylvania. You should apply for OVR services by contacting the district office that is closest to you. To find the district office closest to you, contact the Central Office at (800) 442-6351 or (866) 830-7327 (TTY). You can also find the local OVR that serves your county on the Pennsylvania Department of Labor and Industry's website. Contact your district office and request an application for services. Once you complete the application an OVR Counselor will determine your eligibility for services after an assessment. The assessment will look at your abilities, limitations, interests, and skills. If you are approved for services then you should receive individualized employment services based on your need. If you are eligible for SSI, you are automatically eligible for Vocational Rehabilitation services.

- **One-Stop Career Centers** can help you assess your skills and experience, get job training and coaching, and find a job. In Pennsylvania, the One-Stop Career Center is called CareerLink, and there are many offices across the state. Any Pennsylvania resident who is eligible to work in the United States is eligible for free services from CareerLink. The CareerLink website allows you to search for jobs and training opportunities and create an online resume. For more services, such as job referrals, resume and interview assistance, occupational skills training, and a variety of workshops related to career development, go to your local CareerLink office. To use CareerLink internet services or find the CareerLink office closest to you, go to <http://www.pacareerlink.state.pa.us>. The search engine for your local CareerLink office is linked on the right hand side of the page.
- **Goodwill** offers job training and placement services for youth and individuals with disabilities at some of their locations. Your local Goodwill may offer individualized placement and support services, help with writing a resume and preparing for interviews, and more. To find out what services are available in your area, contact your local Goodwill and ask for an employment specialist. You can find your local Goodwill at <http://locator.goodwill.org/>.
- **Home and Community-Based Services Waivers (Waivers)** are Medical Assistance programs that provide a variety of healthcare and daily living services to low-income individuals with disabilities.

Several of the available Waivers offer prevocational services that help prepare Waiver participants for paid employment. For more on Medical Assistance and Waivers, see page 74.

## **Internships and On-the-Job Training Programs**

Internships and On-the-Job Training Programs are a great place to start if you don't have much work experience. Below are some internship and career development opportunities for youth. Some are specifically directed toward youth with disabilities.

- **National:**
  - **The American Association of People with Disabilities (AAPD)** has paid summer internships for students and recent graduates. Interns live in Washington, D.C. for 10 weeks and work in Congressional offices, federal agencies, and private organizations. AAPD provides interns with accessible housing, a stipend for expenses, and free travel to and from Washington, D.C. AAPD also offers internships in their office throughout the year. For more information and to apply for an internship, visit <http://www.aapd.com/what-we-do/employment/internship-program/> or call (202) 457-0046.
  - **The Workforce Recruitment Program (WRP)** connects federal sector employers across the country to college students and recent graduates with disabilities. To be eligible for WRP you have to have a disability and be a full-time undergraduate or graduate student. You are also eligible if you graduated no more than one year ago. WRP does not work directly with students – it coordinates with a contact at your school. Check with your school's disability or career services coordinator to see if your school is already connected to WRP. If not, ask them to contact the WRP Coordinator at [wrp@dol.gov](mailto:wrp@dol.gov).
  - **Job Corps** provides academic and career training for young people ages 16-24 who meet low income requirements. Job Corps students choose from a list of careers and get on-the-job training. Students can also take classes to earn their GED or high school diploma. During your Job Corps program, and for six

months after you graduate, Job Corps specialists will help you develop interview skills, create a resume, and find a job. They can also help you earn college credit at nearby community colleges and transfer to a degree program if you want to. Job Corps students decide for themselves how quickly they want to go through the program and can spend between eight months and two years completing it.

Job Corps provides students with health and dental care, free meal services, and a living allowance. Most Job Corps locations also provide free housing in dormitories, but some are open only to commuters. If you live on campus, Job Corps will pay for you to travel between your home and the center at the beginning and end of your program and during winter and summer breaks. There are Job Corps centers across the country, including four in Pennsylvania. You will usually be placed in the center closest to your home. For more information about Job Corps, you can download an informational brochure at <https://recruiting.jobcorps.gov/en/requestinfo.aspx> or call (800) 733-5627.

- **Beaver County:**

- **Job Training for Beaver County, Inc.** offers a variety of career services for youth ages 14-21, including work experience programs, such as internships, and skills training. To find out more about the programs available and whom to contact, visit <http://jtbc.org/youth/> or call (724) 728-2020. This program is only available to residents of Beaver County.

- **Philadelphia:**

- **WorkReady** is run by the Philadelphia Youth Network. WorkReady offers both summer and year-round paid programs for youth with varying levels of work experience. WorkReady places youth with a variety of organizations where they can improve their work readiness. Youth ages 14-21 are eligible to participate. For more information, call the WorkReady Philadelphia Hotline at (267) 502-3742. To apply online, go to

[http://www.mypyn.org/workready\\_app.php](http://www.mypyn.org/workready_app.php). This program is only available to residents of Philadelphia.

## Finding Open Positions

There are several ways to get connected to state, local government, federal, and non-federal jobs:

- **The Pennsylvania State Civil Service Commission** connects individuals to state and local government jobs. There are hundreds of different civil service jobs in a number of areas, such as education, accounting, and law enforcement. For each application you submit, you need to go to one of eight testing centers and take a civil service exam. The topics tested will vary depending on the job you apply for, but they generally include questions about how to interact with clients, supervisors, and coworkers. For some jobs, there may be basic math questions or a typing test. Each job posting will list the test subjects required for that job. To apply for a civil service job, go to <http://www.scsc.state.pa.us/> and create an account. Once you are logged into your account, you will be able to view open jobs and apply for the jobs that interest you. If you need accommodations to take your civil service exam, you have to submit a Justification for Testing Accommodation Form. You can download this form at [http://www.portal.state.pa.us/portal/server.pt/community/testing\\_information/14273](http://www.portal.state.pa.us/portal/server.pt/community/testing_information/14273).
- **Many agencies in the federal government** have goals to hire more people with disabilities. If you want to work for the federal government, there are two ways to get hired: competitively and non-competitively. If a job is filled competitively, it means that you find an open job you want to apply for and go through the full application process. You can find government jobs to apply for at <http://www.USAJOBS.gov>. If you don't have internet access, or you need more help, you can call (202) 606-2525.

If you have a disability, you can also apply for a non-competitive job. This means that you send in an application for an open job and may be able to get the job through a much shorter and simpler process. To apply non-competitively, you need to have a statement from a doctor or vocational rehabilitation specialist that proves you have a

disability and certifies that you are ready to do the job. If you are interested in applying non-competitively, you should contact the Selective Placement Program Coordinator (SPPC) for the agency you want to work for. Most federal agencies have an SPPC to help recruit, hire, and accommodate people with disabilities. You can find each agency's SPPC at [http://apps.opm.gov/sppc\\_directory/](http://apps.opm.gov/sppc_directory/).

- **If you are looking for a non-government job**, there are several job search websites specifically for people with disabilities. All of the websites listed below are free for people looking for jobs:
  - GettingHired:  
<http://www.gettinghired.com/>
  - Hire Disability Solutions:  
<http://www.hireds.com/>
  - Ability Jobs:  
<http://www.abilityjobs.com/>
  - National Business & Disability Council:  
<http://www.viscardicenter.org/services/nbdc/job-seekers/>
  - Career Opportunities for Students with Disabilities:  
<http://www.cosdonline.org/>
  - American Association of People with Disabilities:  
<http://jobs.aapd.com/>
  - Think Beyond the Label Dot Com:  
<http://www.thinkbeyondthelabel.com/Job-Board/GetAJob.aspx>

## **Work and Social Security Benefits**

Many young people with disabilities receive Social Security benefits to help them support themselves. This can be either Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI). For descriptions of these benefits and information about applying, see page 101 of this guide. Many people believe that people who receive Social Security benefits cannot work at all, but the Social Security Administration (SSA) actually encourages beneficiaries to work if they can. SSA supports beneficiaries who want to work by offering training and placement resources. SSA also offers a variety of work incentive programs to help

you earn extra income without losing your benefits. These resources and programs are described below.

- **Ticket to Work** helps Social Security beneficiaries prepare for and find employment. Beneficiaries can “assign” their ticket to an Employment Network (EN) or OVR to get free employment services. When you work with an EN, you set work goals and figure out what services you need from the EN to help you reach your goals. All ENs offer career counseling and job placement, but some also have more services, so you should think about what you need from your EN. Don’t be afraid to call around before you choose which one is right for you – you don’t have to assign your ticket to an EN just because you talk to them. The EN can also choose which assignments to accept, so you may have to try a few different ENs. If you choose one EN and change your mind later, you can move your ticket to a different EN. To search for an EN near you, go to <http://www.choosework.net/> and click on the map. After you search, click on the “Report Card” link next to any EN’s name to find detailed contact information and a list of services that EN provides.

While you are using your ticket, SSA will not perform a medical Continuing Disability Review (CDR) as long as you are making progress toward your employment goals. If you use your ticket, you can still use any of the Work Incentives described below. If you want more information about Ticket to Work, or you need help finding an EN or OVR, call the Ticket Call Center, MAXIMUS, at (866) 968-7842 or (866) 833-2967 (TTY).

- **Social Security Work Incentives:** If you get Supplemental Security Income (SSI), you might be worried that you’ll lose your benefits if you get a job. But even if you have a job, you can still qualify for SSI. If you get SSI, you will always make more money by working. You can usually keep your Medicaid too. For more on SSI, see page 101. Only “countable income” lowers your SSI benefit. This is your gross income minus any exclusions you qualify for. Once the Social Security Administration (SSA) finds that number, for every two dollars of countable income that you earn, your SSI benefit will go down by one dollar. This means that you can keep your full SSI benefit and more than half of your extra income.

When you first leave high school, you will most likely only qualify for SSI, but if you have already worked and paid Social Security taxes, you may be eligible for Social Security Disability Insurance (SSDI). In some cases, you can also qualify for SSDI based on your parents' earnings record. For more on getting SSDI, see page 102. Calculating your SSDI benefit if you go back to work is a little more complicated than calculating your SSI benefit. If you get SSDI, you can use a 9-month Trial Work Period to try working without losing any of your SSDI benefit. You can start your Trial Work Period at any time, but once you start it, you have 5 years to use all 9 months. For 2014, a Trial Work month is any month in which you earn more than \$770.

SSA has several work incentive programs to help you keep more of your income without losing your benefits. Most apply only to SSI benefits, but some can be used with SSDI too. These programs are described below.

- **The Earned Income Exclusion** applies to anyone with SSI or SSDI who gets income from a job. With the Earned Income Exclusion, SSA doesn't count the first \$85 of your monthly income when they figure out your countable income.
- **The Student Earned Income Exclusion (SEIE)** helps students who are younger than 22 and receive SSI keep more money from their jobs. This exclusion is in addition to the regular Earned Income Exclusion. If you go to school regularly, you can earn up to \$1,750 per month (to a maximum of \$7,060 per year) without reducing your SSI benefit at all. Going to school "regularly" means you are attending college at least 8 hours per week, attending school in grades 7-12 at least 12 hours per week, or in a job training program (vocational school, etc.) at least 12 hours per week. You can also use this exclusion if you go to school for fewer hours for reasons out of your control, such as illness, or if you are homeschooled. If you earn more than \$1,750 in a month or get past the yearly maximum, the extra money will be part of calculating your countable income. Note that the rates listed are for 2014.
- **An Impairment Related Work Expense (IRWE)** is money you spend out of pocket to make it possible for you to work. You can deduct IRWEs from your total income, so this money won't count when SSA calculates your SSI or SSDI benefit. These have to be things that

you need to work because of your disability and they can't be things that your job or insurance pays for already. It's okay if you also use the item in your daily life, though. For example, if you need a wheelchair so you can get around at your job, this counts as an IRWE, even if you use the wheelchair at home too. Other examples of IRWEs could be service animals (and things you need to care for your animal), special transportation (or modifications to your own vehicle), medicine, and attendant care services, as long as you need these things to get to work or to do your job. Your local Social Security office has to approve any IRWEs.

