

Reporting period

The Disability Law Center (DLC) is Utah's federally designated protection and advocacy agency. DLC submits this report to the Judiciary Interim Committee and the Health and Human Services Interim Committee under Utah Code 26B-6-902(1)(c).

This report covers October 1, 2024 through June 30, 2026 — federal fiscal year 2025 in full, and the first three quarters of federal fiscal year 2026. October 1 is the start of the federal fiscal year that governs DLC's federal grant reporting, so this period rests on data DLC already compiles and verifies for its federal funders. June 30, 2026 is the close of the most recent completed quarter before this report was due.

S.B. 154 took effect May 6, 2026, so nearly all of the period described here predates the statute. DLC is reporting on it anyway, so the Legislature has a substantial body of work to look at rather than the seven weeks between the effective date and the end of the quarter. Future reports will cover a single federal fiscal year.

Because the period spans two federal fiscal years, some figures are reported by year rather than combined. Where that is the case, the report says so.

DLC welcomes the opportunity to appear before either committee to answer questions about this report or about its work.

Who we are

The Disability Law Center is a private and independent nonprofit organization designated as Utah's protection and advocacy (P&A) agency. There is an organization like ours in every state and territory. DLC is not a state agency and receives no state appropriation.

Congress established the P&A system in 1975, after Geraldo Rivera's reporting exposed inhumane and abusive conditions at Willowbrook, a New York institution for people with developmental disabilities. Because of that history, P&As have federal authority to monitor and investigate programs and places that serve people with disabilities, including institutions, day programs, and jails to ensure they are free from abuse, neglect and other violations of their rights. This oversight function is the reason the P&A system exists.

DLC's mission is to enforce and advance the legal rights, opportunities, and choices of Utahns with disabilities. Our services are available statewide and free of charge.

How we are funded

In FY 2025, 65 percent of DLC's funding came through ten federal grants. The remaining 35 percent of DLC's funding comes from foundations and contributions from individual donors. Projected federal fiscal year 2026 revenue of \$3,428,600 supports 12 attorneys, 2 paralegals, 4 law student clerks, 8 advocates, 6 intake staff, 3 support staff, and 2 administrators (a finance director and an executive director). Each federal grant is restricted to a particular population or issue:

- **Protection and Advocacy for Individuals with Developmental Disabilities (PADD)** — Gives P&A authority to protect individuals with developmental disabilities who reside in institutional settings from abuse and neglect and help people with developmental disabilities in the community get the supports they need to live safely and independently.
- **Protection and Advocacy for Individuals with Mental Illness (PAIMI)** — Gives P&As authority to investigate abuse and neglect and provide legally-based advocacy for adults with serious mental illnesses and children with serious emotional disturbances; originally limited to institutions, the statute was expanded to protect eligible individuals residing in community settings.
- **Protection and Advocacy for individual Rights (PAIR)** — Gives P&A authority to protect the legal and human rights of individuals with disabilities who do not qualify under any of the other federal programs.
- **Client Assistance Program (CAP)** — Assists people seeking to access the services of an independent living center or enter or return to the workforce with help from vocational rehabilitation.
- **Protection and Advocacy for Beneficiaries of Social Security (PABSS)** — Advocates for Social Security beneficiaries facing obstacles to work.
- **Protection and Advocacy for Beneficiaries with a Representative Payee (PABWRP)** — Funds reviews of organizations and individuals who serve as representative payees, managing Social Security benefits on behalf of people who cannot manage them alone. The work is described later in the report. However, it does not generate service requests, so does not appear in the service request tables.
- **Protection and Advocacy for Voting Access (PAVA)** — Works with election officials to improve access to the polls and educates voters with disabilities about their rights.
- **Protection and Advocacy for Assistive Technology (PAAT)** — Serves children and adults who need assistive technology.
- **Protection and Advocacy for Individuals with a Traumatic Brain Injury (PATBI)** — Promotes the rights of people with traumatic brain injury through advocacy assistance, education and outreach.
- **Department of Housing and Urban Development Private Enforcement Initiative (HUD-PEI)** — Funds fair housing testing and enforcement on behalf of six protected classes, including people with disabilities. The PEI grant is on a competitive, three-year cycle.

The federal grants are distributed by statutory formula based on population and per capita income. Utah is a minimum allotment state. Despite having the largest geographic area—and the second-largest population among those states, that means Utah receives the same allocation as Idaho, Montana, New Mexico, Wyoming, Alaska, North Dakota, South Dakota, and West Virginia. While we receive the same

federal funding as states with smaller populations, the DLC's volume of case work is comparable to or greater than states with larger populations and much smaller geographic areas, like Colorado and Connecticut, respectively. This is especially difficult where no dedicated funding stream exists for a high-need area such as employment, access to public accommodations, or special education. DLC uses some unrestricted money from "and Justice for all" - the joint fundraising campaign supporting Utah's civil legal aid organizations – to help fill the gaps.

Our Role as the Protection and Advocacy Agency

DLC's role is not self-defined. Congress created the protection and advocacy system and set out by statute what such an agency must be able to do, and what it must do. Utah's designation carries those duties with it.

