



FOR IMMEDIATE RELEASE

Media Contact: Kristin Dulaney, 317-419-7595, KDulaney@IndianaDisabilityRights.org

October 4, 2021

SLIPPING THROUGH THE SAFETY NET: HOW INDIANA'S DISABILITY SERVICES SYSTEM FAILED ONE CLIENT AND JEOPARDIZES OTHERS

INDIANAPOLIS, IN – A Hoosier man with developmental disabilities suffered neglect and death due to systemic flaws within Indiana's disability services system. A forty-page investigatory report from Indiana Disability Rights (IDR) exposes the tragic story, details each systemic failure, and proposes policy changes to reduce the likelihood that more people with disabilities are similarly harmed.

Aaron, a man with cerebral palsy, blindness, bipolar disorder, and other disabilities, relied on his guardian, Harvey, for care. He was approved to receive nine service hours each day through the Community Integration and Habilitation (CIH) Waiver, managed by the Indiana Bureau of Developmental Disabilities (BDDS). Aaron's care plan also stated that he required round-the-clock care. Help at Home was contracted to provide Aaron's CIH Waiver services.

Because Harvey insisted upon being Aaron's only paid caregiver, Help at Home hired Harvey to staff Aaron's case. During the hiring process, Harvey failed standard competency tests regarding Aaron's needs and routinely neglected to submit documentation about Aaron's health. On the single occasion Help at Home staff went to Aaron's home to complete an initial assessment, they never asked to meet Aaron.

On August 13, 2019, Harvey found Aaron unresponsive. Emergency room doctors discovered that Aaron weighed just 71 pounds and had 11 pressure sores, at least one of which exposed bone. Aaron died of septic shock two days later. Yet no one has been held legally responsible for Aaron's neglect nor death.

IDR's report illustrates the systemic problems that enable poor outcomes for individuals with developmental disabilities, like Aaron, and that fail to punish those responsible. Help at Home, State agencies administering programs for individuals with developmental disabilities, and the Wayne County Prosecutor's Office each enabled or contributed to these adverse consequences.

There is still a chance, however, for State and local entities to bring justice to the situation. As IDR Senior Attorney, Emily Munson, explains, "although no one has borne responsibility for Aaron's death, it need not be in vain. The State could still provide a measure of justice by

Equality Through Advocacy
The Protection and Advocacy System for the State of Indiana

4701 N Keystone Ave
Suite 222
Indianapolis IN 46205
IndianaDisabilityRights.org

Phone: 317.722.5555
Toll Free: 800.622.4845
Fax: 317.722.5564



implementing policy changes to close the systemic gaps that Aaron fell through. Others need not suffer the same fate as Aaron.”

With that, IDR concludes by offering policymakers several ideas for closing gaps within the service system. Recommendations include promulgating regulations to create clear standards for guardians serving as paid caregivers, improving the State’s corrective action plan process, and addressing the inter-divisional and inter-disability inflexibilities among government agencies. “Aaron’s story is tragic and sadly preventable,” says IDR Executive Director, Melissa Keyes. “We hope that by publishing these findings, it will encourage everyone involved to take action to ensure that this does not happen again.”

View the full report by visiting <https://www.in.gov/idr/reports-and-press/>.

###

Indiana Disability Rights (IDR) is the designated Protection and Advocacy (P&A) System and Client Assistance Program (CAP) for the State of Indiana. The mission of Indiana Disability Rights is to protect and promote the rights of individuals with disabilities through empowerment and advocacy. For more information, visit www.IndianaDisabilityRights.org.
