



Brooklyn Law School  
ESTABLISHED 1901

## Advocates for Adults with Intellectual and Developmental Disabilities (“AAIDD”) Legal Clinic

### How Do I Get Services From the Office for People With Developmental Disabilities?

The Office for People With Developmental Disabilities is an agency run by New York State that provides services to people with intellectual and developmental disabilities. Some of their services include:

- Community Habilitation: training for people who live at home or independently to help learn social skills and daily living skills;
- Day Habilitation: a day program that provides training similar to community habilitation;
- Supported Employment: employment training such as internships, job developers and job coaches;
- Residential Services: Group Homes, Intermediate Care Facilities, and Individualized Residential Alternatives;
- Respite: short term care; and
- Medicaid Service Coordination: a caseworker to manage the services and interact with OPWDD.

To qualify for most OPWDD these services two requirements must be met: (1) an individual must meet a *specific* definition of “Developmental Disability” and (2) an individual must qualify for Medicaid.

To qualify for OPWDD services you must show proof that:

- (1) You have a developmental disability such as intellectual disability, cerebral palsy, epilepsy, autism or a disability closely related to intellectual disability; **and**
- (2) The disability originated before you turned age twenty-two; **and**
- (3) The disability will continue indefinitely; **and**
- (4) The disability is a “substantial handicap” which means that it significantly affects your ability to function in society.

You must also attend a “Front Door” Orientation before enrolling in OPWDD services. A list of Front Door Orientations are available at [http://www.opwdd.ny.gov/welcome-front-door/information\\_sessions](http://www.opwdd.ny.gov/welcome-front-door/information_sessions).

For more information about the application process go to [www.opwdd.ny.gov](http://www.opwdd.ny.gov).

## **What if I apply for OPWDD services and am denied?**

If you, or a family member, are denied OPWDD services you have a legal right to challenge the denial.

- You have the right to challenge OPWDD's decision that you are not eligible for services.
- You have a right to request a fair hearing where an administrative law judge will decide if OPWDD's decision was correct. At the fair hearing you have the right to testify and to present your own witnesses.

Request a Fair Hearing from the Office of Temporary and Disability Assistance at <http://otda.ny.gov/hearings/request>, by calling 1 (800) 342-3334, or going in person to 14 Boerum Place Brooklyn, NY 11201.

Contact the AAIDD Legal Clinic to see if you qualify for free legal services, or if you have been denied OPWDD services by calling (718) 780-7994 Monday to Friday 9am-5pm or by e-mailing [clinics@brooklaw.edu](mailto:clinics@brooklaw.edu).

**Know Your Rights, To Protect Your Rights!**