- **A Plan to Achieve Self Support (PASS Plan)** can help you get back to work in a job you actually like. When you have SSI, it can be hard to work toward education and job goals, because you can't save up very much money without losing your benefits. A PASS Plan can help you save enough money to reach your goals and still keep your benefits. A PASS Plan is a good idea if you have SSI (or could have it, but you have too much money), you want to work, and you have income other than your SSI payment. To get a PASS Plan, you choose a work-related goal and figure out what you need to get there, such as tuition for school, childcare while you take classes, or supplies for starting a business. Then you find out how much these things will cost and tell SSA how much money you will need to save up. If SSA approves your PASS Plan, you can set aside a certain amount of money each month. The money you set aside doesn't count toward your countable income or your assets.

To get approved, you need to submit Form SSA-545-BK to your local SSA office. You can download this form at <http://www.ssa.gov> or pick it up at the SSA office. You can find your local SSA office at <http://www.ssa.gov/locator> or by calling (800) 772-1213. You can fill out the PASS Plan application by yourself, but it can get pretty complicated, especially if your goal is to start your own business (you'll need a separate business plan for this). It's a good idea to go to a vocational rehabilitation counselor to get help creating your plan and filling in the form. Your local Work Benefits Counseling Project may also be able to help you with your PASS Plan application, or SSA can refer you to someone who can help.

- **Continued Medicaid Eligibility (The 1619(b) Incentive)** lets you keep your Medicaid when your income is too high to get any SSI cash benefit. To get Medicaid under 1619(b), you need to have been eligible for a cash benefit for at least one month out of the last 12 and still meet the qualifications for SSI, other than income. You also have to need Medicaid in order to work and you need to have an income that is below your state threshold. For 2014, the threshold in Pennsylvania is \$35,897. If you earn more than this, but you have a PASS Plan, IRWEs, or very high medical expenses, you might be able to get an individual threshold that is higher, so contact your local Social Security office. If you get Medicaid under 1619(b) and then you have to stop working or work less, just report your change in income to SSA and you can switch back to getting cash benefits.
- **Expedited Reinstatement** helps you get your full SSI or SSDI benefit back if you need to stop working or have to reduce your hours because of your disability. If your income while you were working was too high to receive a cash benefit check you can ask for Expedited Reinstatement. As long as it is less than 60 months since you stopped getting benefits, you won't have to go through the whole application process again. While you wait for SSA to decide if you can get benefits again, you may be able to get temporary payments and Medicaid coverage that you won't have to repay, even if you don't end up getting your benefits back.

If you need more help understanding Social Security work incentives or have other questions related to working while receiving Social Security benefits, contact a Work Incentives Planning and Assistance (WIPA) program. The WIPA program provides SSA grants to organizations that help Social Security beneficiaries. Anyone who gets SSI or SSDI can get help from WIPA. These programs can help you learn about SSA's work incentives and how working will affect your benefits. They can also give you information about job placement, help you figure out healthcare once you start working, and teach you about other services that you can get. There are three projects in Pennsylvania, and each one serves many counties across the state. The contact information for these projects is as follows:

AHEDD

- Phone: (866) 902-4333

- Email: [inforequest@ahedd.org](mailto:inforequest@ahedd.org)
- <http://www.ahedd.org/>

#### Disability Rights Network of Pennsylvania

- Phone: (800) 692-7443 or (877) 375-7139 (TDD)
- Email: [intake@drnpa.org](mailto:intake@drnpa.org)
- <http://www.drnpa.org>

#### Goodwill

- Phone: (866) 960-9675 or (866) 541-7001 (TTY)
- Email: [wipa@yourgoodwill.org](mailto:wipa@yourgoodwill.org)
- <http://www.yourgoodwill.org>

## **Employment Rights**

You have the right to the same job opportunities as people without disabilities, and you have the right to certain accommodations to help you be successful in your job. As you are getting ready to leave high school, it is important for you to learn about your work-related rights.

## **Anti-Discrimination Laws**

The Americans with Disabilities Act (ADA), the Rehabilitation Act, and the Pennsylvania Human Relations Act (PHRA) - make it illegal for employers to discriminate against an employee or job applicant because he or she has a disability. To be protected by the ADA, the Rehabilitation Act, or the PHRA, you need to have a disability and you need to be qualified for a job with an employer who is subject to the particular law. To be “qualified” means that you have the necessary skills, experience, and education, and you can perform the essential functions of the job, with or without a reasonable accommodation.

### **o What counts as a disability?**

Under the ADA, the Rehabilitation Act, and the PHRA, a disability is an impairment that substantially limits one or more major life activities, including functional activities such as your ability to care for yourself, see, walk, work, learn, read, or communicate. Major life activities also include major bodily functions, such as the respiratory or immune systems. You are protected by these laws if:

- You currently have such an impairment;
- You have a record of having such an impairment; or
- You are regarded as having such an impairment.

These laws are supposed to make it easy for you to get protections, so many disabilities can qualify. You can even qualify if your impairment is in remission or if it's episodic, such as epilepsy or major depression. Also, you have a disability even if mitigating measures, such as medication or hearing aids, help you to function better. If you only need ordinary eyeglasses or contact lenses, though, your vision impairment is not a disability.

Substance abuse disorders can qualify as a disability, but you are not protected from discrimination based on your current use of illegal substances.

#### ○ **Illegal practices**

**Discrimination** by an employer can include a range of activities, such as:

- Refusing to hire you;
- Saying that a position is not available when it is;
- Using different standards or tests when deciding whether to hire you;
- Demoting you or refusing to promote you;
- Paying you less or giving you different or fewer benefits;
- Firing you;
- Excluding you from employee activities;
- Denying you access to any of the privileges of employment;
- Placing you on involuntary leave; or
- Refusing to provide a reasonable accommodation.

**Harassment** because of your disability is considered discrimination if it is so severe and persistent that it creates a hostile work environment. This means that the abuse makes you unable to do your job, prevents you from accessing all the benefits of employment, or results in an adverse action, such as demotion or termination. To qualify as illegal discrimination, the harassment has to be based on your disability and it has to be more than

just occasional teasing. It is illegal for an employer to harass you, and your employer also has to take action if you report that a coworker is harassing you.

## **Getting Accommodations**

All three anti-discrimination laws require employers to make reasonable accommodations if you need them because of your disability.

### **○ What are reasonable accommodations?**

Reasonable accommodations are changes or adjustments that make it possible for you to apply for a job, to do your job, and to access all the benefits of the job. Reasonable accommodations can include changes to employer policies, such as allowing you to have a flexible schedule, or changes to the office, such as adding a ramp. They can also include assistive technology, such as a computer program to help someone with a visual impairment. An employer doesn't have to provide items that you also need in your personal life, though. The employer also does not have to eliminate essential functions of the job as an accommodation.

You are the expert about your disability, so don't be afraid to tell your employer what accommodations would help you the most. If you're not sure what might be helpful, you can search for ideas on the Job Accommodation Network at <http://askjan.org/soar/>. Your doctor might also be a good person to help you figure out what you need.

### **○ How to get reasonable accommodations:**

To get a reasonable accommodation, you should talk to your human resources department or your supervisor. You don't need to give your employer details about your disability. All you need to say is that you need a change at work for reasons related to a medical condition. However, if you have a non-obvious disability, or it's not obvious why you need the accommodation, the employer may be allowed to request documentation to show that you have a disability and that you need the accommodation because of your disability. As soon as you ask for an accommodation, your employer should start working with you to figure out what would help you. It is a good idea to make your request in writing and keep a copy for

yourself so that you have proof of what you asked for and when you asked for it.

If your employer refuses to make a reasonable accommodation or fails to make one in a reasonable amount of time, you may be able to file a complaint. For information about how to file a complaint, see page 63 of this guide.

## **Disclosing Your Disability**

You have the right to decide how much you want to tell people about your disability and whether you even want to disclose that you have a disability. Employers cannot ask you if you have a disability, unless they have affirmative action procedures for individuals with disabilities. Employers who use affirmative action procedures to help them recruit and hire more individuals with disabilities may ask you on the application if you have a disability. You are not required to answer this question.

### **o Deciding to disclose:**

When you have a hidden disability, it can be tough to decide if you should tell people. It is your decision, but you need to disclose your disability if you want protections under the anti-discrimination laws. If you don't tell your employer that you have a disability, you can't get reasonable accommodations. You also won't be protected from getting in trouble or getting fired if you have problems at work because you don't have those accommodations.

Even if you tell your boss about your disability, you don't need to tell everyone at work unless you want to. Some people like to keep their disability private because they don't need any accommodations and don't think their disability is relevant to their job. Others worry that their coworkers will think less of them or treat them differently. It's okay to keep your disability private if it makes you more comfortable. But remember that even though you can't control what people think about your disability, you have the right to be protected from discrimination and harassment.

### **o When to disclose:**

You should tell someone about your disability as soon as you realize that you need an accommodation. This might be before the interview if you need accommodations at your interview. It might also be after you have been offered the job or have started working if you need an accommodation to do your job or to access benefits of your job (such as an employee lunchroom or employee parking). Don't wait until you are already having problems to tell someone you need an accommodation.

- **How to disclose:**

You only need to tell someone how your disability will affect your job performance and what services and supports you need to succeed in your job. Discuss your disability in a matter-of-fact way and keep the discussion positive. This is especially important if your disability comes up before you are hired. For instance, if there is a gap in your work history, an interviewer might ask you about it. If you had to take time off work because of your disability, you may want to disclose this. But don't focus too much on reasons you couldn't work. Instead, use this as an opportunity to discuss what you did during your time off that may have given you valuable life experience. Focus on your strengths and abilities and tell the interviewer why you are ready to move forward and be successful in the position you're applying for.

## **Medical Exams and Disability-Related Inquiries**

The ADA restricts when and why an employer can make medical inquiries or require medical exams. A "medical inquiry" is any question that is "likely to illicit information about a disability." A question that might have a disability-related answer, but also has many answers that are not related to a disability is not a "medical inquiry." For example, the question, "How many days were you sick last year?" is medical, because it is directly related to the severity of any health impairments you may have. On the other hand, the question, "How many days were you absent from your last job?" is not disability-related, because there are many reasons why an employee might miss work. The rules for inquiries and exams vary depending on where you are in the application and employment process:

- **Before you are offered a job:** No medical inquiries or medical exams allowed.

- **After you are offered a job:** Any inquiries or medical exams allowed if required of all applicants. Withdrawing an offer is allowed only when it is job-related and consistent with business necessity and there are no reasonable accommodations available.
- **After you begin work:** Medical inquiries or medical exams allowed only when they are job-related and consistent with business necessity.

A few things to note:

- Tests for illegal drug use can be required at any step, as current use of illegal drugs is not protected by the ADA.
- Employers can require non-medical tests and exams. Examples include agility and fitness tests (as long as these don't include medical tests, such as measuring heart rate or blood pressure) and psychological tests used to determine qualities such as honesty and reliability.
- If you request an accommodation at any step, and your need for the accommodation is not obvious, employers can ask questions or require exams, but only as much as is necessary to verify your need for the accommodation.

## **Filing a Complaint**

If you think an employer has discriminated against you because of your disability, or you have been harassed at work, you can file a complaint. Several agencies enforce the ADA, the Rehabilitation Act, and the PHRA. Where you file a complaint depends on the type of employer. The ADA, the Rehabilitation Act, and the PHRA prohibit retaliation, such as firing or disciplining, for filing a complaint.

**If the employer is a private employer with at least 15 employees or is a state or local government,** you are protected by the ADA. The Equal Employment Opportunity Commission (EEOC) enforces the ADA.

You have 180 days from the date the discrimination happens to file your complaint, or 300 days if you also file a complaint with the Pennsylvania Human Relations Commission (see next page). You can file in person, by

mail, or by phone. To file a complaint in Pennsylvania, contact the Philadelphia District Office of the EEOC:

- Phone: (800) 669-4000 or (800) 669-5820 (TTY)
- Address: 801 Market Street, Suite 1300  
Philadelphia, PA 19107

You cannot file a private lawsuit in federal court unless you get a “right-to-sue” letter from the EEOC first. You can request a “right-to-sue” letter if the EEOC does not act on your complaint within 180 days. You have 90 days from receipt of your “right-to-sue” letter to file your lawsuit.