The Developmentally Disabled Assistance and Bill of Rights Act (DD Act), expresses that the "goals of the Nation properly include the goal of providing individuals with developmental disabilities with the opportunities and support to make informed choices and decisions... [.]” Subsequently, Congress added that “It is the policy of the United States that all programs, projects, and activities receiving assistance under this subchapter shall be carried out in a manner consistent with the principles that individuals with developmental disabilities, including those with the more severe developmental disabilities, are capable of self-determination, independence, productivity, and integration and inclusion in all facets of community life[.]”

In addition, our federal partner the Association for Community Living sums these principles up on their website, “The law is also built on this belief: people with developmental disabilities, even those with the most significant support needs, can live with independence, work, and fully take part in their communities. But they often need the right support to get there. Every program funded under the DD Act has to operate in a way that reflects this belief.” It is these principles that guide our work.

With that framework in mind, federal law gives a protection and advocacy system the authority to investigate incidents of abuse and neglect where an incident is reported to it or where there is probable cause to believe one occurred; to pursue administrative, legal, and other appropriate remedies to protect people receiving care or treatment; to have access to facilities providing care or treatment; and to have access to records, including the records of a person who cannot consent, who has no legal representative other than the State, or whose representative has been asked to act and has not.

The same statutes require the agency to be independent of any entity that provides treatment or services to the people it serves. Alongside those authorities the statutes impose obligations. A protection and advocacy system must set annual goals and priorities through data-driven planning; give the public an annual opportunity to comment on those priorities and on the system's activities; maintain a grievance procedure for clients and prospective clients; publish an annual report of its activities, accomplishments, and expenditures; and maintain an advisory council on which at least 60 percent of members are people who have received mental health services or their family members, chaired by such a person.

Federal law also expressly authorizes a protection and advocacy system to educate policymakers. This report is one form of that.

The statutes also mark the limits of the role. Congress gave protection and advocacy systems the authority to investigate and to seek remedies. Where DLC finds abuse or neglect, it reports its findings to the agencies responsible for acting on them and pursues what remedies the law allows.

Response to Utah Code 26B-6-902(2)

Section 26B-6-902(2) lists information the report may include. DLC addresses each item below. Where DLC does not collect the information, we say so and explain why, rather than offering an estimate.

(2)(a) Number and location of public meetings

DLC held three meetings in June 2026:

- June 8, 2026 — Vernal, Golden Age Senior Center — 17 participants
- June 25, 2026 — St. George, Red Rock Center for Independence — 16 participants
- June 29, 2026 — Logan, Logan Library — 16 participants

Forty-nine people took part, including people with lived experience of disability, family members and friends, and disability professionals. Some professionals also have lived experience. Notice went to 5,812 contacts on DLC's statewide mailing list, to past clients in each region, and through partner organizations in each community.

What we heard

The same themes surfaced in all three communities.

- ***Housing*** — the most-raised topic at every site. Participants described a shortage of accessible units, waits of up to two years, landlords refusing modifications such as grab bars, and units marketed as accessible that lack basic features like a roll-in shower.
- ***Transportation*** — limited hours, limited coverage, and unreliable scheduling. Participants connected transportation directly to missed medical appointments, lost employment, and isolation.
- ***Community accessibility*** — broken or missing sidewalks, missing curb cuts, inaccessible bathrooms, and construction barriers.
- ***Access to services and benefits*** — DSPD waiting lists, Medicaid eligibility rules, provider shortages, and a lack of diagnostic services in rural areas.
- ***Education*** — reluctance to evaluate students, inconsistent implementation of Individualized Education Plans (IEPs) between districts and between schools, and students leaving school unprepared for work or further education.
- ***Employment*** — hiring discrimination, denied accommodations, and job descriptions with requirements that screen out qualified applicants.
- ***Uneven service quality*** — participants repeatedly said outcomes depend on which individual professional they encounter rather than on consistent systems.

"We were looking for new housing and couldn't find anything. I was told it would be a two-year wait for an accessible unit." — Logan participant

"Something as simple as getting a hamburger. What do you do?" — Vernal participant, on transportation

What we heard about DLC

Participants also told us where DLC is falling short, and this report would be incomplete without it.

In Vernal and Logan, participants reported calling DLC and not receiving a return call. Housing specialists from the Division of Services for People with Disabilities (DSPD) said they had heard the same from multiple community members. A parent in Logan said she had received good help from DLC in past years but had left messages repeatedly during the past year without a response. Following the St. George meeting, a Deaf participant described confusion about the status of his employment discrimination case and said he felt he had been passed between DLC attorneys and then on to another agency without explanation.

A couple participants in St. George and Vernal also said DLC is not visible enough in their communities, and that many people do not know DLC exists or what it can do.

