

Disability Rights Guide

A Guide for Iowans

Published by

**The Client Assistance Program
Office of Persons with Disabilities
Division of Community Advocacy and Services
Iowa Department of Human Rights**

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Introduction

Individuals with disabilities have civil rights protection similar to that provided to individuals on the basis of race, sex, national origin, and religion. The advent of the Americans with Disabilities Act has improved these protections and brought this issue into the forefront. This book is not intended to be a legal translation of state or federal laws. Its purpose is to assist people with disabilities in understanding their rights. Please consult the Code of Iowa, the appropriate federal laws, or an attorney if you need a legal interpretation.

If you have specific questions about information contained in this book or just want more information, you are encouraged to contact the agencies listed under each section or:

CLIENT ASSISTANCE PROGRAM
OFFICE OF PERSONS WITH DISABILITIES
Department of Human Rights
Second Floor, Lucas State Office Building
321 E 12th St
Des Moines, IA 50319
515-281-8088 (Voice and TTY)
800-652-4298 (Voice and TTY)
dhr.disabilities@iowa.gov

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ACCESS

THE ABILITY TO APPROACH, ENTER AND USE A STRUCTURE/PROGRAM/SERVICE

You have the right to access any government service and any place of public accommodation or any place open to the public for lodging, food and drink, entertainment, meetings, or to serve the public.

If a place open to the public is unable to provide physical access to you because it is not readily achievable (not easy to do), they must provide you with alternative (other) methods of access to the goods and services.

You have the right to aids and services to gain access to the goods, facilities, privileges and advantages of a public accommodation. For example, these aids might include interpreters of sign language, large print, readers or audiotapes.

You have the right to obtain goods and services in the most integrated (not separate) setting appropriate to your needs.

You have the right to access:

Government buildings, programs and services

Inns, hotels, motels and other places of lodging

Restaurants, bars or other places serving food and drink

Movie houses, theaters, concert halls, stadiums or other places of exhibition or entertainment

Auditoriums, convention centers, lecture halls or any other place of public gathering

Shopping centers, retail stores, bakeries, grocery stores, clothing stores, hardware stores, gift stores or any other place which sells or rents to the public

Laundromats, dry cleaners, banks, barbershops, beauty shops, travel services, shoe repair services, funeral parlors, gas stations or any other place which provides services to the public

Offices of lawyers, doctors, accountants, insurance agents, pharmacies, counselors, employment agencies and any other service providers

Hospitals, nursing homes, clinics and any other health service providers

Places of public display or collection, including museums, libraries and galleries, and public tours

Terminals, depots and stations used for public transportation (including bus stations, airports and train stations)

Parks, zoos, amusement parks, arcades and other places of recreation

Nurseries, preschools, elementary, secondary, undergraduate and postgraduate private and public schools and all other places of education

Day care centers, day care homes, senior citizen centers, homeless shelters, food banks, adoption agencies and any other place providing social services to the public

Gymnasiums, golf courses, spas, fitness centers and other places of exercise and recreation

Any other places which offers goods and services to the public

**EXCEPTION:
RELIGIOUS INSTITUTIONS AND PRIVATE CLUBS AND SOME BUILDINGS
OF HISTORICAL PRESERVATION**

If you have questions about your rights of access or if you need more information, contact:

Office of Persons with Disabilities
Iowa Department of Human Rights
Second Floor, Lucas State Office Building
Des Moines, IA 50319
515-281-8088
888-219-0471 (V/TTY)
dhr.disabilities@iowa.gov

United States Department of Justice
Civil Rights Division
Disability Rights Section – NYA
950 Pennsylvania Ave., NW
Washington, D.C. 20530
800-514-0301 (Voice)
800-514-0383 (TTY)
[Http://www.usdoj.gov/crt/ada/adahom1.htm](http://www.usdoj.gov/crt/ada/adahom1.htm)

COURSES/EXAMINATIONS

Any individual or public or private entity who offers courses/examinations (tests) for secondary or post secondary education, professional employment or trade purposes must offer such courses/examinations in a manner and place accessible to persons with disabilities or make accessible arrangements. An entity that offers such testing must provide aids and services for persons with impaired sensory, manual or speaking skills. Exception: If it can be shown that a particular aid or service would alter the course or examination, cause an undue burden or change the measurement of the skills or knowledge the exam is intended to test.

Some examples of such courses/examinations are college entrance exams, community education courses, job training courses and professional workshops and seminars.

Persons with disabilities should provide advance notice of the need for modification or aids in testing or courses. It may be necessary to show evidence of the need for modifications or aids in testing.

If you have questions about your rights concerning courses and examinations or if you need more information, contact:

Iowa Civil Rights Commission
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-1004
515-281-4121 (Voice)
800-457-4416 (Voice)
<https://icrc.iowa.gov/>

United States Department of Justice
Civil Rights Division
Disability Rights Section – NYA
950 Pennsylvania Ave., NW
Washington, D.C. 20530
800-514-0301 (Voice)

800-514-0383 (TTY)

<http://www.usdoj.gov/crt/ada/adahom1.htm>

CREDIT

You cannot be denied credit or credit services on the basis of a disability.