**If the employer is a private employer in Pennsylvania with at least 4 employees**, you are protected by the PHRA. The Pennsylvania Human Relations Commission (PHRC) enforces the PHRA.

You have 180 days to file a complaint with the PHRC. If the action in your complaint also violates a federal law, the PHRC will file your complaint with the appropriate federal agency. There are three PHRC regional offices in Pennsylvania, serving all sixty-seven counties. You can download a complaint form or find out which office serves your county by going to <http://www.phrc.state.pa.us/> and clicking “File a complaint” on the left side of the page.

- **Philadelphia**
  - Phone: (215) 560-2496 or (215) 560-3599 (TTY)
  - Address: PA Human Relations Commission  
Philadelphia Regional Office  
110 North 8<sup>th</sup> Street, Suite 501  
Philadelphia, PA 19107
- **Pittsburgh**
  - Phone: (412) 565-5395 or (412) 565-5711 (TTY)
  - Address: PA Human Relations Commission  
Pittsburgh Regional Office  
301 Fifth Avenue  
Suite 390, Piatt Place  
Pittsburgh, PA 15222
- **Harrisburg**

- Phone: (717) 787-9784 or (717) 787-7279 (TTY)
- Address: PA Human Relations Commission  
Harrisburg Regional Office  
Riverfront Office Center, 5<sup>th</sup> Floor  
1101-1125 South Front Street  
Harrisburg, PA 17104

You cannot file a private lawsuit in a state court unless you get a “right-to-sue” letter from the PHRC first.

**If the employer is a federal executive branch agency**, such as the Department of Labor or the Department of Education, you are protected by Section 501 of the Rehabilitation Act. The EEOC enforces Section 501.

Before filing a complaint with the EEOC, you must contact an equal employment opportunity counselor at the agency where you think the discrimination happened. You have 45 days to do this.

**If the employer has a contract with the federal government**, you are protected by Section 503 of the Rehabilitation Act. The Department of Labor’s Office of Federal Contract Compliance Programs (OFCCP) enforces Section 503.

You have 300 days from the date the discrimination happened to file a complaint. You can get a complaint form at <http://www.dol.gov/ofccp/>. To file your complaint, you can submit it electronically, mail it to your regional office, or bring it to the regional office in person. You can contact the regional office for Pennsylvania at:

- Phone: (215) 861-5765 or (877) 889-5627 (TTY)
- Fax: (215) 861-5769
- Address:  
U.S. Department of Labor for OFCCP  
Curtis Center, Suite 200 East  
170 S. Independence Mall West  
Philadelphia, PA 19106-3317

**If the employer receives financial assistance from any federal agency or department**, you are protected by Section 504 of the Rehabilitation Act. The individual government agencies enforce Section 504.

To file a complaint, contact the federal agency that supplies the employer with financial assistance. You can also file a private lawsuit in federal court for a violation of Section 504. You do not need to file an administrative complaint with the federal agency first.

## **Family and Medical Leave Act (FMLA)**

The Family and Medical Leave Act (FMLA) helps you keep your job if you need to take time off because of your disability. It covers all public agencies. It also covers private employers if the employer has at least 50 employees within a 75 mile radius of your work location. You are protected by the FMLA once you have worked for a covered employer for at least one year as long as you worked at least 1,250 hours in the last year.

If you need to take time off because of a serious health condition, you are entitled to take up to 12 weeks of unpaid leave each year without losing your job. This time does not need to be taken all at once.

Your time off is unpaid, but you can choose to use any paid vacation, personal, or sick leave to cover part of the time off. Your employer can also require you to do this. When you get back from your leave, you must be returned to your original position or to an equivalent position with equivalent pay and benefits.

Any benefits you had before you left are still yours, but your employer doesn't have to let you accrue more benefits, such as sick days and vacation days, while you are away. If you have insurance through work, you can keep it by continuing to pay the required employee contribution.

An employer can ask you to support your request for leave with certification from your health care provider. The certification should list:

- The date the serious health condition started;
- The length the condition will probably last;
- Appropriate medical facts about the condition; and
- A statement that you are unable to perform the functions of your job.

It is illegal for your employer to intimidate, threaten, or coerce you to stop you from taking leave under this law. This means that your employer

cannot threaten punishment, such as denying benefits or promotions, if you take leave. Your employer also can't promise benefits, such as promotions or bonuses, if you don't take leave.

## **Filing a Complaint**

If you think your employer has violated the FMLA, you can file a complaint with the Wage and Hour Division of the U.S. Department of Labor. You should file as soon as possible, but you have up to two years. The FMLA prohibits retaliation, such as firing or disciplining, for filing a complaint. To file a complaint, contact the Wage and Hour Division local office that is closest to you. There are three local offices in Pennsylvania:

### **Philadelphia**

- Phone: (215) 597-4950
- Address:  
U.S. Dept. of Labor  
Wage & Hour Division  
1617 John F. Kennedy Blvd., Suite 1780  
Philadelphia, PA 19103

### **Pittsburgh**

- Phone: (412) 395-4996
- Address:  
U.S. Dept. of Labor  
Wage & Hour Division  
Federal Building  
1000 Liberty Ave., Suite 1416  
Pittsburgh, PA 15222

### **Wilkes-Barre**

- Phone: (570) 826-6316
- Address:  
U.S. Dept. of Labor  
Wage & Hour Division  
7 North Wilkes-Barre Blvd.  
Stegmaier Bldg., Suite 373M  
Wilkes-Barre, PA 18702

You can also file a private lawsuit in federal court within two years of the last action that violated the FMLA. You don't need to file a complaint with the Wage and Hour Division first.

The laws governing your employment rights can get complicated, but it's important to remember that there are laws protecting you and that you have resources to ensure that you get those protections. The information in this guide is meant to give you a brief overview of your employment rights. If you still have questions or need help understanding how the laws apply to a particular situation, contact the Disability Rights Network of Pennsylvania at (800) 692-7443 (voice) or (877) 375-7139 (TDD) for assistance.

## Chapter 5: Healthcare

When you turn 21, many of the services you used as a child are no longer available to you. You may need to find new health insurance, new healthcare providers, and new resources for getting your personal care items and services, such as assistive technology and personal care assistants. This chapter will discuss ways to get health insurance and where to get healthcare services. Some information in this chapter may change due to the proposed Healthy PA Plan.

### Health Insurance

Health insurance options for adults include Medical Assistance (MA), Medicare, and private insurance policies. If you have a disability, it is very likely that you will qualify for MA. Some people with disabilities may also qualify for Medicare. If you do not qualify for either MA or Medicare or both, there are several options for getting private health insurance. This section describes some of the health insurance options for adults.

### **Understanding the Language:**

If you have never been in charge of your own insurance before, you may not be familiar with a lot of the words insurance companies use. Here are some of the words you will see a lot:

- **Premiums:** An insurance premium is the amount of money you may have to pay each month to your insurance company for health coverage.
- **Deductible:** A deductible is the amount of money you may have to spend on your medical expenses before your insurance will start to pay. Deductibles can be annual or per incident.
- **Copayment:** A copayment is a set amount of money that you pay for each medical service. This amount may be different for different services. For example, you may have to pay \$20 for a visit to your regular doctor and \$30 for a visit to a specialist. Not all insurance policies require copayments.
- **Coinsurance:** Coinsurance is the portion of the total cost of a service that you have to pay. For instance, if you have a coinsurance of 30%, and your doctor charges \$100 per visit, you will have to pay \$30 and your insurance company will pay \$70. Not all insurance policies require coinsurance.

- **Primary Care Physician (PCP):** Your PCP is the doctor that you see for standard checkups. Some insurance policies require you to choose a PCP and get a referral from your PCP anytime you need to see a specialist.
- **Managed Care Plan:** A managed care plan is a type of health insurance that forms contracts with healthcare providers and medical facilities to provide care for members at a reduced cost. The providers who have these contracts become part of the managed care plan’s “network.”
- **Network:** Your network is usually made up of a group of healthcare providers who have contracts with your health insurance company agreeing to charge a reduced rate for their services. Most insurance plans will give incentives to use “in-network” providers, such as lower copays or coinsurance rates.
- **Out-of-Network:** A healthcare provider that does not have an agreement with your health insurance company is considered “out-of-network.” Some insurance plans do not cover any services from out-of-network providers, and some will allow you to see out-of-network providers, but will charge a higher copay or coinsurance.
- **Fee-for-Service (FFS):** FFS is a type of payment system in which healthcare providers, including PCPs, get paid separately for each service, such as an office visit, screening test, or treatment. With a FFS model, patients are not limited to a set network of providers.

## **Medical Assistance (MA) Programs**

### **Part One – Eligibility and Application Requirements**

- **Standard MA:** MA, also known as Medicaid or Medical Assistance, is a free public health insurance program paid for by the Department of Public Welfare (DPW) and the federal government. MA is available for many different groups of people, including individuals with disabilities. In Pennsylvania, the MA available to individuals with disabilities is known as Healthy Horizons. If you receive SSI payments, you automatically qualify for Healthy Horizons, and if you receive SSDI payments, you qualify for Healthy Horizons if you meet certain income and resource requirements. You don’t need to have SSI or SSDI to get Healthy Horizons, though. If your health care professional certifies that you have a disability that will last at least 12 months, you can qualify for Healthy Horizons if you meet the income and resource requirements.

- **Income:** If you do not receive SSI payments, you need to meet the income requirement to qualify for MA. To meet the income requirement, your income must be at or below the Federal Poverty Income Guidelines. In 2014, the Federal Poverty Income Guidelines is \$973 per month for a one person household. MA allows certain deductions from your total income before they compare it to the income requirement. These include a \$65 deduction for all applicants and deductions for Impairment Related Work Expenses (IRWE), which are expenses for things related to your disability that you need in order to be able to work, such as an alteration to your vehicle.
- **Resources:** To meet the resource requirement, individuals need to have under \$2,000 in resources and couples need to have under \$3,000. If you are under 21, you are pregnant, or you are responsible for the care of a child under 21, you do not need to meet the resource requirement.

If you have a disability, but your income is higher than the guidelines, you may still be able to qualify for MA. The first option is to reduce your countable income through the “spenddown” option. To apply for MA under the spenddown option, indicate on your application that you would like to do so. You then have two choices of spenddown programs:

- **Non Money Payment (NMP) option:** The caseworker assigned to your application will tell you your monthly spenddown amount. Each month, you will submit receipts or bills to show that you owe or have paid that amount in medical expenses, including insurance premiums, doctors’ visits, and prescription costs. Once you meet your spenddown amount, MA will pay the rest of your medical expenses for that month, including costs for prescriptions and most durable medical equipment.
- **Medically Needy Only (MNO) option:** Your caseworker will give you a spenddown amount for a six-month period. You can include expenses from up to three months before this period in your spenddown, so this may be a good option if you have a lot of old unpaid bills. Once you meet your spenddown amount, MA will pay

the rest of your medical expenses for that six-month period. The income limits are higher for MNO than for NMP, but if you get MA under the MNO option, it won't cover prescriptions or durable medical equipment.

If you do not meet the income requirements and are unable to meet the requirements by "spending down" your income, you may be eligible for Medical Assistance for Workers with Disabilities (MAWD) or for MA under a Home and Community-Based Services Waiver (Waiver). Eligibility requirements for MAWD are explained on page 72 and eligibility requirements for Waivers are explained beginning on page 74.

You can apply for MA online, in person, or by mail.

- **Online:** <http://www.compass.state.pa.us/>
- **In person:** Go to your local County Assistance Office (CAO). To find your local CAO, visit <http://www.dpw.state.pa.us/findfacilsandlocs/countyassistanceofficecontactinformation/index.htm> or call DPW at (800) 692-7462.
- **By mail:** Download the application at [http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/ma/PA\\_600.pdf](http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/ma/PA_600.pdf) and mail it to your CAO.
  
