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Department of Public Welfare Discriminates Against Deaf Pennsylvanians with Intellectual Disabilities

Philadelphia, PA (April 29, 2010) – Disability Rights Network of Pennsylvania filed a class action lawsuit in U.S. District Court today against the Pennsylvania Department of Public Welfare (DPW) alleging multiple violations of federal law in how DPW provides services to deaf persons with intellectual disabilities.

“Imagine living in a home where you cannot communicate with anyone – you can’t tell someone what you like, or that you are sick or in pain. That’s how hundreds of deaf people with intellectual disabilities are forced to live because DPW has failed to assure that they can communicate with those around them,” says Rachel Mann, attorney at Disability Rights Network of Pennsylvania.

According to the complaint, only “a small fraction of the counties in Pennsylvania have any residential mental retardation programs that accommodate the needs of deaf residents. Nor are there many other mental retardation programs, such as day programs, that accommodate such needs.”

“Our clients want to be able to participate in the same kinds of programs afforded to other adults with intellectual disabilities – rehabilitation, vocational training, various therapies and social events,” continues Mann. “DPW’s discriminatory treatment clearly violates federal law.”

The complaint – available at www.drnpa.org – cites violations of Section 504 of the Rehabilitation Act, the Americans with Disabilities Act and Title XIX of the Social Security Act. Disability Rights Network alleges that the Department of Public Welfare’s ongoing failure to “provide equal access to programs and services” – by not, among other things, ensuring that providers hire staff who are fluent in American Sign Language – essentially subjects these persons to “a life of virtual isolation.”

Montgomery and Allegheny are two of the few counties in Pennsylvania that currently have community residential programs for deaf individuals with mental retardation.

Hundreds of others across Pennsylvania are unable to communicate effectively with housemates and caregivers due to a lack of deaf-accessible services.

Disability Rights Network of Pennsylvania works to advance, protect, and advocate for the human, civil, and legal rights of Pennsylvanians with disabilities. For more information, visit www.drnpa.org.

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