

MID-MINNESOTA

LEGAL AID



Minnesota Disability Law Center

COVID-19

KNOW YOUR RIGHTS

- Federal, state and local law protects individuals with disabilities from discrimination in facilities, employment, education, and in their communities. This does not change during the COVID-19 pandemic.
- How might people with disabilities be more vulnerable to the impacts of COVID-19?
 - They may have more complex health concerns and underlying conditions.
 - They may require better access to special education services during distance learning.
 - They may depend on direct care staff for support with activities of daily living.
 - They may be more likely to live in congregate or shelter settings where the risk of exposure is greater and it is harder to maintain social distance.
 - They may need assistance to keep working or have a harder time returning to work.
- Even in a crisis, people with disabilities have the right to live, work, learn, and access their community without discrimination or increased safety risks due to COVID-19.

HOW MDLC CAN HELP

Contact us if you:

- Have questions about your legal rights during this crisis.
- Believe you are experiencing disability-related discrimination impacted by COVID-19.
- Wish to speak to an attorney about a disability rights issue related to COVID-19.
- Are having difficulty receiving accessible information related to COVID-19.

About Us

The Minnesota Disability Law Center (MDLC), a division of Mid-Minnesota Legal Aid, is Minnesota's Protection and Advocacy System for people with disabilities.

Contact Us

📞 612-334-5970

OR

📞 1-800-292-4150



MyLegalAid.org

Facebook.com/LegalAid

What is the Minnesota Disability Law Center?

Minnesota Disability Law Center (MDLC) is the federally-designated network of lawyers and advocates providing free legal help to people with disabilities in civil cases in Minnesota. We help people with any type of disability, of any age, and at all income levels. MDLC is a statewide project of Mid-Minnesota Legal Aid.

What are MDLC's main areas of focus?

ACCESS. We help people access health care, employment, education programs, assistive technology, and other services needed to live in the community.

SYSTEM IMPROVEMENTS. We work to improve funding for and efficacy of the service system to better meet people's needs.

DISCRIMINATION. We fight discrimination in access to voting, government services and public businesses.

INTEGRATION. We advocate for integration in education, housing, community activities and employment.

ABUSE AND NEGLECT. We work to eliminate abuse and neglect, including physical abuse, financial abuse, neglect of health care and safety needs, and improper use of seclusion or restraints.

For a full list of current guidelines and priorities, please visit www.mndlc.org.



mylegalaid.org

MAIN OFFICE

Minnesota Disability Law Center

111 N. Fifth Street, Suite 100
Minneapolis, MN 55403

612.332.1441

800.292.4150

Fax: 612.334.5755

TTY: 612.332.4668

mndlc@mylegalaid.org

REGIONAL OFFICES

Duluth

403 Alworth Building
306 W. Superior Street
Duluth, MN 55802
218.722.5625

Fertile

P.O. Box 572
Fertile, MN 56540
218.945.3154

Mankato

11 Civic Center Plaza, Suite 402
Mankato, MN 56001
507.389.9826



Minnesota Disability Law Center

Protection and Advocacy System for Minnesota



A Statewide Project of Mid-Minnesota Legal Aid



MDLC staff really knew what they were doing. It's great to have MDLC on your side."

—Carrie, a client who worked with MDLC on securing needed medical equipment

How can MDLC help you?

We may be able to help by giving you:

- ✓ Information to help you understand your rights
- ✓ Advice on how to advocate for yourself
- ✓ Written material and referrals
- ✓ Help with your disability-related case to:
 - Investigate the facts
 - Negotiate with the other side, or
 - Represent you in court or administrative hearings

We can also provide:

- ✓ Advocacy to change systems to resolve problems that many people with disabilities face
- ✓ Community education and trainings
- ✓ Technical assistance on disability law issues for attorneys, disability advocates, and professionals
- ✓ Investigations into Social Security Representative Payee issues

CONTACT US

Call our intake line:

(612) 332-1441 (Metro)
 (800) 292-4150 (Greater Minnesota)
 (612) 332-4668 (TTY)

INTAKE HOURS

Monday through Friday

9:30 – 11:30 a.m.
 and
 1:30 – 3:30 p.m.