- **Medical Assistance for Workers with Disabilities (MAWD):** MAWD gives you insurance if you have a disability, but your income or resources are too high for you to qualify for MA. The income and resource limits are higher for MAWD than for MA, but you have to pay a premium to get MAWD. The premium will be 5% of your countable income, meaning your income after DPW takes certain deductions. If you qualify for MAWD and pay the premium, you will get the same coverage as people who qualify for MA. To qualify for MAWD, you must meet the following requirements:
  - You are between the ages of 16 and 64,
  - You have a disability,
  - You are employed and getting paid,
  - You have \$10,000 or less in countable resources, and

- Your countable income is less than 250% of the Federal Poverty Income Guideline (in 2014, 250% of the Federal Poverty Income Guideline is \$2,431 per month for a one-person household).

To meet the definition of disability, you must:

- Be receiving Social Security Benefits,
- Have received Social Security Benefits in the past 12 months and still meet the SSA's definition of disability, or
- Be declared disabled by the CAO.

If you don't receive SSI or SSDI, the CAO can declare you "presumptively disabled" and give you MAWD as long as you provide information about your disability from one of a variety of sources within three months. This information can come from places such as the Office of Vocational Rehabilitation or your Center for Independent Living. DPW's Medical Review Team will then evaluate your documentation and determine if you can still get MAWD past the three month period. If your impairment no longer meets the definition of disability, you may qualify as a worker with a medically improved disability, as long as medical professionals determine that you still have a severe impairment.

DPW does not have requirements about the type of work you can do or how much you have to work. You can work for only one hour per week and still qualify, and jobs like babysitting or mowing your neighbor's lawn count as work as long as you get paid for it. If you don't get a paystub for the work you do, you can get a letter from your employer. If you are self-employed, you must provide proof of your self-employment. You can do this by submitting the MAWD Self-Employment Form found at ([http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/ma/PA\\_1762.pdf](http://services.dpw.state.pa.us/oimpolicymanuals/manuals/bop/ma/PA_1762.pdf)) or by submitting other verification, such as a business plan, customer lists, or tax returns. If you are applying for MAWD as a worker with a medically approved disability, you must be working at least 40 hours a month and earning at least minimum wage.

If you are married, your spouse's income and resources count toward the limits, and unlike with MA, you have to meet the resource requirement even if you have a child under 21. Your spouse's

income will not count when determining the amount of your monthly premium.

You can apply for MAWD online, in person, or by mail. If you apply online, put in the comments section that you are applying for MAWD. For more details about applying, see the section in this guide on applying for MA (page 72) or go to <http://www.dpw.state.pa.us/fordisabilityservices/healthcarema/medicalassistancebenefitsforworkerswithdisabilities/index.htm>.

- **Home and Community-Based Services Waivers (Waivers):** In order to live independently, some individuals with disabilities need more services and supports than they can get through MA. Waiver programs support individuals who are at risk of institutionalization, or are leaving institutions, and want to live independently in the community instead. There are several different Waivers that may be available to young adults with disabilities, and each one has its own functional eligibility criteria.

There are also income and resource requirements that are the same for all Waivers. In 2014, an individual must have an income of less than \$2,163 per month and resources below \$8,000. It is important to know that getting into a Waiver is not an entitlement. This means that even if you qualify for a Waiver, you might not be able to get it. There are limited funds for Waivers and some may have waitlists or be closed to new applicants. However, once you are enrolled in a Waiver, you are entitled to the covered services that you need, within the limits of the Waiver rules.

The following Waivers may be available to you.

- **Attendant Care Waiver**

- **Eligibility criteria:**

- Ages 18-59;
    - Physical impairment lasting 12 months or longer;
    - Capable of directing own care, such as selecting and supervising attendants; and
    - Certified by a doctor as needing the level of care and services offered in a nursing facility, other than just room and board.

- **Overseen by:** Office of Long-Term Living (OLTL)
  - **To apply:** Contact the Independent Enrollment Broker, Maximus, at (877) 550-4227.
- **COMMCARE Waiver**
    - Eligibility criteria:**
      - Age 21 or older;
      - Traumatic Brain Injury that results in substantial functional limitations in at least three of the following: mobility, communication, self-care, learning, self-direction, or capacity for independent living; and
      - Certified by a doctor as needing the level of care and services offered in a nursing facility, other than just room and board.
      - **Overseen by:** Office of Long-Term Living (OLTL)
      - **To apply:** Contact the Independent Enrollment Broker, Maximus, at (877) 550-4227.
- **OBRA Waiver**
    - Eligibility criteria:**
      - Age 18-59;
      - Developmental disability (manifested before age 22 and likely to continue indefinitely);
      - Substantial functional limitations in at least three of the following: mobility, communication, self-care, learning, self-direction, or capacity for independent living;
      - Primary diagnosis that is **not** mental health or intellectual disability (though these can be secondary diagnoses); and
      - Certified by a doctor as needing the level of care of an Intermediate Care Facility for persons with developmental disabilities, meaning there is a high need for habilitation services.
      - **Overseen by:** Office of Long-Term Living (OLTL)
      - **To apply:** Contact the Independent Enrollment Broker, Maximus, at (877) 550-4227.
- **Independence Waiver**
    - Eligibility criteria:**
      - Age 18-59;

- Physical disability that is likely to continue indefinitely;
  - Substantial functional limitations in at least three of the following: mobility, communication, self-care, learning, self-direction, or capacity for independent living;
  - Primary diagnosis that is **not** mental health or intellectual disability; and
  - Certified by a doctor as needing the level of care and services offered in a nursing facility.
  - **Overseen by:** Office of Long-Term Living (OLTL)
  - **To apply:** Contact the Independent Enrollment Broker, Maximus, at (877) 550-4227.
- **Autism Waiver**
    - Eligibility criteria:**
      - Age 21 or older;
      - Autism Spectrum Disorder;
      - Significant functional limitations in three or more major life activities, such as communication, learning, mobility, self-care, self-direction, or capacity for independent living;
      - Need level of care of Intermediate Care Facility.
      - **Overseen by:** Bureau of Autism Services (BAS)
      - **To apply:** Contact BAS at (866) 539-7689 and leave a message with basic information about the caller and about the person applying for the Waiver.
      - This is a small waiver. Priority is given to individuals who do not have any kind of long-term care services, such as another Waiver or care in a state hospital or a nursing facility or ICF/ID.
- **AIDS Waiver**
    - Eligibility criteria:**
      - Age 21 or older;
      - Diagnosis of HIV/AIDS; and
      - Require hospital or nursing facility level of care.
      - **Overseen by:** Office of Long-Term Living (OLTL)
      - **To apply:** Contact the Independent Enrollment Broker, Maximus, at (877) 550-4227.
- **Person/Family Directed Support (PFDS) Waiver**

**Eligibility criteria:**

- Age 3 or older;
- Diagnosis of an intellectual disability; and
- Needs Intermediate Care Facility level of care, meaning there is a high need for habilitation services.
- **Overseen by:** Office of Developmental Programs (ODP)
- **To apply:** Contact ODP at (888) 565-9435.

▪ **Consolidated Waiver**

**Eligibility criteria:**

- Age 3 or older;
- Diagnosis of an intellectual disability; and
- Needs Intermediate Care Facility level of care.
- **Overseen by:** Office of Developmental Programs (ODP)
- **To apply:** Contact ODP at (888) 565-9435.

If you have questions about how a Waiver works or how to apply or get on a waiting list, call the agency that oversees that Waiver.

**Part Two – MA Benefits**

- **MA Benefits for Adults:** If you are under 21 or you are pregnant, there is no limit to your MA benefits, but for all other adults, your MA will be limited to certain services each year, and the amount, duration, and scope of services may also be limited. If you need services beyond the limits, you or your medical provider can contact DPW to request an exception. You can do this before or after you receive the service.
- **EPSDT:** If you are under 21, you qualify for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT). This means that you are entitled to almost any medical care you need, if it is something covered by MA. If the MA program or your MA managed care company does not think you need the care, they must send you a notice explaining their decision and telling you how to appeal the decision.
- **Waiver Benefits:** If you have a Waiver, you automatically qualify for MA, and you may be eligible for many additional services not covered by MA that can help you stay in your home or another community-based setting. These extra services can help you fill in the gap when you turn

21 and your MA services become more limited, and many of the Waivers can also provide extra services before you turn 21. A few of the Waivers, such as Autism and Commcare, are only available after age 21, but most are available earlier (see details in previous section). If a service is covered by EPSDT, your Waiver will not cover it, but the Waiver can be used to supplement EPSDT. This means that if you are in a Waiver, but you are under 21 and still eligible for EPSDT, MA will pay for any services that EPSDT normally covers. You can then use your Waiver to pay for services that are not covered by EPSDT, such as supported employment services or home modifications. Below are some examples of services covered by each Waiver.

▪ **Attendant Care Waiver**

- Personal assistance services, such as help with bathing and meal preparation;
- Supports coordination;
- Personal emergency response system; and
- Community transition services if you are leaving an institution.

▪ **COMMCARE Waiver**

- Assistive technology;
- Community integration;
- Counseling;
- Personal assistance services; and
- Service coordination.

▪ **OBRA Waiver**

- Assistive technology;
- Community integration;
- Residential habilitation in a community home;
- Personal assistance services;
- Home health services (including nursing services); and
- Supported employment services.

▪ **Independence Waiver**

- Assistive technology;
- Community integration;
- Personal assistance services;
- Home health services (including nursing services); and

- Supports coordination.
- **Autism Waiver**
  - Assistive technology;
  - Residential habilitation (in a community home);
  - Behavioral specialist;
  - Community inclusion;
  - Family training; and
  - Supported employment.
- **AIDS Waiver**
  - Home health aide;
  - Nutritional consultation;
  - Specialized medical equipment and supplies; and
  - Personal assistance services.
- **Person/Family Directed Support (PFDS) Waiver**
  - Adaptive appliances and equipment;
  - Respite care;
  - Day habilitation;
  - Homemaker services;
  - Supports coordination; and
  - Supported employment.
  - NOTE – services limited to approximately \$30,000 per year.
- **Consolidated Waiver**
  - Residential habilitation in a community home;
  - Day habilitation;
  - Adaptive appliances and equipment;
  - Homemaker services;
  - Supports coordination;
  - Supported employment; and
  - Home finding.

When you are approved for a Waiver, you will meet with a Supports Coordinator to develop a care plan. The Supports Coordinator should tell you all the services that are available under that particular Waiver, and then you will work together to decide what services you need and how often you

will need them. While you will be included in the assessment of your needs, other people's assessments may be considered as well. You will also develop a budget outlining how much your services will cost. You can bring family members and anyone else you choose to your meeting to help provide input on the services you need. You should ask for all the services you think you will need to live safely in the community. Don't leave anything out, because once you finalize your care plan, it is usually in place for one year and can be difficult to change. If the Waiver program does not approve all the services you think you need, you can file an appeal. Once you finish your care plan, your Supports Coordinator will help find providers for the services you need. Some of the Waivers allow family members to be paid for providing some of the services in your care plan. If this is something you would like, ask your Supports Coordinator if it is an option for you.

- **Medical Assistance Transportation Program (MATP):** If you have MA or MAWD, MATP will help you get to and from your health care services. You can use MATP to get to any health care services that are covered by MA, such as doctors' appointments and the pharmacy. MATP can give you a ride to your services, reimburse you for public transportation costs, or reimburse you for mileage if you use your own car or have someone else drive you. You need to use the least costly method of transportation that you can use. Your MATP provider will tell you which to use, based on the information you give when you register and when you call to request transportation.

If MATP gives you a ride, you will normally be picked up at the curb. If you can't get to the curb because of your disability, you need to tell that to MATP when you call for services. You will then be provided with door-to-door service.

In order to use MATP, you need to register. You can do this by calling the MATP provider for your county. You can find phone numbers for your county's MATP provider at <http://matp.pa.gov/CountyContact.aspx>. When you call to register, tell your provider about any special needs you have that may affect what kind of transportation you need. For instance, tell the provider if you use a wheelchair or you can't use public transportation.

