

Harry M. class v. Department of Human Services

NOTICE OF SETTLEMENT ADDENDUM

The class action lawsuit, called Harry M., was settled in 2013. The Settlement Agreement required the Department of Human Services to provide effective communication to Deaf participants in Pennsylvania's Consolidated waiver. Specifically, it required communication assessments for all class members to be completed in 2015 and for recommended communication services to be offered to them. The case was to be monitored and then dismissed in 2019.

In 2017, when the assessments had not been completed, the lawyers for the class filed a Motion asking the Court to step in. The lawyers and DHS then agreed to a written addition to the Settlement Agreement to make sure that the Department completes its obligations and provides effective communication. The addition states that the Department will:

1. Complete the Communication Assessments by June 15, 2018;
2. Assure that team meetings will take place within 60 days, explaining the recommendations to each class member and offering to provide them;
3. Monitor, within 90 days of the team meeting, to make sure that class members have an opportunity to make an informed choice about communication services and that the services class members select will be provided;
4. Develop a system to match Deaf people with Deaf housemates and signing staff, when desired, by the end of 2018, and
5. Hire or contract with people or agencies as needed to make sure that they can meet the deadlines listed above.

The case will remain open, and the Department will provide reports of their progress to the lawyers for the class until approximately 2021.

This Notice can be seen in ASL on the website of the lawyers for the class at www.disabilityrightspa.org.

The full Addendum can be provided on request by calling Disability Rights Pennsylvania at 1 (800) 692-7443. If you have questions about this Notice, please ask for Rachel Mann or Carol Horowitz.