Unfortunately, MDLC can't help everyone who contacts us due to limited funds and our case selection guidelines and priorities. We also can't help with:

- ✗ Commitment defense
- ✗ Criminal cases
- ✗ Workers compensation cases
- ✗ Family law issues (like divorce, custody or child support)
- ✗ Estate planning
- ✗ Employment discrimination cases



“MDLC was a godsend for us. They guided us through the special education process with great knowledge and professionalism. The impact of this work is huge for our family.”

—Kim, a client who, with the help of MDLC, obtained a special accommodation plan for her son with disabilities in public school

Visit www.lawhelpmn.org for MDLC's factsheets and resources.

This information is available in other formats upon request.



Resources for Lifeworks Conference Attendees

MDLC Factsheets:

- COVID-19 and People with Disabilities: Know Your Rights
<https://www.lawhelpmn.org/self-help-library/fact-sheet/covid-19-and-people-disabilities-know-your-rights>
- Voting During the COVID-19 Pandemic
<https://www.lawhelpmn.org/self-help-library/fact-sheet/voting-during-covid-19-pandemic>
- COVID-19: Reasonable Accommodations at Work
<https://www.lawhelpmn.org/self-help-library/fact-sheet/covid-19-reasonable-accommodations-work>
- What happens with my stimulus payment if I have a Representative Payee?
<https://www.lawhelpmn.org/self-help-library/fact-sheet/what-happens-my-stimulus-payment-if-i-have-representative-payee>
- COVID-19: Distance Learning and Special Education Services in Minnesota Public Schools
<https://www.lawhelpmn.org/self-help-library/fact-sheet/covid-19-distance-learning-and-special-education-services-minnesota>
- COVID-19: Access to State Courts for People with Disabilities
<https://www.lawhelpmn.org/self-help-library/fact-sheet/covid-19-access-state-courts-people-disabilities>
- Hospitals and Rights of Patients with Disabilities During COVID-19
<https://www.lawhelpmn.org/self-help-library/fact-sheet/hospitals-and-rights-patients-disabilities-during-covid-19>
- COVID 19: Making Sure People with Disabilities Get Equal Access to Medical Services and Communications
<https://www.lawhelpmn.org/self-help-library/fact-sheet/covid-19-making-sure-people-disabilities-get-equal-access-medical>
- Health Care Rationing During the COVID-19 Pandemic and Your Rights
<https://www.lawhelpmn.org/self-help-library/fact-sheet/health-care-rationing-during-covid-19-pandemic-and-your-rights>



Other Resources:

- Minnesota Secretary of State Election and Voting
<https://www.sos.state.mn.us/elections-voting/>
- Minnesota Department of Human Rights
<https://mn.gov/mdhr/>
- Equal Employment Opportunity Commission
<https://www.eeoc.gov/>
- Job Accommodations Network
<https://askjan.org/>
- Minnesota Council on Disability
<https://www.disability.state.mn.us/>
- Information about important Supreme Court case: Olmstead v. L.C.
<https://www.olmsteadrights.org/about-olmstead/>



MINNESOTA DISABILITY LAW CENTER
Duluth Fertile Mankato Minneapolis

**Top 10 Self-Advocacy Tips for Receiving Services from
Vocational Rehabilitation Services (VRS) or State Services for the Blind (SSB)**

1. You can apply for services as many times as you want.

You can receive VRS or SSB services as many times as you need. You can always reapply even if you received services before or if VRS/SSB closed your file.

2. You can give VRS or SSB more evidence about your disability if you are placed on the waiting list but think your disability is more severe than the agency realized.