### **Part Three – Copayments**

Adults over the age of 18 may have to pay a copayment for some MA services. You will pay this copayment directly to the provider. Providers can't refuse to provide services if you are unable to pay the copayment, but they can try to collect it from you later.

### **Part Four – MA and Other Insurance**

MA may be your only insurance, or it may be used to supplement Medicare or private insurance. If you also have Medicare or private insurance, MA will, under many circumstances, cover leftover costs, such as copayments or the cost of services not covered by Medicare or your private insurance. MA can also pay your Medicare premiums but will not ordinarily pay private insurance premiums, unless the state requires you to get private insurance. For more on Medicare, see page 83.

### **Part Five – Health Plans**

MA coverage is usually offered through a variety of health plans. There are a few small categories of people whose MA will be provided directly by DPW. Depending on which county you live in, you will be given a choice of at least two physical health plans. Once you are approved for MA, you will be asked to enroll in a physical health plan and choose a primary care physician. If you don't, a health plan and primary care physician will be chosen for you. Each health plan has its own network of providers, so if you have specific doctors or other healthcare providers that you want to use, you should find out which health plans they are enrolled in before you choose a plan. For behavioral health (mental health) services, there is only one health plan in each county, so you will be automatically assigned to that plan. You can find out more about your options, enroll in a health plan, search for covered doctors, and choose a primary care physician at <http://www.enrollnow.net>. If you have questions, you can contact Enrollment Services at (800) 440-3989 (voice) or (800) 618-4225 (TTY).

## Part Six – Appeals and Grievances

- **MA and MAWD:** If your application for MA or MAWD is denied, you can appeal to DPW, or if your health plan refuses to cover a medical service, you can appeal to the health plan or to DPW. You should receive a denial letter explaining the reason for the decision. Your denial letter should have instructions on how to file a grievance with your health plan if you have been denied coverage for a service, including how long you have to do so. The denial letter should also have instructions on how to request a fair hearing with DPW, which you must do within 30 days of the decision. If you are appealing because your current services are being terminated, reduced, or changed, you must file your appeal **within 10 days** in order to keep your services while you wait for a decision. If you do not receive a denial letter with instructions, contact your local CAO for assistance. You should send your appeal request by certified mail so you can prove when you sent it and when it was received.
- **Waivers:** If you disagree with a decision related to a Waiver, you can request a fair hearing. There are several reasons why you might want to request a fair hearing. You can request a hearing if:
  - Your Waiver application is denied;
  - Your Waiver is terminated;
  - The services you ask to put in your care plan are denied;
  - The services you are getting are terminated, reduced, or changed;
  - You are not given a choice of providers for your services or the agency denies your request for a specific provider; or
  - There is a delay in putting your Waiver services in place after the Waiver is approved or after you request a change.

When one of these situations occurs, you should receive notice from the state or the agency that made the decision. The notice should have instructions on how to file an appeal. If you do not receive a notice or instructions about appealing, contact the agency you applied to. In most cases, you must file your appeal **within 30 days** of the date the notice is issued. If you are appealing because your services are being terminated, reduced, or changed, you must file

your appeal **within 10 days** of the notice if you want your services to continue during the appeal process.

Always put your appeal request in writing and keep a copy for yourself. If you can, send your appeal by certified mail or request a return receipt so you have proof of when you sent it and when it was received.

If you are unhappy about the provision or timeliness of your services, you have a complaint about program eligibility, or you wish to report abuse, neglect, or exploitation, but you don't think you need a fair hearing, you can file a grievance with the agency that oversees your Waiver. You do not need to file a grievance before you can request a fair hearing.

- For the Attendant Care, COMMCARE, OBRA, Independence, or AIDS Waivers, file your grievance with the Office of Long-Term Living (OLTL) by calling their helpline at (800) 757-5042. You will receive an initial response within 1 business day.
- For the Autism Waiver, file your grievance with the Bureau of Autism Services (BAS) by calling (866) 539-7689. BAS will resolve your complaint within 30 days and notify you of the resolution in writing.
- For the PFDS Waiver or Consolidated Waiver, file your grievance with the Office of Developmental Programs (ODP) by calling their customer service line at (888) 565-9435.

## **Medicare**

Medicare is a health insurance program run by the federal government. Medicare is available to people age 65 and older who receive Social Security Retirement benefits and to people under age 65 who receive Social Security Disability Insurance (SSDI). You can get Medicare as a person with a disability after you have been eligible for SSDI for 24 months. This is not necessarily 24 months after you get your first SSDI check – you may have become eligible for SSDI earlier than that. It doesn't matter whether you get SSDI based on your own work history or based on your status as a Disabled Adult Child. The waiting period applies in both situations. There is no waiting period for an individual with amyotrophic lateral sclerosis (ALS), however.

Medicare coverage is broken into four Parts. Each Part covers different services and each has its own procedures for enrolling and its own rules about premiums, deductibles, and coinsurance. You can also enroll in a Medigap policy to cover services your Medicare insurance doesn't cover.

## **Part A: Hospital Insurance**

Part A is Medicare's Hospital Insurance. Together, Part A and Part B are known as "Original Medicare." With Original Medicare, you can use any provider who chooses to accept Original Medicare. Part A covers care in a nursing facility, hospital, or hospice. If you are homebound, it will also cover home health services, such as part-time skilled nursing care.

If you have worked long enough (or if you get SSDI as a Disabled Adult Child), Medicare Part A is free. Otherwise, you will have to pay a monthly premium. However, if you are a Qualified Medicare Beneficiary (QMB), you are eligible for a "Buy-In" of Medicare Part A. This means that Medical Assistance will pay your Part A premium. If you are a QMB, Medical Assistance will also pay your Part A deductible and coinsurance. For more details about QMB, see page 85 of this guide.

If you are eligible for Medicare based on your SSDI, you will be automatically enrolled in Medicare Part A. You should get a notice a few months before your 24-month waiting period ends letting you know that your Medicare is about to start.

## **Part B: Medical Insurance**

Part B is Medicare's Medical Insurance. Together, Part A and Part B are known as "Original Medicare." With Original Medicare, you can use any provider who chooses to accept Original Medicare. Part B covers preventative services, such as your annual physical exam or vaccinations, and medically necessary services or supplies. A service or supply is "medically necessary" if you need it to diagnose or treat a medical condition and it meets the generally accepted standards of medical practice. This could include things like mental health treatment, lab tests, and durable medical equipment, such as wheelchairs and air-fluidized beds. To find out

if your service or supply will be covered by Part B, you can search for it at <http://www.medicare.gov/coverage/your-medicare-coverage.html>.

In some areas, Medicare has a Competitive Bidding Program. If you live in this area, you can only get your durable medical equipment from certain providers. For more information, go to: <http://www.medicare.gov/Supplier/static/SupportTab.asp?activeTab=3&viewtype>.

If you are eligible for Medicare based on your SSDI, you will be automatically enrolled in Medicare Part B. Medicare Part B has a monthly premium. In 2014, the premium for most people is \$104.90. Because you have to pay a monthly premium for Part B, you don't have to enroll in it. You should get a notice a few months before your waiting period ends letting you know that your Medicare coverage is about to start. This notice will include information on how to decline Part B. If you decline Part B, you can sign up for it later. However, there is only a short period of time each year during which you can sign up, and you will probably have to pay a higher premium.

Before you decline Part B, find out if you qualify to have your Part B premium paid by DPW through a Medicare Savings Program (MSP). If you qualify for an MSP, you are eligible for a "Buy-In" of Medicare Part B. This means that DPW will pay your Part B premium. There are three ways to qualify for a Medicare Savings Program:

- **Qualified Medicare Beneficiary (QMB):** To be a QMB, your countable income must be no more than 100% of the Federal Poverty Income Guidelines. In 2014, this means you must have a monthly income of \$973 or less for a one person household. You must also have resources worth no more than \$7,160. If you are under 21, you are pregnant, or you are responsible for the care of a child under 21, you do not need to meet the resource requirement. Anyone who qualifies for SSI or Healthy Horizons Medical Assistance is a QMB. If you meet the requirements for a QMB, DPW will pay your Part B premium. DPW will also pay your Medicare coinsurance/copayments and deductibles.
- **Specified Low-Income Medicare Beneficiary (SLMB):** To be a SLMB, your countable income must be between 100% and 120% of

the Federal Poverty Income Guidelines. For 2014, this means you must have a monthly income between \$973 and \$1,167 for a one person household. You must also have assets worth no more than \$7,160. If you meet the requirements for SLMB, DPW will pay your Part B premium.

- **Qualifying Individual (QI-1):** To be a QI-1, your countable income must be between 120% and 135% of the Federal Poverty Income Guidelines. For 2014, this means you must have a monthly income between \$1,167 and \$1,313 for a one person household. You must also have assets worth no more than \$7,160. If you meet the requirements for QI-1, DPW will pay your Part B premium. Note that, unlike the other MSPs, QI-1 status is not an entitlement. This means that if the state runs out of funding for its QI-1 program, it can start to turn away people who are otherwise eligible. It is therefore important to apply for QI-1 benefits early.

You can apply for a Medicare Savings Program online, in person, or by mail.

- **Online:** <http://www.compass.state.pa.us/>
- **In person:** Go to your local County Assistance Office (CAO). To find your local CAO, visit <http://www.dpw.state.pa.us/findfacilsandlocs/countyassistanceofficecontactinformation/index.htm> or call DPW at (800) 692-7462.
- **By mail:** Download the model application at <http://www.socialsecurity.gov/prescriptionhelp/MSP-Model-Application-ENG.pdf> and mail it to your CAO.

## Part C: Advantage Plus

Part C, also known as Medicare Advantage Plans, is Medicare coverage offered through a private health insurance company. If you enroll in Part C, you still have Medicare, but you get your Part A and Part B coverage through the private company. If you decide to get Part C coverage, you will have many health plans to choose from. For most Medicare Advantage Plans, you have to use providers who are in the plan's network of providers. If you go to a provider outside of the plan's network, you may have to pay more, or even all, of the costs. Most Medicare Advantage Plans also require a monthly premium. This premium is **in addition to**

your Part B premium. However, it may still be worth it to choose a Medicare Advantage Plan, because they often offer different or additional services. Many Medicare Advantage Plans include prescription drug coverage, so you don't need Part D (more about Part D below). The best option for you will depend on what kinds of services you use most often.

There are a few different types of Medicare Advantage Plans. If you have a disability, you may be interested in a Special Needs Plan. A Special Needs Plan is a type of Medicare Advantage Plan that may be available to you if you meet one of the following three requirements: (1) you live in certain institutions, such as a nursing facility, or you require nursing care at home; (2) you are eligible for both Medicare and Medical Assistance; or (3) you have a qualifying chronic condition. Special Needs Plans are specially designed to meet the needs of people in the specific group they cover. So if you have a qualifying condition and choose a Special Needs Plan that is designed to cover that condition, it may provide better coverage for the services you need than other plans do. All Special Needs Plans include Medicare prescription drug coverage. Each insurance company can choose whether to offer Special Needs Plans and what groups to cover, so the Special Needs Plans available vary depending on where you live. For more information about Special Needs Plans, including a list of qualifying conditions, see <http://www.medicare.gov/sign-up-change-plans/medicare-health-plans/medicare-advantage-plans/special-needs-plans-faq.html>.

To find and enroll in a Medicare Advantage Plan, including a Special Needs Plan, use the search tool at <https://www.medicare.gov/find-a-plan/questions/home.aspx>. You can also enroll by contacting the health plan directly or by calling (800) MEDICARE or (800) 633-4227. You can enroll when you first become eligible for Medicare or during one of two enrollment periods offered each year.

## **Part D: Prescription Drug Plan**

Part D is Medicare's Prescription Drug Plan (sometimes called a PDP). Part D coverage is offered through private health insurance companies that are approved by Medicare. Each health plan will set its own costs and will decide which drugs it will cover, so think carefully about your needs before you pick your plan. To find and enroll in a Prescription Drug Plan, use the search tool at <https://www.medicare.gov/find-a-plan/questions/home.aspx>. You can also enroll by contacting the health plan directly or by calling (800)

MEDICARE or (800) 633-4227. You can enroll when you first become eligible for Medicare or during one of two enrollment periods offered each year.

