

Federal Grant Programs Supporting the National P&A/CAP System

August 2008

*Federally-mandated Protection and Advocacy Systems (P&As) and Client Assistance Programs (CAP) in each state, the District of Columbia, and U.S. territories, provide **protection** of the rights of persons with disabilities through legally-based **advocacy**. Collectively, the P&A/CAP network is the largest provider of legally-based advocacy services to persons with disabilities in the United States.*

PADD: Protection and Advocacy for Persons with Developmental Disabilities

- Created by the Developmental Disabilities Assistance and Bill of Rights Act of 1975 (as amended in 2000, codified at 42 U.S.C. § 15041).
- Requires P&A systems to pursue legal, administrative, and other appropriate remedies under all applicable federal and state laws to protect and advocate for the rights of individuals with developmental disabilities.
- The Governor of each state is required to designate an agency to be the P&A. With one exception (CAP), subsequent P&A statutes provide for the new P&A programs to be located within the same agency designated by the Governors under PADD.
- Administered by: Administration on Developmental Disabilities of the Administration for Children and Families, U.S. Department of Health and Human Services.

CAP: Client Assistance Program

- Established by the 1984 Amendments to the Rehabilitation Act of 1973 (29 U.S.C. § 732).
- CAPs are required to provide information and assistance to individuals seeking or receiving services under the Rehabilitation Act, including assistance in pursuing administrative, legal, and other appropriate remedies to ensure the protection of their rights.
- Administered by: Rehabilitation Services Administration, Office of Special Education and Rehabilitative Services, U.S. Department of Education.

PAIMI: Protection and Advocacy for Individuals with Mental Illness

- Established by the PAIMI Act of 1986 (42 U.S.C. §§ 10801 *et seq.*).
- P&A agencies mandated to:
 - protect and advocate for the rights of people with mental illness, and
 - investigate reports of abuse and neglect in facilities that care for or treat individuals with mental illness.
- The Act was amended in 2000 to expand P&A services to individuals with mental illness who do not reside in facilities.
- Administered by: Center for Mental Health Services, U.S. Department of Health and Human Services.

PAIR: Protection and Advocacy for Individual Rights



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- Created by Congress through an amendment to the Rehabilitation Act in 1993 (29 U.S.C. § 794e).
- Established to protect and advocate for the legal and human rights of persons not covered by other programs (PADD, CAP & PAIMI) – such as those with visual or hearing impairments or those with physical disabilities acquired as an adult.
- Administered by: Rehabilitation Services Administration of the Office of Special Education and Rehabilitative Services, U.S. Department of Education

PAAT: Protection & Advocacy for Assistive Technology

- Created in 1994 when Congress expanded the Technology-Related Assistance for Individuals with Disabilities Act (Tech Act) (29 U.S.C. § 2201 *et seq.*).
- Funds P&As to assist individuals with disabilities -- and their family members, guardians, advocates, and authorized representatives -- in accessing assistive technology devices and services (e.g., motorized wheelchairs, “talking” computers, adaptive computer software) through case management, legal representation, and self-advocacy training.
- Administered by: Rehabilitation Services Administration of the Office of Special Education and Rehabilitative Services, U.S. Department of Education

PABSS: Protection & Advocacy for Beneficiaries of Social Security

- Created by the Ticket to Work and Work Incentives Improvement Act of 1999 (42 U.S.C. § 1320b-21).
- Established to assist Social Security beneficiaries with disabilities in obtaining information and advice about receiving vocational rehabilitation and employment services, and to provide advocacy or other related services that beneficiaries may need to secure or regain gainful employment.
- Administered by: the Social Security Administration

PATBI: Protection & Advocacy for Individuals with Traumatic Brain Injury

- Established by Title XIII of the Traumatic Brain Injury (TBI) Act (42 U.S.C. § 201), as part of the Children’s Health Act of 2000. Although the P&A/CAP network often served individuals with TBI under PAIR, CAP, or PABSS, this grant provides more resources specifically to address the unique needs of this population.
- Created to provide advocacy services to individuals facing a loss of legal rights as a direct result of a TBI, and to increase and improve systems of support for persons impacted by a TBI.
- Administered by: Health Resources and Services Administration, U.S. Department of Health and Human Services

PAVA: Protection & Advocacy for Voting Access

- Created by Congress as part of the Help America Vote Act (HAVA) of 2002 (42 U.S.C. § 15461 *et seq.*).
- P&As required to help ensure that a wide range of individuals with disabilities participate in the electoral process through voter education, training of poll officials, registration drives, polling place accessibility surveys, and similar activities.
- Administered by: Administration on Developmental Disabilities of the Administration for Children and Families, U.S. Department of Health and Human Services