As of January 2019, VRS and SSB are only able to serve some of the people who have applied for services. You may be able to get services sooner if VRS or SSB know about all of your physical and mental impairments, and how severe they are.

3. You have the right to informed choice while you are working with VRS or SSB.

You will choose a job goal after talking with your counselor about your interests and abilities and what jobs would be a good match. Your counselor should tell you about how they can help you achieve your job goal, what services are available, and from which service providers you can choose.

4. You must have a written employment plan to receive services and VRS or SSB must approve services before you receive them.

You and your counselor will develop an employment plan within 90 days of being determined eligible for immediate services or after coming off of the waiting list. VRS/SSB will **not** pay for services that happened before the date of the employment plan, and VRS/SSB will **only** pay for services that they approved.

5. Make sure all of the services that you and your counselor agree on are listed in the written employment plan.

It's important that the employment plan include everything you and your counselor think you need to meet your job goal, so everyone is on the same page about the services you will receive and for which services VRS/SSB will pay. The employment plan must include a deadline for you to reach your job goal and for VRS/SSB to start providing services. You may ask to include other benchmarks in the plan if you think that would be helpful. Your employment plan can be changed later if you and your counselor agree you need more services or different services.

6. Attend scheduled meetings and complete the tasks you agreed to do.

You will play an important role in your employment plan and will have some responsibilities, such as attending meetings with your counselor, writing a resume or completing applications. It's important that you meet your responsibilities.

7. You can ask for a different counselor if things aren't working out with your current counselor, but you don't have a legal right to a different counselor.

If you are having difficulty working with your counselor and can't resolve the problems, sometimes asking a supervisor to change counselors can help. However, you don't have a legal right to a different counselor.

8. If you disagree with your counselor's decision, you have the right to appeal in writing before the agency's deadline. You can also try mediation.

Your appeal may be resolved after a supervisor's review, mediation or an impartial due process hearing. Be sure to request an appeal within 120 days if you are working with VRS or 60 days if you are working with SSB. Keep a copy of your appeal request for your records. Mediation may be an effective way to resolve problems.

9. You have the right to see most of your VRS or SSB file.

You have the right to see most of the information in your file or get a copy of your file. You may be charged copying fees. If you are denied access to some information, you can appeal the denial.

10. You have the right to seek help from the Client Assistance Project.

The Client Assistance Project (CAP) at the Minnesota Disability Law Center (MDLC) provides free assistance and advocacy for people receiving rehabilitation services in Minnesota. CAP helps people with disabilities make sure they have the services they need from VRS/SSB. CAP is not a part of VRS or SSB and we do not provide rehabilitation services.

Want to Know More About VRS/SSB and Your Rights?

Look at MDLC's Fact Sheets at <http://www.lawhelpmn.org/issues/disability/>

Want to learn more about employment-related services and supports?

Watch MDLC's webinar at <http://tinyurl.com/mdlcvideoempl>

Need help with VRS, SSB or another legal problem?

Contact the Minnesota Disability Law Center (MDLC) for free legal help statewide by calling our new client intake number:

1-800-292-4150 (Statewide) • 612-334-5970 (Twin Cities) • 612-332-4668 (TTY)

Voting During the COVID-19 Pandemic

The COVID-19 peacetime emergency in Minnesota may still be in effect during upcoming elections. Also, the restrictions and recommendations that are in place because of COVID-19 will probably affect the voting process for many Minnesotans later this year.

What is different in the upcoming 2020 Elections?

There is a Primary Election on August 11th and a General Election on November 3rd.

There is a change to Minnesota state election law that help these elections be safer. The main part of the bill focuses on absentee voting. The bill provides money to promote using absentee ballots so people can vote from home. This means less people going to polling places. There is also money that can be used to sanitize polling places and install plexiglass protection for workers. The bill also says that some polling places can be closed, especially ones that are close to vulnerable populations like nursing homes.