In response to the concern that individuals seeking assistance did not receive a return call, we have done a review of our internal policies around callbacks and information provided to callers on their initial call. One thing we do want to note, however, is that the more than 4,000 requests for assistance we get each year are responded to by our Short-term Assistance Team, which currently has the equivalent of about four full-time employees. Also, despite such high demand, only six grievances were received during the period.¹ That is less than one grievance for every thousand service requests.

These advocates also assist with outreach and monitoring at certain facilities. Thus, when an individual calls us, they are often not available to take a live call, and callers need to leave a voicemail for us to respond. We may not have been as clear as needed that a caller seeking our assistance may need to wait for a call back to speak with someone directly, so we are taking steps with our reception and website to clarify. In addition, while we do call everyone back, we do not know if everyone is aware that it was us, particularly if we cannot leave a voicemail due to a full mailbox. So, we are actively working to ensure our name is displayed on caller-ID when we call people back to let them know it was us. We hope these steps will help address the concern that people believe they are not receiving a callback or that we cannot be reached, but we will reassess this concern throughout year.

The public meetings described above are one part of DLC outreach. Most of it happens the rest of the year, in smaller rooms.

Public Hearing

In addition to the Public Meetings in June, the DLC held its annual public hearing to give the public an opportunity to comment on our proposed priorities. The DLC publicized the public hearing for 45 days via our email list and on social media, and it was held on August 28, 2025 at the DLC office in Salt Lake City with an option to participate virtually. We held a public hearing in August of 2026, which will be detailed in next year's report, as it was outside of the reporting period this year.

¹ A grievance is our process for when a person seeking services is unhappy with their outcome or when they are unhappy with us not taking their case.

Six members of the public attended in-person or virtually, and we received one additional written comment (we also received numerous other emails but those were more appropriately forwarded to our intake team for follow up on individual issues). Two commenters were concerned with affordable and accessible housing. One commenter was concerned with DSPD and Medicaid funding, as well as staffing issues for DSPD. Two commenters were generally supportive of the DLC but wished we had the resources to help more individuals. Finally, one parent expressed concern with the Utah Schools for the Deaf and Blind (USDB) and wanted more resources to support their student.

This feedback was provided to our Board of Trustees and our PAIMI Advisory Council who are required to jointly review and approve our priorities. Our priorities for the year were then set and published on our website. While much of the public comment concerned issues the DLC regularly works on, we have expanded our efforts with the Utah Schools for the Deaf and Blind using a legal fellow.

(2)(b) Number and description of services and advocacy provided

DLC worked on 7,012 service requests during the reporting period. This counts every request that was open or worked on between October 1, 2024 and June 30, 2026, including requests that came to DLC before the period began and remained active during it. A single request may span more than one year and is counted once here. Age is recorded as of the date each request was opened.

Service requests by age

Age at request	Service requests	Share
0–4	50	0.7%
5–11	232	3.3%
12–18	671	9.6%
19–40	1,890	27.0%
41–64	1,965	28.0%
65 and older	594	8.5%
Not recorded ²	1,610	23.0%
Total	7,012	100%

Working-age adults are the largest group by a wide margin. More than half of all requests came from people between 19 and 64. This is consistent with what DLC has reported previously: Utah has one of the youngest populations in the country, many of the first supports for disabled children come through the schools, and Medicare and aging services exist for older Utahns. That leaves DLC and its community partners as one of the few resources available to working-age adults with disabilities.

² This data is not recorded because the person did not provide it, DLC were unable to reach them, or the interaction was so brief it could not be gathered. No ongoing services were provided to this group.

Where clients live

DLC records each client's living arrangement at intake and reports it to its federal funders. It shows who is reaching DLC and from where.

Living arrangement	Service requests	Share
Independent	5,339	76.1%
Parental, guardian, or other family home	905	12.9%
Community residential home	322	4.6%
Nursing home or facility	129	1.8%
Jail, prison, or detention center	104	1.5%
Homeless	103	1.5%
Institutional, psychiatric, or hospital setting	97	1.4%
Other or not recorded	13	0.2%
Total	7,012	100%

Most people who contact DLC live in their own homes or with family — 6,244 requests, or 89 percent. At the same time, 330 requests came from people living in a nursing home, an institutional or psychiatric setting, or a jail, prison, or detention center, and another 322 from people in community residential homes. These are the settings where a person has the least ability to leave, to complain safely, or to be seen by anyone outside. A further 103 requests came from people who were homeless when they contacted DLC.

Where in Utah requests come from

DLC is a statewide agency. A county was recorded for 5,371 of the 7,012 requests. Of those, 128 came from outside Utah, generally people seeking help with a Utah program or a family member living here.

Of the 5,243 requests from within Utah, 4,225 came from the four most populous counties — Salt Lake, Utah, Davis, and Weber — and 1,018, or roughly one in five, came from the other 24 counties where a county was recorded.

Those 1,018 requests span a wide geography. The largest sources outside the four were Washington County with 228 requests, Cache with 179, Tooele with 132, Iron with 82, Box Elder with 63, Summit with 45, Uintah with 39, and Carbon and Sanpete with 37 each. Across the period, DLC received requests from 28 of Utah's 29 counties. The only county with no recorded request was Daggett, the least populous in the state.