You can't get prescription drug coverage through Part C and Part D at the same time. If you are enrolled in a Medicare Advantage Plan (Part C), including a Special Needs Plan, that already has drug coverage and you enroll in Part D, you will be removed from Part C and returned to Original Medicare.

If you have difficulty paying your prescription drug costs, you may be eligible for a Medicare Part D Low-Income Subsidy, also known as "Extra Help." Extra Help can help you pay your Part D premiums, deductibles, and copayments. If you already have Medical Assistance or a Medicare Savings Program, you automatically qualify for the full subsidy and don't need to apply. If you don't have either of these benefits, you must apply for the subsidy.

To be eligible for a full or partial subsidy through Extra Help, your income must be below 150% of the Federal Poverty Income Guidelines (\$1,459/month for a one-person household in 2014) and your assets must be worth no more than \$13,440.

If you qualify for the full subsidy and are a Medicaid Home and Community-Based Services Waiver (Waiver) participant, you should have no prescription drug copays. For more on Waivers, see page 74 of this guide.

For more information about Extra Help, visit <http://www.ssa.gov/prescriptionhelp/>. To apply online, visit <https://secure.ssa.gov/i1020/start>. If you would like to apply by mail or in person, call (800) 772-1213 (voice) or (800) 325-0778 (TTY) to request an application or make an appointment.

- **Medigap:** A Medigap policy is an optional supplemental insurance that helps pay for costs your Medicare policy doesn't cover, such as copayments, coinsurance, and deductibles. It may also cover additional services not covered under Original Medicare. You purchase your Medigap policy through an approved private company and you pay a monthly premium. To be eligible for a Medigap policy, you must have Parts A and B. To find a Medigap policy, visit

<http://www.medicare.gov/find-a-plan/questions/medigap-home.aspx>.

If you have Medicare and Medical Assistance, you may not need a Medigap policy, because Medical Assistance may pay for services that Medicare does not cover.

Medicare is a complicated service and all the options can be overwhelming. You can find answers to many of your questions at the U.S. Government's official Medicare website, <http://www.medicare.gov/>. If you need more help, each state offers a free counseling service for people with Medicare. This service is called a State Health Insurance Counseling and Assistance Program (SHIP). Pennsylvania's SHIP is called APPRISE and is run by the Pennsylvania Department of Aging. There is a local APPRISE program in each county that is coordinated by that county's Area Agency on Aging. To find contact information for APPRISE in your county, call the APPRISE hotline at (800) 783-7067.

- **Appeals and Grievances:** You have the right to file a grievance or appeal when you don't like something about your Medicare coverage, including when you are denied a service.
  
- **Grievances:** You can file a grievance if you have a complaint about the services you are getting through your Medicare Advantage Plan or your Medicare Drug Plan. For instance, you can file a complaint if you think a Medicare service provider has treated you poorly or if your health plan has bad customer service. Where you file your grievance will depend on what you have a complaint about. For details on filing grievances, visit <http://www.medicare.gov/claims-and-appeals/file-a-complaint/complaints.html>.
  
- **Appeals:** You can file an appeal if you disagree with a decision made by Medicare, your Medicare Advantage Plan, including a Special Needs Plan, or your Medicare Prescription Drug Plan. You can file an appeal if:
  - You lose coverage;
  - Your health plan denies your request to get a health care service, supply, or prescription drug;
  - Your health plan denies your request to pay for a health care service, supply, or prescription drug that you already got; or

- Your plan denies your request to change the amount you have to pay for a prescription drug.

For details on filing an appeal, visit <http://www.medicare.gov/claims-and-appeals/file-an-appeal/appeals.html>.

There are deadlines for filing a grievance or appeal. To find out what the filing deadline is and how to file, check the notice that you receive or contact Original Medicare or your Medicare Advantage Plan. Keep a copy of all notices and everything that you send to Medicare or the Medicare Advantage Plan.

## Other Insurance

If you don't qualify for MA or Medicare, you still have options for getting insurance.

- **Insurance Through Your Parents:** Under federal law, if your parents have health insurance that covers dependents, either as an individual or through work, you are eligible to stay on their plan until you turn 26, even if you don't live with them. Under Pennsylvania law, if you are unmarried and you live in Pennsylvania or are a full-time student, you can stay on your parent's work-based insurance plan until you turn 30. To qualify under Pennsylvania's law, you cannot have any dependents and you cannot be eligible for insurance through your own job or school or through MA or Medicare.
- **Insurance Through Work:** If you have a job, you may be able to get private insurance through your employer's group plan. If an employer offers health insurance to its employees, the employer usually pays part of the premium, so it will probably be a lot less expensive than an individual policy. If your employer offers health insurance, they can't charge you a higher premium or refuse to give you insurance based on your health status or disability. They can restrict insurance for other reasons, though, such as part-time or full-time status and the length of time you've been at the job.
- **COBRA:** COBRA is a program that lets you keep your work-based group health insurance after you leave your job or if you lose your

insurance because you reduce your work hours. There are two kinds of COBRA for Pennsylvania residents:

- **Federal COBRA:** Under federal COBRA, you can keep your former employer's group health insurance, but your employer doesn't have to pay for part of it anymore. You pay the entire premium, so it is a lot more expensive. You may also have to pay a small administrative fee. However, since group rates are usually cheaper than individual rates, you will still probably pay less for COBRA than if you get your own private insurance.

You can keep COBRA for up to 18 months, and you may be able to keep it longer if you have a disability. The insurance company can charge you extra during the extended period, though.

You can get COBRA if you are fired or if you leave voluntarily, as long as you aren't fired for gross misconduct. After you lose your coverage, your employer has to give you information telling you how to get COBRA. You can only get federal COBRA if you worked somewhere with 20 or more employees.

- **Pennsylvania Mini-COBRA:** PA Mini-COBRA is similar to federal COBRA, but you can get it if you worked somewhere with 2-19 employees. Just like with federal COBRA, you have to pay the full premium and any administrative fees. Mini-COBRA only lasts for 9 months.

Within 30 days of the day you lose your group coverage, your employer has to give you information telling you how to get Mini-COBRA. To get Mini-COBRA, you need to have had your employer's group insurance for the whole three month period before you lost coverage. If you become eligible for Medicare or a new employer's group health insurance, you will lose your Mini-COBRA coverage.

- **Blue Cross Special Care Insurance:** Special Care is a limited-benefit insurance program for low-income individuals who do not qualify for MA or Medicare. Special Care is not comprehensive – there's a lot it doesn't cover – but it may be worth it if you don't have other options. Special Care has limits on the number of doctor visits

and hospital days you can use each year. It does not cover mental health care or prescription drugs, but it does offer a prescription drug discount card to members. Special Care is “guaranteed issue” insurance, meaning you won’t be denied coverage based on a pre-existing condition, but services for pre-existing conditions are subject to a waiting period.

Special Care is offered by all five Blue Cross/Blue Shield companies that serve Pennsylvania. Income limits and monthly premiums vary depending on which company you get your Special Care from. This will depend on the county you live in.

○ **Blue Cross of Northeastern Pennsylvania**

- **Counties Served:** Bradford, Carbon, Clinton, Lackawanna, Luzerne, Lycoming, Monroe, Pike, Sullivan, Susquehanna, Tioga, Wayne, Wyoming
- **Income Limit (2014):** \$21,257 for one person
- **Monthly Premium (2014):** \$146.82
- **Contact:** (800) 829-8599 or (866) 280-0486 (TTY)
- **Apply:** Call for an application or print one at <https://d1tpfj3hind0fx.cloudfront.net/Media/Documents/Non-GroupForms/SpecialCareApp.pdf>. Mail your application to:  
Attention: Non-Group  
Blue Cross of Northeastern Pennsylvania  
19 North Main Street  
Wilkes-Barre, PA 18711-0302

▪ **Highmark Blue Cross Blue Shield (Western Pennsylvania)**

- **Counties Served:** Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Centre, Clarion, Clearfield, Crawford, Elk, Erie, Fayette, Forest, Greene, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mercer, Potter, Somerset, Venango, Warren, Washington, Westmoreland
- **Income Limit (2014):** \$23,550 for one person
- **Monthly Premium (2014):** \$178.40
- **Contact:** (800) 876-7639 or (800) 862-0709 (TTY)
- **Apply:** Call for an application or print one at [https://www.highmarkbcbs.com/pdf/files/enrollment/SpecialCare\\_HBCBS\\_AppOnly.pdf](https://www.highmarkbcbs.com/pdf/files/enrollment/SpecialCare_HBCBS_AppOnly.pdf). Mail your application to:

Highmark Blue Cross Blue Shield  
P.O. Box 382555  
Pittsburgh, PA 15250-8555

▪ **Highmark Blue Shield (Central Pennsylvania and the Lehigh Valley)**

- **Counties Served:** Adams, Berks, Centre, Columbia, Cumberland, Dauphin, Franklin, Fulton, Juniata, Lancaster, Lebanon, Lehigh, Mifflin, Montour, Northampton, Northumberland, Perry, Schuylkill, Snyder, Union, York
- **Income Limit (2014):** \$22,980 for one person
- **Monthly Premium (2014):** \$151.80
- **Contact:** (888) 269-8412 or (800) 862-0709 (TTY)
- **Apply:** Call for an application or print one at [https://www.highmarkblueshield.com/pdf/files/enrollment/Special\\_Care\\_HBS\\_AppOnly.pdf](https://www.highmarkblueshield.com/pdf/files/enrollment/Special_Care_HBS_AppOnly.pdf). Mail your application to:  
Highmark Blue Shield  
P.O. Box 382051  
Pittsburgh, PA 15250-8051

▪ **Capital Blue Cross (Central Pennsylvania and the Lehigh Valley)**

- **Counties Served:** Adams, Berks, Centre, Columbia, Cumberland, Dauphin, Franklin, Fulton, Juniata, Lancaster, Lebanon, Lehigh, Mifflin, Montour, Northampton, Northumberland, Perry, Schuylkill, Snyder, Union, York
- **Income Limit (2014):** \$22,980 for one person
- **Monthly Premium (2014):** \$211.16
- **Contact:** (800) 962-2242 or (800) 242-4816 (TTY)
- **Apply:** Call for an application or print one at <https://www.capbluecross.com/NR/rdonlyres/0CDF6667-F1A5-49F0-8510-B64EFA3F5929/0/ABC65.pdf>. Mail your application to:  
Capital Blue Cross  
P.O. Box 772612  
Harrisburg, PA 17177-2612

- **Health Insurance Marketplace (Marketplace):** The Health Insurance Marketplace is a new way to get health insurance that was

created by the Affordable Care Act (for more on the Affordable Care Act, see page 95). Through the Marketplace, individuals will be able to complete one application and see a variety of health insurance options available to them. When you complete the application, you'll learn about the plans in your area and find out if you are eligible for lower premiums based on your income. You will also learn if you are eligible for Medical Assistance. Some states will create their own Marketplace (also known as an Exchange), but in Pennsylvania, the Marketplace will be run by the federal government. To learn more about insurance plans available through the Marketplace and apply for coverage, visit <https://www.healthcare.gov/marketplace/individual/>.

- **Patient Protection and Affordable Care Act (Affordable Care Act):** The Affordable Care Act is a federal healthcare reform law that was passed in March 2010. The Affordable Care Act made a lot of changes to healthcare and health insurance law. Some of these changes already happened, and some will happen over the next few years. For instance, beginning in 2014, insurance companies will no longer be able to deny coverage for pre-existing conditions. The Affordable Care Act will make health insurance mandatory for everyone, except those with very low income who cannot find an affordable plan. It also focuses on reducing the costs of health insurance and on improving standards of care. For more information, visit <http://www.healthcare.gov/law/>.