A loan company or financial institution may not deny loans, put restrictive terms or conditions on a loan or refuse to consider a spouse's income or refuse loan insurance because you or your spouse have a disability.

Banks and credit institutions may not refuse credit cards or accounts, offer some applicants lower limits on lines of credit or require a spouse's name because you have a disability.

All goods and services from loan companies or financial institutions must be offered on the same basis to persons with disabilities as they are offered to the general population.

If you have questions about your rights to credit or if you need more information, contact:

Iowa Civil Rights Commission
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-1004
515-281-4121 (Voice)
800-457-4416 (Voice)
<https://icrc.iowa.gov/>

CRIME PROTECTION

The State of Iowa has a “Hate Crimes Law” which specifically prohibits:

- Trespassing
- Arson
- Intimidation
- Criminal mischief
- Violence or a threat of violence

to a person or a person’s property because that person has a disability.

You have the right to protection from retaliation if you exercise your civil rights. If you file a complaint because you have been denied your rights to employment, housing, education or any of the other rights outlined in this booklet you have protection under the law from anyone attempting to “get even” with you for doing so.

Acts of force, threats, damage to property, interference, scaring children or tormenting pets, sexual harassment or even name calling are illegal.

When a hate crime, because of disability, occurs in the area of employment, housing, credit, education, or public accommodations, the hate crime may also be an act of discrimination. A complaint alleging discrimination must be filed with the Iowa Civil Rights Commission within 180 days of the incident.

To file a complaint, call:

Iowa Civil Rights Commission
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-1004
515-281-4121 (Voice)
800-457-4416 (Voice)
<https://icrc.iowa.gov/>

ELEMENTARY & SECONDARY EDUCATION

If you are a student with a disability, you have the right to a free and appropriate education. You have the right to an individualized education program designed to meet your educational needs and the right to proper evaluations, testing and placement regarding education. You have the right to:

- participate in education in the least restrictive environment appropriate to your needs;
- aids and services (such as readers, interpreters or audio tapes) to help you participate more fully in public education;
- regular physical education and/or specially designed physical education;
- have the opportunity to compete for teams, if otherwise qualified;
- equal opportunity for participation in inter-scholastic, club or intramural athletics, if otherwise qualified;
- transition services no later than age 16 to enable you to move from school to post school activities;
- all non-academic benefits, such as counseling, extra-curricular activities, health and transportation services.

As parents and guardians of students with disabilities, you have the right to participate in, review, question and challenge your child's Individualized Education Plan (IEP). You have the right to examine relevant records and to participate in an impartial hearing and review. You have the right to be represented by counsel. You have the right to notice of changes made in your child's Individualized Education Plan (IEP). If you have questions about your rights, contact:

Disability Rights Iowa
400 East Court Ave. Suite 300
Des Moines, IA 50309
515-278-2502
800-779-2502 (voice)
866-483-3342 (TTY)
<http://disabilityrightsiowa.org/>

POST-SECONDARY EDUCATION

As a post secondary student, you have the right to participate in any academic extracurricular activities, research, occupational training, internships or other programs or activities of an educational institution.

You have the right to adjustment in academic requirements, (for example: time needed to complete course work and in taking exams or substitution of certain courses), if this is needed.

You have the right to auxiliary aids and services such as taped materials, sign language interpreters and other assistive technology.

You have the right to student housing which is comparable, convenient and accessible and at the same cost as other students.

You have the right to all nonacademic benefits, if these benefits are available to other students.

Such benefits include:

- student unions
- food services
- housing
- health services
- social services
- admissions
- athletics
- counseling
- excursions/field trips
- social organizations
- insurance
- recruitment
- placement services
- recreational services
- admissions testing
- recruitment
- employment assistance
- financial aid

If you have questions about your rights to education or if you need more information, contact:

Iowa Civil Rights Commission
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-1004
515-281-4121 (Voice)
800-457-4416 (Voice)
<https://icrc.iowa.gov/>

Iowa Department of Education
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319
515-281-5294 (Voice)
<https://www.educateiowa.gov/>

United States Department of Justice
Civil Rights Division
Disability Rights Section – NYA
950 Pennsylvania Ave., NW
Washington, D.C. 20530
800-514-0301 (Voice)
800-514-0383 (TTY)
<http://www.usdoj.gov/crt/ada/adahom1.htm>

The student service program for people with disabilities at your college.

EMPLOYMENT

You have the right to be considered for any job for which you are qualified. An employer cannot discriminate against you on the basis of your disability, if you can perform the essential functions of the job. You cannot be denied employment on the basis of your inability to perform marginal job functions.