County was not recorded for 1,641 requests, about 23 percent. Many of these are brief information and referral contacts where the caller never gave a location. The county figures above should be read as describing the requests where location is known.

Service requests by disability

These are the primary disability categories DLC records for each service request. A request is assigned one primary disability, so a person with more than one disability appears once.

Primary disability	Service requests	Share
Mental illness	1,755	25.0%
Orthopedic or physical impairments	1,049	15.0%
Autism	681	9.7%
Neurological disorders or impairment	398	5.7%
Intellectual disabilities	267	3.8%
ADD or ADHD	218	3.1%
Traumatic brain injury	209	3.0%
Muscular or skeletal impairment	153	2.2%
Specific learning disabilities	123	1.8%
Deafness	105	1.5%
Heart and other circulatory conditions	97	1.4%
Cancer	77	1.1%
Epilepsy	76	1.1%
Blindness, both eyes	74	1.1%
Cerebral palsy	74	1.1%
Respiratory disorders or impairment	73	1.0%
Visual impairment, not blind	71	1.0%
Diabetes	71	1.0%
Auto-immune conditions	65	0.9%
Multiple sclerosis	53	0.8%
Arthritis or rheumatism	51	0.7%
All other disabilities, each fewer than 50 requests	279	4.0%
Not recorded ³	993	14.2%

³ This data is not recorded because the person did not provide it, DLC were unable to reach them, or the interaction was so brief it could not be gathered. However, we note that these individuals reported to us that the person seeking assistance had a disability, just not a specific diagnosis. No ongoing services were provided to this group.

Total	7,012	100%
-------	-------	------

Mental illness, autism, and intellectual disabilities together account for 2,703 requests, more than a third of the period. Adding neurological disorders and traumatic brain injury brings the figure to 3,310. These are the populations most likely to encounter institutions, guardianship, restraint and seclusion, and long waiting lists for community services.

Service requests by intervention

Each service request is recorded with the single intervention type that best describes what DLC provided in response. The categories run roughly from the least to the most intensive. DLC works to resolve problems at the lowest level it can, so most requests end in information, guidance, or a brief service, and 19 of 7,012 reached litigation.

Intervention type	Service requests	Share
Information and referral	3,572	50.9%
Short-term assistance	2,209	31.5%
Legal clinic	747	10.7%
Representation at meetings	238	3.4%
Representation at hearings	135	1.9%
Technical assistance	57	0.8%
Investigation	35	0.5%
Litigation	19	0.3%
Total	7,012	100%

Service requests by priority area

DLC organizes its work into priority areas, set with input from the community, and assigns every service request to one of them. The table below combines both fiscal years in the reporting period.

Priority area	Service requests	Share
Information, referral, and short-term assistance	3,138	44.8%
Fair housing	1,361	19.4%
Employment discrimination	1,060	15.1%
Access to public services and accommodations	469	6.7%
Education	309	4.4%
Abuse and neglect	245	3.5%

Rehabilitation services	217	3.1%
Voting	127	1.8%
Community integration and access to healthcare	46	0.7%
Critical issues and systemic advocacy	24	0.3%
Disability awareness and community information	11	0.2%
Financial entitlements	3	0.0%
Administration	2	0.0%
Total	7,012	100%

Most contacts come in through the intake and short-term assistance priority, which is where nearly every request starts. Beyond that, fair housing and employment discrimination together account for more than a third of all requests, and abuse and neglect, education, and access to public services and accommodations make up most of the remainder.

Activities

Federal grants require DLC to carry out the following activities. The figures above count service requests; the activities below are how those requests, and the work that does not arrive as a request at all, are handled.

Information and referral. This is the largest single activity by volume and the least visible. Most people who contact DLC need to understand a right they already have, or to be pointed to the office that can act. A mother approaching her son's eighteenth birthday called about guardianship; staff explained the alternatives and sent written materials, including information from the Utah Courts, and she left with options she had not known existed. Of the 215 guardianship and conservatorship requests DLC received in the period, most were resolved this way.

Outreach. Makes Utahns aware of the DLC, available services, and connects them to resources.

- A DLC advocate gave 135 attendees at a job fair hosted by the Division of Services for the Blind and Visually Impaired information on employment discrimination and reasonable accommodations.
- Staff attended six preparing for college or career resource fairs, at public schools and at a private school, answering questions from 570 parents about post-secondary education, employment, and available services.
- Staff traveled to Moab to meet rural parents and administrators, and regional work that reached 252 residents of Cache, Box Elder, and Rich counties, 25 people in eastern Utah, and 24 in southern Utah.
- DLC presented to the San Juan County Prevention, Action, Collaboration Coalition, a group focused on building connections among residents of each town in the county. While in Blanding,

staff also met with the local vocational rehabilitation office and visited a day program to learn what its participants need.

- DLC held 32 voter registration clinics, gave 44 presentations, and took part in 23 outreach events where voting information assistance was offered.

Rights education and training.