## More Help

If you have more questions about your insurance rights and resources, Pennsylvania and the federal government both have websites to help:

- **Pennsylvania Insurance Department (PID):** PID runs a website providing information about your insurance rights and options in Pennsylvania. You can visit the website at <http://www.pahealthoptions.com/> or contact PID at (877) 881-6388 if you have more questions.
- **HealthCare.gov:** HealthCare.gov (<http://www.healthcare.gov>) is a website created by the federal government to help you find and understand your health insurance options. The website has a lot of

information about the Affordable Care Act, the kinds of health insurance you might be eligible for, and how health insurance works. It also has a helpful search engine that lists your health insurance options and can even find information and about private individual insurance plans. To use the search engine, visit <http://finder.healthcare.gov/>.

## **Finding Healthcare Services**

Regardless of whether you have health insurance, finding the services you need can be difficult. The following is a list of resources that can help you find healthcare services that are covered by MA or are free or low-cost. To find healthcare providers that are covered by Original Medicare, visit <http://www.medicare.gov/find-a-doctor/provider-search.aspx>. To find healthcare providers covered by your Medicare Advantage Plan, including a Special Needs Plan, or your private insurance, contact your insurance provider, or visit the health plan's website.

## **Prescription Drugs**

Many health insurance policies do not cover prescription drugs. If it is hard for you to pay for your prescription drugs, there are some programs that can help you. For help finding and applying for these programs, contact the Pennsylvania Patient Assistance Program Clearinghouse at (800) 955-0989. You can also learn about these programs from the Partnership for Prescription Assistance. Visit <https://www.pparx.org/> or call (888) 477-2669 for help. If you don't qualify for one of these programs and still need help, some pharmacies, such as Walmart, Target, and Kmart, offer generic medications at low prices.

## **Assistive Technology**

Assistive technology devices are any items or equipment used to improve or maintain the functional capabilities of a person with a disability. Assistive technology services are services that help you choose, acquire, or use an assistive technology device. Although assistive technology devices can be high-tech, such as complex computer programs and motorized wheelchairs, they do not have to be. For example, assistive technology devices can include canes, walkers, orthopedic shoe inserts, or adapted spoons that are easier to grasp. They also do not need to be

designed specifically for individuals with disabilities. Items that are commonly used by individuals without disabilities, such as computers, may be assistive technology devices if they are used to improve or maintain the functional capabilities of a person with a disability.

Medicare and Medical Assistance cover a lot of the assistive technology that you may need. If you are in a Home and Community-Based Services Waiver (Waiver), your assistive technology may also be covered under your Waiver. For more on Waivers, see page 74 of this guide. Private insurance may also cover assistive technology.

If you do not have insurance, or the assistive technology you need is not covered by your insurance, you may be able to get a no- or low-interest loan through the Pennsylvania Assistive Technology Foundation (PATF). PATF offers two types of loans: mini-loans and low-interest loans. Mini-loans range from \$100 to \$1,500 and do not charge interest. For some low-income mini-loan applicants, PATF may provide a grant to cover up to 50% of the amount requested. Low-interest loans start at \$1,500 and have a 3.75% interest rate. If you have good credit, you may be able to borrow up to \$60,000. If you have poor credit or no credit, the PATF Board of Directors may agree to back the loan for you, up to a maximum of \$25,000. For more information and to apply for a loan, visit <http://www.patf.us/>.

If you need help navigating insurance and other funding options, you can contact the Assistive Technology Resource Center (ATRC) that serves your county. ATRCs are part of the Pennsylvania Initiative on Assistive Technology (PIAT), which is a statewide program dedicated to improving access to assistive technology for individuals with disabilities. Every county in Pennsylvania is served by an ATRC, and most services are offered free of charge. ATRCs can help you figure out how to get funding for assistive technology and can help answer any questions you have about assistive technology. ATRCs may also be able to help you find free or inexpensive previously-owned assistive technology. To determine which ATRC serves your county, visit [http://disabilities.temple.edu/programs/assistive/atlend/atrc\\_county.shtml#firstContent](http://disabilities.temple.edu/programs/assistive/atlend/atrc_county.shtml#firstContent). Contact information for each ATRC can be found at <http://disabilities.temple.edu/programs/assistive/atlend/atrc.shtml#atrc>.

If you think you might benefit from an assistive technology device, but would like to try it out before you invest in one for yourself, your ATRC can

arrange a device demonstration to show you exactly how the device works. Device demonstrations are available to people with disabilities and their families. If you want to spend more time getting to know an assistive technology device, you may be able to borrow the device temporarily from Pennsylvania's Assistive Technology Lending Library. The Lending Library is a free service that allows you to try an assistive technology device for a short period to help you decide if you would like to buy one. To use the Lending Library, first search the inventory to see if the equipment you want is available. To search the Lending Library's inventory of available equipment, visit [http://www.ioddev.org/search\\_inventory.php](http://www.ioddev.org/search_inventory.php). Then visit [http://www.ioddev.org/complete\\_request.php](http://www.ioddev.org/complete_request.php) to complete and submit the loan request form. Some popular items may have waiting lists. For information about borrowing and returning equipment from the Lending Library, visit <http://disabilities.temple.edu/programs/assistive/atlend/borrow.shtml>.

## Mental Health

- **Mental Health/Intellectual Disabilities (MH/ID) Offices:** Every county in Pennsylvania is served by an MH/ID Office, though not every county uses this name. MH/ID offices do not provide mental healthcare services, but they can assess your need for treatment, and then refer you to local providers and provide funding for some services. The MH/ID office can also help figure out if you are eligible for assistance paying for services. To get assistance, call (800) 692-7462 or find contact information for your local MH/ID office at <http://www.mhdspa.org/Pages/Local-Contacts.aspx>.
- **Medical Assistance Behavioral Health Plans:** If you have Medical Assistance (MA), some mental health and substance abuse treatment services are covered by a managed care behavioral health plan. Each county has one. The behavioral health plan in your county can direct you to mental health services near you that are covered by your MA. To find the phone number of your county's behavioral health plan, visit [https://www.enrollnow.net/PASelfService/en\\_US/behav.html](https://www.enrollnow.net/PASelfService/en_US/behav.html).
- **Pennsylvania Network of Care:** The Pennsylvania Network of Care is a website for consumers of mental health services. It is a great resource if you are looking for services in your county, or if you just

want more information about mental health conditions and treatments. Visit <http://pa.networkofcare.org/> and select your county from the dropdown menu.

- **Substance Abuse and Mental Health Services Administration (SAMHSA):** SAMHSA is a federal agency created to help improve mental health care. SAMHSA has a useful search engine on its website that allows you to search for mental health services near you. This website can be especially helpful if you don't have insurance and need to find low-cost services or services with sliding scale fees. If you click "select services" on the search page, you can search for services with specific requirements. Go to <http://findtreatment.samhsa.gov/MHTreatmentLocator/faces/addressSearch.jspx> to search for services. You can also call SAMHSA's Treatment Referral Routing Service at (800) 662-HELP (4357). The referral service is available 24 hours a day, 365 days a year.
- **Health Resources and Services Administration (HRSA):** See "physical health" section (below).
- **Pennsylvania Association of Community Health Centers (PACHC):** See "physical health" section (below).
- **Medicare.gov:** See "physical health" section (below).

### Physical Health:

- **Pennsylvania Dental Association (PDA):** The PDA keeps a list of free and low-cost dental clinics in Pennsylvania. This is a great resource, because many insurance plans, including Medicare and MA for adults, provide limited or no dental coverage. To find a clinic near you, go to [http://www.padental.org/Online/Public/Dental\\_Clinic\\_Directory/Online/Directory/Clinic\\_Directory.aspx?hkey=d5107b48-f2c6-4320-a75a-54add3393cbe](http://www.padental.org/Online/Public/Dental_Clinic_Directory/Online/Directory/Clinic_Directory.aspx?hkey=d5107b48-f2c6-4320-a75a-54add3393cbe).
- **Health Resources and Services Administration (HRSA):** HRSA is part of the U.S. Department of Health and Human Services. HRSA gives grants to health clinics so the clinics can provide reduced fee services to people who need them. Some HRSA-supported clinics

also offer mental health services. To find an HRSA-supported clinic, visit [http://findahealthcenter.hrsa.gov/Search\\_HCC.aspx](http://findahealthcenter.hrsa.gov/Search_HCC.aspx).

- **Pennsylvania Association of Community Health Centers (PACHC):** The PACHC represents Pennsylvania's Federally Qualified Health Centers (FQHC) and Rural Health Clinics (RHC). FQHCs and RHCs provide primary health care with fees based on your ability to pay. FQHCs often offer dental and behavioral health care as well, but most RHCs do not. There are currently more than 200 FQHCs located in both rural and urban areas in 44 of Pennsylvania's counties and 59 RHCs in rural areas. To search for a health center by county, visit [http://www.pachc.com/health\\_find.html](http://www.pachc.com/health_find.html). For a detailed list of health centers, including the services each provides, visit <http://www.pachc.com/pdfs/CHC%20Directory%202011.pdf>.
- **Medicare.gov:** The U.S. Government's official Medicare website has search engines to help you find doctors, hospitals, and other providers that are covered by Original Medicare. There is also a search engine to find suppliers of covered medical items, such as durable medical equipment. You can find links to each of these search engines at <http://www.medicare.gov/forms-help-and-resources/find-doctors-hospitals-and-facilities/quality-care-finder.html>.
- **Medical Assistance Providers:** To find a doctor or other provider who is covered by your MA health plan, visit <https://www.enrollnow.net/PASelfService/faces/search.xhtml>. Contact your County Assistance Office case manager or your Home and Community-Based Waiver service/supports coordinator if you need help finding a provider.

## Health Clinic Search Engines

Several websites offer search engines to help you find free and low-cost health clinics. You can generally find both mental and physical health services on these websites. A few of these websites are listed here:

- NeedyMeds:  
[http://www.needymeds.org/free\\_clinics.taf](http://www.needymeds.org/free_clinics.taf)
- Partnership for Prescription Assistance:

[http://www.pparx.org/en/prescription\\_assistance\\_programs/free\\_clinic\\_finder](http://www.pparx.org/en/prescription_assistance_programs/free_clinic_finder)

- Free Medical Search:

<http://www.freemedicalsearch.org/sta/pennsylvania>

<http://www.freedentalcare.us/st/pennsylvania>

## Appendix A: Getting Social Security Benefits

**SSI and SSDI:** Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) are two programs run by the Social Security Administration (SSA) that provide income to people who can't earn enough money because of their disabilities. You don't have to be completely unable to work in order to get Social Security benefits. In fact, SSA encourages recipients of Social Security benefits to at least try working. To make this easier, SSA doesn't always count all of your income when deciding whether you qualify for benefits and how much you should get. For more information about how to keep your benefits while you work, see page 53 of this guide.

- **Getting SSI:** If you have a disability, you may have received SSI benefits when you were a child. When you turn 18, though, the eligibility requirements are a little different. To qualify for SSI, you need to meet certain requirements related to your functioning, your income, and your resources. Even if you got SSI benefits as a child, you may not qualify as an adult because the rules are different. But it also works the other way around: you may be able to get SSI benefits as an adult, even if you didn't have them as a child. For instance, you might not have qualified as a child because your parents made too much money, but once you turn 18, SSA only counts your income and resources, not your family's. If you are receiving SSI benefits when you turn 18, SSA will automatically check to see if you are still eligible. If you are not receiving SSI benefits when you turn 18, you will have to start the application process.

When you are a child, SSA focuses on your functional limitations when deciding whether you have a disability. When you are an adult, SSA focuses on your ability to work. As an adult, SSA determines that you have a disability if:

1. You have a physical or mental impairment or a combination of impairments;
2. Your impairment meets or is equivalent to the requirements of one of SSA's defined disabilities; and
3. Your impairment has lasted or is expected to last for at least 12 months.

You don't automatically qualify for SSI benefits if SSA determines that you have a disability. SSA will also look at your income and your assets (such as savings account, stocks, and personal property) to see if there is another way for you to pay your expenses. To qualify for SSI, the total value of your assets has to be less than \$2,000. But SSA won't count all of your assets. For instance, the home you live in and one car don't count as assets for determining SSI eligibility. If you do qualify, the amount of money you get each month will depend on your income.

