



P&A Programs - Overview

There are nine separate Protection and Advocacy (P&A) programs all described briefly below, in order chronologically based on when they were created.

PADD (Protection and Advocacy for Individuals with Developmental Disabilities)

PADD is the first P&A program, created by the Developmental Disabilities Assistance and Bill of Rights (DD) Act of 1975. P&A agencies are required by the Act to pursue legal, administrative and other appropriate remedies to protect and advocates for the rights of individuals with developmental disabilities under all applicable federal and state laws. The DD Act provided for the governor of each state to designate an agency to be the P&A and to assure that the P&A was, and would remain, independent of any service provider. Most entities designated as P&As are private non-profit organizations created specifically for the purpose of conducting the P&A programs. However, some P&As are part of state government, a few are hybrid quasi-public agencies, and a few P&As reside within civil legal services programs. Subsequent P&A statutes, with a single exception (CAP), provide for the new P&A programs to be housed within the same agency designated by the governors under PADD. PADD, is administered by the Administration on Intellectual and Developmental Disabilities (AIDD) located within the Administration on Community Living (ACL) at the U.S. Department of Health and Human Services (HHS).

CAP (Client Assistance Program)

CAP was established by the 1984 Amendments to the Rehabilitation (Rehab) Act. Services provided by CAPs include assistance in pursuing administrative, legal and other appropriate remedies to persons receiving or seeking services from state rehabilitation agencies under the Rehab Act. A CAP agency may provide assistance and advocacy with respect to services that are directly related to employment for the client or client applicant. CAP is the only program that does not require the funds to go to the entity designated as the P&A under PADD. CAP is administered by the Rehabilitation Services Administration (RSA), at the U.S. Department of Education (Ed).

PAIMI (Protection and Advocacy for Individuals with Mental Illness)

The PAIMI Program was established in 1986. The P&As are 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

subsequently amended to allow P&As also to serve individuals with mental illness who reside in the community. PAIMI is administered by the Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Mental Health Services (CMHS), at HHS.

PAIR (Protection and Advocacy for Individual Rights)

The PAIR program was established by Congress under an amendment to the Rehabilitation Act in 1993. PAIR programs provide for services to persons with disabilities who are not eligible for services under the three previously established P&A programs (PADD, PAIMI, and CAP). With PAIR, the P&As were thus authorized to serve persons with all types of disabilities. Although PAIR is funded at a lower level than PADD and PAIMI, it represents an important component of a comprehensive system to advocate for the rights of all persons with disabilities. PAIR is administered by the Rehabilitation Services Administration (RSA), at the U.S. Department of Education (Ed).

PAAT (Protection & Advocacy for Assistive Technology)

The PAAT program was created in 1994 when Congress expanded the Technology-Related Assistance for Individuals with Disabilities Act (Tech Act) to include funding for P&As to assist individuals with disabilities in the acquisition, utilization, or maintenance of assistive technology devices or assistive technology services through case management, legal representation and self-advocacy training. PAAT is administered by the Administration on Intellectual and Developmental Disabilities (AIDD) located within the Administration on Community Living (ACL) at the U.S. Department of Health and Human Services (HHS).

PABSS (Protection & Advocacy for Beneficiaries of Social Security)

The PABSS program was established in 1999 when the Ticket to Work and Work Incentive Improvement Act (TWWIIA) was enacted into law. Under this Act, grants to the P&A programs provide advocacy and other services to assist beneficiaries of Social Security secure or regain gainful employment. PABSS is administered by the Social Security Administration.

PATBI (Protection & Advocacy for Individuals with Traumatic Brain Injury)

The PATBI program was created in 2002 to provide protection and advocacy services to individuals with traumatic brain injury. Although P&As often served such individuals under PAIR, CAP, or PABSS, this grant provides more resources specifically to address the unique needs of this population. PATBI is administered by the Administration on Intellectual and Developmental Disabilities (AIDD) located within the Administration on Community Living (ACL) at the U.S. Department of Health and Human Services (HHS).

PAVA (Protection & Advocacy for Voting Accessibility)

The PAVA program was established in 2003 as part of the Help America Vote Act of 2002 (HAVA). Under this program, P&As have a mandate to help ensure that individuals with disabilities participate in the electoral process through voter education, training of poll officials, registration drives, and polling place accessibility surveys. P&A agencies may not use PAVA program funds for litigation. There is no such restriction in any of the other P&A programs. PAVA is administered by the Administration on Intellectual and Developmental Disabilities (AIDD) located within the Administration on Community Living (ACL) at the U.S. Department of Health and Human Services (HHS).

Rep Payee

On April 13, 2018, the President signed the Strengthening Protections for Social Security Beneficiaries Act of 2018 which authorizes the nation's Protection and Advocacy (P&A) system to monitor and investigate how social security representative payees are administering Social Security funds. The law directs P&As to conduct periodic, onsite individual or organizational representative payee reviews along with additional discretionary reviews. In addition, the P&As conduct educational visits and reviews based on allegations they receive of payee misconduct. Rep Payee is administered by the Social Security Administration.