- During a monitoring visit at a residential facility, DLC attorneys met a resident who wanted to work and had employment goals. DLC helped them apply for vocational rehabilitation services, connect with the district office, and supported him through the eligibility process. They were found eligible, and by the following quarter he was being connected with a job coach to begin a job search.
- DLC staff provided technical assistance to a family whose loved one with autism was stuck in a hospital due to extremely high medical and behavioral needs. State was not allowing admission to a facility with higher level of care, so we assisted the family with an accommodation request to help the individual be admitted and were successful.
- DLC visited two residential facilities to talk with residents with severe mental illness about barriers to work, community integrated employment, working while receiving benefits, and vocational rehabilitation services.
- A DLC attorney explained special education law and the individualized education program process to 20 parents at Hill Air Force Base and presented to education students at Utah State University on preparing students with an individualized education program to move from high school into college or a career.
- In the San Juan County School District, DLC gave about 70 tribal families information on how to request special education services and supports for their students. That work also surfaced problems larger than any one family: a lack of infrastructure for tribal access to educational services, schools that in some cases had not enrolled students with disabilities, and public schools with no special education program at all.
- Training reached 101 veterans and veteran service staff, 33 staff at a center for independent living and an employment and training center, and 36 members of two mental health clubhouse programs.
- At the request of the State Elections Office, voting staff provided content for poll worker training on serving voters with disabilities. DLC evaluated physical accessibility at 12 county buildings that serve as polling places, providing reports to 7 counties. DLC also provided technical assistance to seven county election offices, 4 town clerks, 3 county building managers, poll workers, and the three largest political parties in Utah.
- DLC produced a new American Sign Language video explaining the voting process and available accommodations in partnership with the Sanderson Center. DLC also produced a general election and candidate information booklet for residents of the Utah State Hospital, the state's primary psychiatric hospital. The hospital copied and bound it, then-made it available to patients on each adult unit.

Monitoring. Entering places where disabled people receive services to ensure rights and safety.

- DLC made 13 monitoring visits to youth facilities, and across the year monitored at each of Utah's eight psychiatric residential treatment facilities. Staff met one-on-one with 75 residents, and contacted Child Protective Services 7 times.
- The community integration team made 11 visits to facilities housing PAIMI-eligible Utahns
- DLC increased its presence at the Utah State Hospital, which agreed to install locked comment boxes patients can use to reach DLC directly.
- DLC reviews Social Security representative payees to confirm the money is being used for the beneficiary, that records are being kept, and that the beneficiary is being treated properly. The SSA sets the review process and directs how DLC responds to what it finds. During FY25, the program conducted 30+ reviews of both organizational and individual payees to ensure they meet their obligations to the beneficiaries they serve. The team conducted reviews in group homes, nursing facilities, community-based programs and state institution settings. We individually met with 145 individuals to ensure they were in good health and living in safe conditions. We identified 73 deficiencies that required corrective action to ensure the payee was following SSA guidelines. One review uncovered that a payee had been creating fake invoices and charging mostly non-verbal clients with items and repairs they did not need or receive. The case was referred to the local police and SSA has since terminated them as a payee.
- DLC monitored 57 vote centers across 21 Utah counties. DLC also assessed 39 ballot boxes that were new or relocated. Additionally, DLC evaluated physical accessibility at 12 county buildings that serve as polling places, providing reports to 7 counties.

Individual representation.

- Client with a developmental disability applied to work in an entry-level customer service position. The client attended the interview with his job coach. After learning what a job coach was, the employer told the client job coaches are not allowed and did not extend an employment offer. The DLC filed a complaint on behalf of the client's guardian and represented the client through litigation. The company agreed to train managers and supervisors on job coaches, the reasonable accommodation process, and to advertise open positions with job coaching agencies.
- A mother contacted DLC after her son was suspended and disallowed from attending school for several weeks. The student did not have an individualized education program, even though the school was aware that the child had multiple diagnoses. DLC filed a complaint on behalf of the parent. The student will now receive educational services in future school years.
- A Deaf high school senior was awarded compensatory sign language interpretation hours after a decision finding his school district in violation of the Individuals with Disabilities Education Act. The student used those hours to complete a community-based internship and learned to travel to and from it independently on public transportation. The same complaint required the district to assess the full range of ways they could access communication during the school day. That assessment led to a specialized watch that gives them visual alerts during emergency announcements.

- A client contacted DLC about being denied access to their service animal at an inpatient psychiatric unit. DLC worked with the hospital to write a new policy on service animals in inpatient settings. Patients receiving inpatient mental health treatment there may now be able to keep their service animal with them.
- A client faced discrimination from a landlord because he is a disabled veteran who receives benefits. DLC attended mediation with the Utah Anti-discrimination and Labor Division and reached an agreement that included a financial settlement, training for the landlord, and review and approval of the landlord's policies by the division.
- A provider wasn't allowing a client to have a monitoring device for a medical condition, citing the Home and Community-Based Settings (HCBS) Rule. DLC filed an administrative complaint based on failure to provide an accommodation under the Americans with Disabilities Act (ADA), which is pending.