Because of fears over COVID-19, there is worry that it might be hard to staff polling places. Social distancing requirements may still be in effect, causing long lines. The lines could extend outdoors, and if the weather is bad, this might create hardships for some Minnesotans with disabilities.

What Voting Options do I Have?

- Vote Early by Mail

In Minnesota, you can vote early by mail with an absentee ballot starting 46 days before Election Day.

- starting **June 26th** for the Primary Election and
- starting **September 18th** for the General Election

You can apply for a ballot any time during the year, except on the day of the election. You can ask that it be mailed to you by:

- going online to the Minnesota Secretary of State's website at: www.sos.state.mn.us. or
- calling 1-877-600-VOTE (8683) or
- calling your county election office. You can find your county election office information online at www.sos.state.mn.us/elections-voting/find-county-election-office/

If you decide to vote using an absentee ballot, make sure you leave enough time for them to mail your ballot to you and for you to return it on or before Election Day. If you are not already registered to vote, you can register online or on paper forms you can get at the Minnesota Secretary of State's website. If you need help registering, you can call 1-877-600- VOTE (8683).

- Vote Early in Person

In Minnesota, you can vote early in person with an absentee ballot at your local election office. Go to your county election office during normal business hours starting 46 days before Election Day.

- starting **June 26th** for the Primary Election and
- starting **September 18th** for the General Election

If you are not registered to vote, you can fill out a registration form in person when you go to vote. You need to show proof of residence. Some local jurisdictions may have extra absentee voting days or hours beyond the days and times set by law. Call your county election office for more information. You can find your county election office information online at www.sos.state.mn.us/elections-voting/find-county-election-office/

- Vote in Person on Election Day

If you want to go to the polls on election day, you have that option. Before you go, make sure that your polling place is still open. You can check that on the Minnesota Secretary of State's website at www.sos.state.mn.us or contact your county election office. Be ready for the possibility of longer-than-normal lines, remember to social distance and consider wearing a mask. There should be other safety measures in place like plexiglass protection for workers and hand sanitizer dispensers.

In spite of COVID-19-related voting changes or issues, people with disabilities still have the voting rights mandated by the Help America Vote Act (HAVA) and Minnesota law.

These rights include:

- Accessible polling places
- Accessible ballot
- Independence and privacy while voting
- Protection and advocacy systems to ensure HAVA compliance
- Help for people with disabilities at voting polls
- Curbside voting

What If I Have Problems or Can't Cast My Vote?

- Contact the Minnesota Disability Law Center at 1-800-292-4150
- Contact the Minnesota Secretary of State's Office 1-877-600-VOTE (8683)
- Contact your County Election Office

For up to date information on COVID-19 and Elections, please visit

www.sos.state.mn.us/election-administration-campaigns/elections-calendar/2020-elections-and-covid-19/

**The Minnesota Disability
Law Center (MDLC) /
Mid-Minnesota Legal Aid**

is Minnesota's statewide
Protection and Advocacy System

**If you get SSI or SSDI
benefits and you want to:**

- go back to work
- keep your job, or
- start working for the first time

MDLC's Protection and
Advocacy for Beneficiaries of
Social Security (PABSS)
program may be able to help.

MDLC may be able to help you:

- ◆ Solve problems with Vocational Rehabilitation Services, State Services for the Blind or other employment services
- ◆ Ask an employer, college or university for a reasonable accommodation under the Americans with Disabilities Act (ADA)
- ◆ Get services for youth (ages 14-21) that help you move towards working in competitive or supported workplaces
- ◆ Understand the types of government services that can help you get, keep, or get back to work
- ◆ Solve problems with an Employment Network or service provider (except the Social Security Administration)
- ◆ Understand how a job can affect your Social Security benefits

MDLC may also be able to help you:

- ◆ Get help finding community work paying minimum wage or more
- ◆ Understand your rights as a worker earning less than minimum wage
- ◆ Get information about work incentives programs that help you work
- ◆ Solve problems with transportation to get to and from your job
- ◆ Learn how you can keep your health care coverage while you work
- ◆ Get information about student loans and Social Security overpayments that make it hard for you to work

Call our intake line!

