



# PROTECTION and ADVOCACY FOR PERSONS WITH MENTAL ILLNESS (PAIMI)

The PAIMI Program provides free legal services and training to people whose legal issues are directly related to their mental disabilities.

The Advocacy Center (AC) is a statewide non-profit agency providing free legal services to senior citizens and persons with disabilities.

## ELIGIBILITY

To be eligible for **PAIMI services**, an individual must

- be residing in Louisiana when the legal issue arises; AND
- be diagnosed with a significant mental illness or emotional impairment; AND
- reside in or be in the process of admission to a care or treatment facility, such as a hospital, nursing home, group home, board and care home, supervised apartment, homeless shelter; OR
- reside in a community setting, including an individual's home.

## SERVICES

### **INFORMATION AND REFERRAL**

Provide information regarding legal rights and referrals to service providers, support groups and other advocacy agencies.

### **EDUCATION AND TRAINING**

Provide information on AC and PAIMI services. Provide training to service providers and to children and adult residents of state hospitals, private psychiatric facilities, group homes, supervised apartments, and to other consumers and caregivers on the following topics: rights of persons with mental illness, admission or legal status, the Abuse/Neglect Policy and the Complaint Process of the Louisiana Department of Health and Hospitals (DHH), and the Restraint/Seclusion law.

### **SYSTEMS ADVOCACY**

Improve mental health treatment and conditions for PAIMI eligible individuals by identifying system-wide problems and advocating or litigating for change in such areas.

### **INDIVIDUAL CASE ADVOCACY**

Services may include a review of records to determine the merit of the case, negotiation, and representation at administrative and court proceedings. AC selects cases from the following priority areas:

#### **Abuse and Neglect Investigations**

- Allegations of abuse and neglect will be investigated when probable cause exists of circumstances that are egregious, systemic, or have widespread potential impact. Investigations will be conducted for reports of deaths or serious injuries attributable to restraint and seclusion, the failure of facilities to follow regulations on restraint and seclusion, and the misuse or excessive use of chemical restraint. Investigations will also be conducted involving APS and EPS civil court proceedings alleging abuse and neglect in the community.

### **Access**

- Insure accessibility of programs and services of local, state, and federal government (only includes situations that are: egregious; involve a critical need; have widespread political impact or involve targeted systems projects.)
- Insure accessibility of privately run places of public accommodations (only includes situations that are: egregious; involve a critical need; have widespread political impact or involve targeted systems projects.)
- Insure PAIMI individual's rights against housing discrimination based on disability are protected (includes assistance with filing HUD complaints for discrimination in public or private housing based on disability; legal assistance where necessary to remedy discrimination, or obtain accommodations / modifications in public or private housing based on disability; direct assistance with obtaining accommodations or modifications after self-advocacy efforts have failed or where there is an immediate need for assistance and direct assistance with issues of physical accessibility after self-advocacy efforts have failed or where there is an immediate need for assistance.)

### **Education**

- Insure that students in group homes/child residential facilities receive appropriate education services.
- Insure that students receive education services in the least restrictive environment appropriate to the students needs.
- Insure that students are not illegally denied school services (includes: expulsion; suspension of more than 10 days with no services beginning on day 11; denial of transition services; failure to develop and implement appropriate IEP; failure to provide appropriate educational services to students in group homes/child residential facilities; failure to provide programmatic access.)

### **Institutional Rights**

- Representation of PAIMI eligible individuals in cases involving involuntary discharge of residents of nursing homes, assisted living facilities (ALF), or community homes.

### **Legal Status/Decision Making**

- Defend against, overturn, or limit interdictions and continuing tutorships, and challenge inappropriate curators (guardians) and placements.
- Insure PAIMI eligible individual's rights to make decisions and choices and limitations on decision-making other than through legal proceedings.
- Draft Powers of Attorney, Living Wills and handle Representative Payee Issues when related to representation of PAIMI eligible individual on other issues

### **Public Benefits**

- Appeal Medicaid or Medicare denials of eligibility, or reduction, termination, and denial of payments for services.

### **Short Term Assistance**

- Advocate for PAIMI eligible individual's rights in short term (quick) cases, involving issues, such as enforce clients' rights to adequate and appropriate community services, appropriate treatment and services in an institutional setting, privacy, communication, recreation, visitors, discharge planning, informed consent, to have access to information about legal rights/legal assistance, admission or legal status; access to/correction of/confidentiality of records; challenge inappropriate discipline and failure to follow a behavior plan.
- Review cases involving the unlawful use of restraint and seclusion and provide information to individuals regarding the use of restraint and seclusion.

#### **For Assistance:**

**Call: TOLL-FREE 1-800-960-7705 (Voice) 1-866-935-7348 (TTY)**

To request services in Vietnamese, call 1-800-960-7705, extension 153. Để đòi hỏi những công tác (dịch vụ) bằng tiếng Việt, xin gọi 1-800-960-7705, mở rộng 153.

For information in Spanish, please call 1-800-960-7705, ext. 152. Para información en español por favor llame 1-800-960-7705, ext.152

**Write: 1010 Common Street, Suite 2600, New Orleans, LA 70112**

**Visit our website: [www.advocacyla.org](http://www.advocacyla.org)**

AC has offices in New Orleans, Baton Rouge, Lafayette, and Shreveport