Investigation. Formal fact-finding where abuse or neglect is reported or there is probable cause to believe it occurred.

- A family member reported that a facility resident may have been sexually abused; DLC visited, interviewed those involved, obtained the records, and could not substantiate the allegation.
- An individual reported that a facility was failing to manage her child's medical condition and had cut off contact with the family; DLC investigated and, working with law enforcement and child welfare, secured appropriate medical care.
- Individual with extremely high support needs had a provider that was understaffed and not taking appropriate safety precautions. Individual died after eloping when staff was sleeping. DLC opened an investigation and used it as part of a media campaign and administrative complaint resulting in multiple problematic facilities being closed and coordinated with a personal injury - attorney to ensure the facility employees face criminal charges. After news reporting identified an unlicensed long-term care facility where abuse and neglect were occurring, DLC used those incidents as part of a broader licensing investigation and, with the National Health Law Program, filed a complaint with the Centers for Medicare and Medicaid Services, the Department of Justice, and two offices within U.S. Health and Human Services.
- DLC conducted 94 fair housing tests, as required by our federal grant, and investigations during the period.
- Finally, [as has been widely reported](#), three men with developmental disabilities died due to the alleged neglect of a direct support professional. The DLC has an active investigation into this situation. We hope to be able to provide recommendations to the State about what can be done to prevent tragedies like this in the future.

Litigation. Reserved for what cannot be resolved any other way. Nineteen matters in the period reached litigation, out of 7,012 service requests.

- On behalf of parents, DLC filed a complaint alleging a school district discriminates against students with intellectual and developmental disabilities by denying them access to their neighborhood schools, and by forcing them to access special education in "hub schools" with higher concentrations of children with disabilities. A federal judge dismissed the case in its

entirety for failure to state a claim upon which relief can be granted. After consultation with the clients, DLC appealed to the 10th Circuit and prevailed. The case is in discovery.

- DLC filed a lawsuit challenging S.B. 199 from the 2025 General Session because the specific guardianship created by the law removes process and eliminates important safeguards meant to protect this population. Specifically, the law removes the right to counsel and the right to a court visitor because of a diagnosis, which, in our view, violates the ADA.
- Christensen v. Miner settlement ended. As a result, licensed intermediate care facility (ICFs) for individuals with intellectual disabilities beds were reduced from 650 to 198. Approximately 500 people moved from ICFs into home and community-based settings and the total number of ICFs was reduced from 18 to 7. The state also invested millions of dollars in HCBS settings including increasing direct care staff rates and increasing the overall capacity of the HCBS service system.

Systemic advocacy.

- DLC filed a complaint with the federal Office for Civil Rights over the Technology Dependent Waiver, where the program's design requires people who use ventilators to enter an institution to reach employment and day services.
- Monitoring visits to a youth residential program produced a licensing complaint and, shortly after the period closed, revocation of both campus licenses.
- DLC consulted a safety science expert on ways to improve safety and quality within Utah's home and community-based services system.
- The Utah Department of Health and Human Services engaged a consultant to address the areas identified in the U.S. Department of Justice's non-residential findings letter, including community integration and employment, and added safety as a further focus. DLC sits on the steering committee for that effort and has provided ongoing feedback.
- A Language and Communication Plan (LCP) helps ensure a Free and Appropriate Public Education and effective communication for Deaf and hard-of-hearing students by helping educators understand students' communication needs and improving coordination among service providers. The Utah State Board of Education recently approved an opt-in pilot of the model LCP developed by an Equal Justice Works fellow housed at DLC to collect data and determine whether LCPs should ultimately be required statewide.

Self-determination and guardianship

DLC does not oppose guardianship. Guardianship of an individual with a disability is sometimes necessary. However, guardianship removes a person's legal authority to make decisions and gives it to someone else. Because guardianship is necessarily a process that transfers rights away from the person with a disability, the DLC seeks to ensure that when guardianships are procured, the appropriate processes and safeguards are provided.

Consistent with the DLC's role as a P&A, we offer representation to individuals under guardianship or individuals where guardianship is being proposed in limited circumstances. Typically, representation is provided where abuse, neglect, or exploitation is alleged.

DLC offers information about alternatives to guardianship such as supported decision-making when appropriate. During the reporting period, DLC received 215 requests for information or assistance related to guardianship or conservatorship. Of the 192 where a specific service was provided, 44% of individuals asked for or received information on alternatives along with other resources. For instance, a mother contacted DLC as her son approached legal adulthood. She was considering guardianship and wanted to understand it. DLC staff explained the alternatives to guardianship and followed up with written materials. She told DLC this was exactly the information she had been looking for and left the conversation with a clearer picture of the options for helping her son. This work has become more useful since supported decision-making was codified in Utah law. DLC received several requests about how to write an agreement. In response, DLC put [information](#), [instructions](#), and a [fill-in template](#) on its website. A person can now enter their own details, choose what the agreement covers, and download a completed agreement to sign before two witnesses or a notary, as the law requires. DLC does not receive any personal information entered in the form.