- **Getting SSDI:** When you work, part of your income goes to pay Social Security taxes. SSA uses money from Social Security taxes to give extra income to people whose disabilities stop them from working. This is called SSDI. Most young adults won't qualify for SSDI, because payments are based on money that you earned in the past. However, if you have worked before, you may qualify. For the purposes of SSDI, SSA decides that you have a disability if:
  1. You have a physical or mental impairment or a combination of impairments;
  2. Your impairment prevents you from engaging in Substantial Gainful Activity (SGA); and
  3. Your impairment has lasted or is expected to last for at least 12 months.

SSA decides whether you are engaged in SGA based on your income. In 2014, you are engaged in SGA if you earn at least \$1,070 each month (or \$1,800 if you are blind). The number used for determining SGA is based on the amount you earn before taxes are taken out. When deciding whether your impairment prevents you from engaging in SGA, SSA will decide whether you can still do the work that you used to do, and if not, whether you can do any other work. Although your income is used to decide if you qualify for SSDI, it is not used to determine the amount you get each month. Instead, that is based on the amount you've worked and the amount of Social Security taxes you've paid. Also, unlike SSI benefits, SSDI benefits have no asset limits. This means that even if you have a lot of money saved up, you can still qualify for SSDI.

If you have never worked or you haven't worked enough, you may also be able to receive SSDI benefits based on your parents' work history.

This is called a Disabled Adult Child (DAC) benefit, and you may be able to qualify if you have a disability that started before you turned 22. The criteria for deciding if you have a disability are the same as they are for other Social Security benefits. There are two ways to qualify for Disabled Adult Child benefits. The first way is to have a parent who receives Social Security retirement or disability benefits. You can also qualify if one of your parents has died, but worked long enough to qualify for Social Security benefits. A parent includes an adoptive parent and may even include a step-parent or grandparent. Even if you are eligible for SSDI based on your own work history, you should check to see if you qualify for DAC benefits. Since your parents have probably worked longer than you have, you may be eligible for a higher benefit based on their earnings. DAC benefits will usually end if you get married.

SSI benefits are based on need and can only go as high as the maximum benefit set by the federal government. SSDI benefits are based on past earnings and have a much higher maximum. Therefore, you should always check to see if you qualify for both programs, because your benefit under one may be higher than under the other.

When you apply for either SSI or SSDI, you will need to supply contact information for any medical providers who have treated you, including any hospitals you went to for emergency treatment. You don't have to request records from your medical providers. SSA will do that for you. But it may speed up the process if you can give SSA any records you already have.

You can apply for SSDI online at <http://ssa.gov/applyfordisability/> or you can make an appointment at your local Social Security Office. To apply for SSI or for SSDI based on Disabled Adult Child status, you have to go to your Social Security Office. To make an appointment, call (800) 772-1213 (voice) or (800) 325-0778 (TTY). You will need to know your Social Security number to make an appointment. When you make your appointment, ask for a list of things you should bring with you. If you are going to apply in person, you can help speed up the process by filling out the Adult Disability Report online at <https://secure.ssa.gov/apps6z/radr/radr-fi>.

- **Appeals:** If your application for SSI or SSDI is denied, or if SSA stops your benefits, you can appeal. You must file your appeal in writing

within 60 days of receiving your denial letter. SSA assumes that you will receive the letter 5 days after they send it, so your appeal should be filed within 65 days of the date on the letter.

There are two types of appeals: medical and non-medical.

- **Medical:** If your claim is denied because SSA decides that you do not have a disability, you can file your appeal online at <https://secure.ssa.gov/apps6z/iAppeals/ap001.jsp>. Make sure you have your Notice of Decision. Your Notice of Decision should be titled “Notice of Disapproved Claim” or “Notice of Reconsideration.” If you don’t want to appeal online, you can call SSA toll free at (800) 772-1213 (voice) or (800) 325-0778 (TTY) or contact your local Social Security Office and explain that you want to appeal but don’t want to use the online form. Or you can file by mail. To file by mail, you will need three forms:
  - Request for Reconsideration (<http://www.ssa.gov/online/ssa-561.pdf>),
  - Disability Report – Appeal (<http://www.ssa.gov/online/ssa-3441.pdf>), and
  - Authorization to Disclose Information to the SSA (<http://www.ssa.gov/online/ssa-827.pdf>).

Once you have completed all three forms, mail them to your local Social Security Office. To find your local Social Security Office, call SSA’s toll free number (800-772-1213 (voice) or 800-325-0778 (TTY)) or visit <https://secure.ssa.gov/apps6z/FOLO/fo001.jsp>.

- **Non-medical:** You file a non-medical appeal if your claim was denied for any other reason. Some non-medical reasons for denial are that SSA decides your income is too high or you didn’t work long enough to get SSDI. You can’t file a non-medical appeal online. To file a non-medical appeal, fill out the Request for Reconsideration (<http://www.ssa.gov/online/ssa-561.pdf>) and mail it to your local Social Security Office.

If you file your appeal by mail, go to the post office and get a receipt so you can prove when you sent it. If you need help filing your appeal, you can call SSA’s toll free number. You can also get help from an attorney

or another representative. Your attorney or representative may charge a fee for representing you, but they can only collect this fee if they win your case. SSA sets a limit on how much your attorney or representative can charge. If your request for reconsideration is denied and you want to keep appealing, you should get an attorney to assist you.

## Appendix B: Legal Assistance Resources

- **Disability Rights Network of Pennsylvania (DRN):** DRN is Pennsylvania's Protection and Advocacy System. The federal government requires every state to have a Protection and Advocacy System that works to protect and advance the rights of individuals with disabilities. DRN can help with questions about legal rights, discrimination, access to services, abuse and neglect, and other disability-related issues. DRN has limited resources and will select cases based on the organization's priorities and the kind of impact the case could have on the larger community of individuals with disabilities in Pennsylvania. While DRN cannot represent everyone who calls, anyone who has a disability or calls on behalf of an individual with a disability can get information about their rights, as well as assistance with self-advocacy and referrals to other organizations and resources. DRN also has a number of helpful publications, which can be found at <https://www.drnpa.org/publications/>. DRN has offices in Pittsburgh, Harrisburg, and Philadelphia, but serves clients in all of Pennsylvania. You can contact DRN by email at [intake@drnpa.org](mailto:intake@drnpa.org) or by phone at (800) 692-7443 (voice) or (877) 375-7139 (TDD). Depending on the type of question you have, either an attorney or an advocate will return your call.
- **Client Assistance Program (CAP):** CAP assists and advocates for individuals with disabilities when they are receiving or seeking services from programs funded under federal law, such as the Office of Vocational Rehabilitation, Blindness and Visual Services, and Centers for Independent Living. CAP can also assist you if you are facing employment discrimination. All CAP services are free, regardless of your income. CAP has offices in Philadelphia and Camp Hill, Pennsylvania, but provides services everywhere in the state. You can contact CAP at [info@equalemployment.org](mailto:info@equalemployment.org) or call the office closest to you. For the Camp Hill office, call (800) 323-6060, extension 140. For the Philadelphia office, call (888) 745-2357. For more information about CAP, visit <http://www.equalemployment.org/>.
- **Pennsylvania Health Law Project (PHLP):** PHLP provides legal advice and representation to individuals who are having problems with a publicly-funded healthcare program, such as Medical Assistance or Medicare. Most of PHLP's clients have low income, but this is not

required. All PHLP services are free, regardless of income. PHLP has offices in Pittsburgh, Harrisburg, and Philadelphia, but serves clients in all of Pennsylvania. To get services from PHLP, call their Helpline at (800) 274-3258 or email [staff@phlp.org](mailto:staff@phlp.org). When you call the helpline, you will reach a voicemail box where you can leave a brief message about your problem. Be sure to leave your name and phone number so someone from PHLP can call you back. PHLP also has a helpful website with lots of valuable information about healthcare, which you can find at <http://www.phlp.org/home-page/resources>.

- **Legal Clinic for the Disabled (LCD):** LCD provides free legal representation to low-income individuals in Southeastern Pennsylvania (Philadelphia, Bucks, Chester, Delaware, and Montgomery Counties) who have physical disabilities or are deaf or hard of hearing. To be eligible for free legal services from LCD, your income must be no higher than 150% of the Federal Poverty Income Guidelines (\$17,505 per year for a single person in 2014). LCD provides advice and legal representation in most civil matters, including protection from abuse, access to healthcare, child custody, wills, and landlord-tenant disputes. LCD does not assist with criminal matters or personal injury cases. To request assistance from LCD, call the intake line at (215) 587-3350. The intake line is only available on Wednesdays from 9:30am to 3:30pm. For more information about LCD, visit <http://www.lcdphila.org/>.
- **American Civil Liberties Union of Pennsylvania (ACLU):** The ACLU represents clients whose civil rights have been violated in Pennsylvania. This includes clients who have faced discrimination based on their disability. The ACLU has limited resources and cannot assist everyone who requests help. The ACLU has offices in Pittsburgh and Philadelphia, but serves clients in all of Pennsylvania. To request help from the ACLU, you can call their intake hotline or mail an intake form. The ACLU does not accept walk-in clients or requests via email. To reach the Philadelphia office, call (877) 745-2258. To reach the Pittsburgh office, call (877) 744-2258. You can find which office serves your county and download an intake form at <http://www.aclupa.org/files/6513/1404/6695/intakequestionnaire.pdf>.
- **Legal Aid:** Legal Aid programs provide civil legal advice and representation to low income clients. They can help with many different matters, including several disability-related issues, such as Medical

Assistance, Medicare, and Social Security benefits. You do not need to have a disability to get services from a Legal Aid program, but you do need to meet certain income requirements. There are nine Legal Aid programs covering all 67 counties in Pennsylvania. To find the program that serves your county, visit

<http://www.palegalaid.net/resources/clients/legalhelpfinder>.

- **Law School Clinics:** Many law schools have clinics that offer free legal services to low income community members. The services are provided by law students working under the supervision of a licensed attorney. The following is a list of contact information for some of the law school clinics in Pennsylvania:
  - Pitt Law Health Law Clinic, Pittsburgh (412) 648-1300
  - Penn Law Civil Practice Clinic, Philadelphia (215) 898-8427
  - Temple Legal Aid Office, Philadelphia (215) 204-1800
  - Penn State Community Law Clinic, Carlisle (717) 243-2968
  - Widener Law Civil Law Clinic, Harrisburg (717) 541-0320
  - Villanova Civil Justice Clinic, Villanova (610) 519-5894
  
- **Bar Association Lawyer Referral Services:** If you do not qualify for free legal assistance through one of the nonprofits listed above, and you would like help finding a private attorney, you can contact the Lawyer Referral Service offered through your county's Bar Association. Lawyer Referral Services can direct you to attorneys who work on the type of problem you are having. In many counties, attorneys who work with the Lawyer Referral Service agree to give initial consultations for free or for a low fee. If you live in one of the counties listed below, contact the lawyer referral service for that county. If your county is not listed, contact the Pennsylvania Bar Association Lawyer Referral Service at (800) 692-7375 or (717) 238-6807. You can learn more about many of these programs by looking up your county's Bar Association website.
  - Allegheny County: (412) 261-5555
  - Beaver County: (724) 728-4888
  - Berks County: (610) 375-4591
  - Blair County: (814) 693-3090
  - Bucks County: (888) 991-9922
  - Butler County: (724) 841-0130
  - Carbon County: (610) 379-4950

- Chester County: (610) 429-1500
- Cumberland County: (717) 249-3166 or (800) 990-9108
- Dauphin County: (717) 232-7536
- Delaware County: (610) 566-6625, extension 221
- Erie County: (814) 459-4411
- Lackawanna County: (570) 969-9600
- Lancaster County: (717) 393-0737
- Lehigh County: (610) 433-7094
- Luzerne County: (570) 822-6029
- Mercer County: (724) 342-3111
- Monroe County: (570) 424-7288
- Montgomery County: (610) 279-9660, extension 201
- Northampton County: (610) 258-6333
- Philadelphia County: (215) 238-6333
- Washington County: (724) 225-6710
- Westmoreland County: (724) 834-8490
- York County: (717) 854-8755