800.292.4150

or

612.334.5970

(Metro Area)

**Minnesota Disability Law Center
(MDLC) /**

Mid-Minnesota Legal Aid

111 North Fifth Street
Suite 100
Minneapolis, MN 55403

Regional offices in Duluth, Fertile
and Mankato.

MDLC serves people with
all types of disabilities and
of all ages.
Our services are free.

Statewide Intake Line:

Open Monday-Friday
9:30 am – 11:30 am
1:30 pm – 3:30 pm

Toll Free: 800.292.4150

Metro Area: 612.334.5970

TTY: 612.332.4668

www.mndlc.org

*SSA has reviewed this publication for
technical accuracy only. It is not an official
SSA document. This brochure is printed and
disseminated at US Taxpayer expense.*

Minnesota Disability Law Center
111 N. Fifth Street, Suite 100
Minneapolis, MN 55403

**Do you get
Social Security
Disability Benefits?**



**Are you working or
want to work?**



**Do you need legal
help?**

Protection and Advocacy
for Beneficiaries of
Social Security (PABSS)



**Minnesota Disability
Law Center /
Mid-Minnesota
Legal Aid**

You received this brochure because:

- You called the Minnesota Disability Law Center (MDLC) or attended a MDLC training.
- You applied for help from the Minnesota Department of Employment and Economic Development's Rehab Services (RS) or its State Services for the Blind (SSB). RS and SSB want you to know about the Client Assistance Project (CAP) and its services, if you ever need them.

What is CAP?

- A free advocacy program that is required by federal law to make sure people with disabilities have the services they need.
CAP is not part of RS or SSB.

Who can CAP help?

- Anyone who has applied for or is a client of RS or SSB.

CAP can help:

- Answer your questions about RS or SSB.
- Make sure you have the right services from RS or SSB.
- Review RS or SSB actions.
- Tell you your legal rights under the Rehabilitation Act.
- Help develop or change your written rehabilitation plan.
- Advise and help you if you disagree with decisions made by RS or SSB
- CAP does not provide vocational or rehabilitation services.

To ask for help from CAP call:

New Client Intake:

- 612-334-5970 (Twin Cities)
- 1-800-292-4150 (Statewide)
- 612-332-4668 (TTY)

Call RS or SSB (instead of CAP) for:

- Evaluation of your needs.
- Job training, placement and counseling.
- Rehabilitation technology.
- Supported employment.
- Auxiliary aids and services for effective communication.

You have rights to:

- Apply and be evaluated for RS or SSB services.
- Develop a written plan to meet your needs.
- See most of the information in your RS or SSB file.
- Keep most of the information in your RS or SSB file private.
- Appeal RS or SSB decisions.
- Seek CAP's help.

Minnesota Disability Law Center (MDLC)

MDLC is a statewide project of Mid-Minnesota Legal Aid. In addition to CAP, other programs include **Protection & Advocacy for:**

- Beneficiaries of Social Security (on overcoming barriers to work)
- Persons with Developmental Disabilities
- Individuals with Mental Illness
- Individual Rights
- Assistive Technology
- Persons with Traumatic Brain Injury
- Help America Vote Act
- MDLC serves clients throughout Minnesota and has offices in Minneapolis, Duluth, Fertile, and Mankato.

September 2014

**Client Assistance Project
430 First Avenue North, Suite 300
Minneapolis, MN 55401-1780**

Minnesota Disability Law Center

Client Assistance Project (CAP)

Dedicated to providing assistance and advocacy for people receiving rehabilitation services

**A statewide project of
Mid-Minnesota Legal Aid**

www.mndlc.org