

AUGMENTATIVE COMMUNICATION DEVICES FOR ICF/MR RESIDENTS **Prepared by the Disability Rights Network of Pennsylvania**

This fact sheet provides an overview of your right to get an augmentative communication device (speech generating device) if you are in an ICF/MR, or intermediate care facility for persons with mental retardation. **PLEASE NOTE: THIS INFORMATION IS NOT INTENDED TO BE LEGAL ADVICE APPLICABLE TO SPECIFIC FACTUAL SITUATIONS.**

Do I have the right to get an augmentative communication device?

Yes. Because your facility for persons with mental retardation participates in Medical Assistance (Medicaid), you have the right to get an augmentative communication device as a part of your active treatment. Active treatment includes services to help you function with self determination and independence. Active treatment must preserve your abilities. Active treatment includes an assessment within 30 days of your going into the facility. Each assessment must include:

- ▶ your strengths and weaknesses
- ▶ what you need regardless of whether it is actually available
- ▶ your speech and language development
- ▶ the skills you need to live in the community

The facility's treatment team must decide what you need based upon your assessment. You, your parent (if you are a minor), or your legal guardian (if you have one) must be a part of the treatment team. The treatment team must write an individual plan for you within 30 days of your admission to the facility. The facility must follow the plan. The treatment team must review your plan at least every year. Your plan can be changed by the treatment team during the year. You can ask for a copy of your plan at any time. The facility must provide you with an augmentative communication device when the treatment team decides that you need a device as a part of your active treatment and

includes it in your plan. Training and repair of the device should be written into your plan. You should be able to use your device in all places.

At any time, you can ask that the treatment team consider an augmentative communication device for you. Your friend, family member, or advocate can go to any treatment team meeting with you. You can ask that the device, training for you and the staff, and repair of the device, be added to your plan. You may want to put your request to the treatment team in a written letter. Keep a copy of the letter for yourself.

Who pays for the augmentative communication device?

Because the facility participates in Medical Assistance, then it must pay for necessary equipment for your active treatment, including an augmentative communication device. The facility can ask the Department of Public Welfare for more money to pay for the device.

Can I keep the augmentative communication device?

You can ask the Department of Public Welfare to let you keep your augmentative communication device if you leave the facility.

Who can I contact for help?

Disability Rights Network of Pennsylvania at 800-692-7443 (voice) or 877-375-7139 (TTY). You can also contact an advocate at your facility.