Numerous requests sought help modifying, terminating, or preventing a new guardianship. These calls help inform the guardianship work DLC does. For example, a client under a guardianship wanted to move to a different setting. When the person asked for help from their guardians, they avoided speaking with the client. This lack of contact made it difficult for the individual to seek treatment or move to the community-based setting of their choice. DLC represented the client in filing a motion to terminate the guardianship and conservatorship. The guardians' attorney then approached DLC about ending the guardianship by agreement with some conditions in place. After negotiation and approval by the Assistant Attorney General for the Division of Services for People with Disabilities, the court granted the termination. In another instance, the parents of an adult child with a disability were divorcing. DLC was asked to interview the interested parties to help identify potential issues needing to be addressed related to an existing guardianship. After talking with the person, family members, and others, it was clear the person did not want to change or end the guardianship. The DLC made some suggestions to improve their experience and helped secure legal representation to represent their interests in the divorce proceedings.

In another case, a DLC attorney received a report that a proposed ward was being financially exploited and neglected by their proposed guardian (also parents and representative payee). Specifically, the ward lived with parents and was charged an undisclosed amount of rent and utilities, was locked out from accessing the majority of the home, and was not allowed to contact parents. Parents withheld hygiene supplies purchased with the ward's benefits as punishment. They also withheld access to prescription medications, food, and new clothing. Parents would also sometimes remove the ward from the home, refusing to communicate with the ward or provide any means of obtaining food or other supplies on those occasions. The DLC contacted law enforcement on behalf of the ward to ensure their safety was protected, and the police also filed an Adult Protective Services report.

DLC trains lawyers and judges who handle these cases. An attorney co-presented to state court judges on guardianship and its alternatives, alongside other members of the Utah Working Interdisciplinary Network of Guardianship Stakeholders. DLC also worked with the Utah State Bar, the Administrative Office of the Courts, and that network to build a four-part continuing legal education series for attorneys

handling guardianship cases, covering the basics of guardianship practice and the ethics of working with clients with diminished capacity.

(2)(b)(i) Advocacy for a more-integrated or less-integrated setting

DLC does not code service requests by whether the advocacy sought a more- or less-integrated setting, so no count is available.

(2)(b)(ii) Advocacy for a greater or lesser level of treatment

DLC does not track this. Its advocacy concerns whether the person's rights were respected and the required process followed.

(2)(b)(iii) Advocacy for a deviation from a treatment provider recommendation, and the reason

DLC does not code service requests this way and cannot supply a count. DLC does not employ a doctor, psychiatrist, or nurse. DLC does not generally argue against a treating provider's recommendation; however, DLC may rely on a treatment provider's recommendation that differs from that of another where appropriate.

(2)(c) Government entities DLC worked with

During this period DLC worked with, among others:

- Utah Department of Health and Human Services
- Division of Services for People with Disabilities
- Utah Medicaid
- Office of Ombudsman
- Office of Substance Use and Mental Health
- Behavioral Health Commission (including subcommittees)
- Utah State Hospital
- Utah Anti-discrimination and Labor Division
- Division of Rehabilitation Services and Vocational Rehabilitation offices statewide
- Utah State Board of Education and local education agencies
- Division of Child and Family Services and Child Protective Services
- Adult Protective Services
- Office of Public Guardian
- Administrative Office of the Courts
- Robert G. Sanderson Community Center for the Deaf and Hard of Hearing
- Utah Lieutenant Governor's Office and county election officials
- Medicaid Fraud Control Unit
- The Utah Legislature and its interim committees
- Utah State University Institute for Disability Research, Policy, and Practice
- Utah Developmental Disabilities Council

- Salt Lake City Mayor's Office (Accessibility and Disability Commission)
- Provo Mayor's Office

(2)(d) Number of individuals served by level of independence

DLC does not collect this information and cannot report it. DLC's intake records the person's disability type and age, because those are the categories its federal funders require. DLC does not assess or record whether a person is capable of living independently, can live somewhat independently with formal supports, or lives independently. Making that assessment would require a clinical or functional judgment and is not part of the P&A's role.

(2)(e) Individuals referred to, petitioned for, or advocated regarding treatment

DLC does not track most of these categories, and two describe activities DLC does not perform.

- ***(i) Referred to and received voluntary treatment*** — not tracked. DLC refers people to services routinely but does not record whether a referral resulted in treatment.
- ***(ii) Petitioned for and ordered into involuntary treatment*** — DLC does not petition for involuntary treatment. This is not a function of a protection and advocacy agency.
- ***(iii) Exited homelessness into a residential or clinical setting*** — not tracked. DLC assists people experiencing homelessness with housing and benefits matters but does not record placement outcomes in this form.
- ***(iv) Advocacy for assisted outpatient or assertive community treatment resulting in supportive housing*** — DLC has successfully advocated for more assertive community treatment teams. DLC does not track supportive housing outcomes, so it cannot report how many people obtained housing as a result.
- ***(v) Advocacy with the goal of discontinuing services or treatment deemed appropriate*** — not tracked. DLC does not employ a doctor, psychiatrist, or nurse. DLC does not generally argue against a treating provider's recommendation; however, the DLC may rely on a treatment provider's recommendation that differs from that of another where appropriate.

(2)(f) Policy recommendations

1. Build a community-based behavioral health system that keeps people out of crisis, the hospital, jail, and institutions.

Legislators should fund a coordinated, statewide behavioral health system with real community capacity: full-fidelity Assertive Community Treatment (ACT), peer support and intensive case management pay rates people can actually live on, receiving centers in rural areas, more Mobile Crisis Outreach Team (MCOT) capacity, crisis apartments, better coordination between 911 and 988, community responders, and crisis response that doesn't default to law enforcement. That means setting [clear statewide standards and central oversight](#) (also see earlier audits in the series) so every Local Mental Health Authority (LMHA) implements this consistently.

2. Stop expanding institutional and segregated placements, and invest in integrated community alternatives instead.

People with severe mental illness and co-occurring disabilities should be able to live and fully participate in their communities. That means the state shouldn't fund new locked facilities, Institution for Mental

Disease expansion (federal Medicaid can't pay for inpatient psychiatric care in a facility with more than 16 beds), large step-up/step-down facilities, large boarding homes, or other congregate settings unless it has already funded evidence-based community alternatives and shown those can't meet the need. Every budget request for these settings should be checked against the ADA's and Section 504's non-discrimination and integration provisions.

3. Shrink the Division of Services for People with Disabilities (DSPD) waiting list and build lower tier supports before families reach crisis.

Utah needs to reach people before their needs turn into emergencies. That means planning to shrink the DSPD waiting list, including expanding the Limited Supports Waiver, building lower tier supports people can access earlier, and funding that's predictable and tied to measurable drops in wait time and unmet need.

4. Close the waiver gaps for medically complex people and shift long-term care spending toward home- and community-based services.

Legislators should change waiver rules so people on the Technology Dependent Waiver can get day services, supported employment, and other DSPD-type supports; add nursing services for people on the Community Supports Waiver or aging out of the TDW; and shift long-term services and supports spending toward home- and community-based services rather than institutional care, as recommended in a [recent study](#) commissioned by the legislature,

5. Fund housing that's affordable, accessible, and part of the community, including permanent supportive housing.

The state and local governments should put more money into deeply affordable, physically accessible, scattered-site housing — permanent supportive housing, Section 811 project-based rental assistance, Housing First models, and state-funded rental subsidies — with real unit targets and priority given to sites near transit, jobs, schools, and services.

6. Make housing policy actively support accessibility, not just proximity.

Local and state housing tools should be used to grow the supply of accessible and visitable units: rehab loans targeted at homeowners with disabilities, first-time homebuyer grants for visitable homes, more flexibility for accessible accessory dwelling units, inclusive zoning, and affordable accessible infill. Housing plans and reporting should distinguish real physical accessibility from things like being merely close to transit or amenities.

7. Fully fund special education and inclusive teaching models, including HB 463-style self-contained weighting and co-teaching support.

Special education should be funded at what it actually costs to serve students with significant disabilities, including higher self-contained weighting and transparent accounting. That funding should be paired with grants and technical assistance for co-teaching and inclusive service models, so students with disabilities can get the support they need in the general education classroom whenever possible, along with reporting on how the funding affects access, staffing, services, and student outcomes.

8. Fix the data gaps in special education and speed up access to related services.

The state should collect and publish data on students with disabilities affected by attendance, transportation, staffing, or nursing shortages, including students unable to benefit from the required full school day due to lack of resources or logistical convenience, and require corrective action when a lack of nursing or related services keeps a student from attending school.

9. Protect the rights of people facing guardianship.

Ensure respondents have an attorney of their choice, through funding for the Guardianship Signature Program or a comparable, sustainable representation model. Conflicts of interest between petitioner's and respondent's counsel need to be prohibited. Communication accommodations at hearings should be improved. Expand the Court Visitor Program or at a minimum provide it with more resources.

10. Don't expand criminal enforcement or jail/prison capacity before funding community supports.

Before ramping up enforcement of camping, trespass, drug, or "community care" ordinances, the state should require an effectiveness assessment and fund the alternatives first: reentry housing, intensive wraparound supports, behavioral health crisis response, and permanent supportive housing. Corrections spending should prioritize health care access, discharge and reentry planning, and community-based treatment over new capacity.

11. Strengthen oversight of health facilities, nursing homes, and youth residential treatment.

Utah should fund more licensing inspectors, more Adult Protective Services capacity, and stronger enforcement; make facility quality and enforcement actions public; tie Upper Payment Limit [enhanced reimbursement](#) to real, demonstrated quality improvements; and require stronger protections in youth residential treatment, including trained staff, safe staffing ratios, enforced mandatory reporting, preserved camera footage, and safe access to phones and other ways to report abuse.

Further reading

Available on request: Federal fiscal year 2025 program performance reports and 2026 Public Meetings Report.