An employer cannot refuse to provide a reasonable accommodation unless it causes undue hardship or is a threat to safety.

It is your responsibility to tell the employer you need an accommodation.

An employer may not ask you questions about your disability during an employment interview. An employer can ask you whether you can perform the essential functions of the job. An employer may ask you to demonstrate how you would perform the essential functions of the job.

You have the right to request an employer to provide reasonable accommodations to enable you to apply for and to perform the essential functions of the job.

An employer may ask you what reasonable accommodations would aid you in carrying out the essential functions of the job.

If you need a reasonable accommodation in order to do a job, an employer may not deduct the cost of the accommodations from your pay.

You cannot be required to pay for the cost of the accommodation, but in the case of undue hardship, you can offer to share the cost of the accommodation.

An employer can request proof that you need an accommodation. An employer may use any kind of test to determine job qualifications. The test must be job related and consistent with business necessity.

Employment tests given to people who have impaired sensory, speaking or manual skills, must be given in a manner which does not require the use of the impaired skill, unless the test is designed to measure that skill as an essential job function.

You have the right to reasonable accommodations in the administration of employment tests. It may be necessary to request them in advance.

An employer may not require you to have a medical examination before you have been offered a job. Following a job offer, an employer can require you to pass a medical examination, if all other employees in that job class must also take and pass this examination. An employer cannot reject you because of the physical examination unless the reasons for the rejection are job related and necessary to the business. An employer cannot require that you take a medical examination or ask questions about the examination and/or your disability once you have begun employment, unless the questions are related to the job.

You have the right to have all medical information kept confidential and maintained in separate files.

You have the right to have access to the same employee benefits, programs and services as all employees.

You have the right to equal treatment in all areas of employment practices. You cannot be discriminated against on the basis of your disability. These practices include:

recruitment	training
hiring	promotions
job assignments	benefits
pay	leave
layoff	any other employee related activities
termination	

Employment agencies cannot discriminate based on disability nor can labor organizations.

If you feel you have been discriminated against, you have the right to file a complaint with the Equal Employment Opportunity Commission (EEOC) and/or the Iowa Civil Rights Commission. The charge must be filed within 180 days of the alleged discrimination.

An employer may not retaliate against you for asserting your rights as a person with a disability.

If your charge of discrimination is found to be valid, you may be entitled to hiring, promotion, reinstatement, back pay, or reasonable accommodations. You also may be entitled to collect attorney's fees and/or compensatory damages.

If you have more questions about your rights to employment or if you need more information, contact:

Iowa Civil Rights Commission
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-1004
515-281-4121 (Voice)
800-457-4416 (Voice)
<https://icrc.iowa.gov/>

Equal Employment Opportunity Commission
310 W. Wisconsin Avenue, Suite 800
Milwaukee, WI 53203-2292
800-669-4000 (Voice)
800-669-6820 (TTY)
www.eeoc.gov

Iowa Department of Employment Services
Iowa Workforce Development
1000 E. Grand Avenue
Des Moines, IA 50319-0209
515-281-5387 (Voice)
800-562-4692 (Voice)
Deaf or Hard of Hearing use Relay 711
www.iowaworkforce.com

Office of Persons with Disabilities
Iowa Department of Human Rights
Second Floor, Lucas State Office Building
Des Moines, IA 50319
515-281-8088
888-219-0471 (V/TTY)
thr.disabilities@iowa.gov

HEALTH CARE

As a person with a disability, you are entitled to all medical services and medically related instruction which hospitals make available to the public.

If your physician's office is not accessible, you have the right to be treated in an alternate accessible place, such as a hospital or at your home.

Health care facilities must provide appropriate auxiliary aids and services where necessary to ensure effective communication unless a fundamental change to services or undue burden would result. Interpreters and readers are examples of these services. You have the right to reasonable adjustments in policies, practices and procedures in a health care facility in order to accommodate your disability.

If you must quit your employment as the result of your disability, you may have the right to continue your health insurance in a private plan. You should seek information from your employer.

If you have any questions about your rights to health care or if you need more information, contact:

Office of Persons with Disabilities
Iowa Department of Human Rights
Second Floor, Lucas State Office Building
Des Moines, IA 50319
515-281-8088
888-219-0471 (V/TTY)
thr.disabilities@iowa.gov

Iowa Department of Commerce
Insurance Commissioner
601 Locust St., 4th Floor
Des Moines, IA 50309-3738
505-281-5705
877-955-1212
www.iid.state.ia.us

HOUSING

You have the right to the housing of your choice in the neighborhood of your choice. You cannot be denied housing access or equal services because of a physical or mental disability, or a record of having a mental or physical disability, or because people think you have a physical or mental disability.

A landlord may not refuse to show, rent, or negotiate for the sale or rental of a housing unit because of your disability. A landlord may not treat you any differently than other applicants or tenants.

A landlord cannot discriminate in assigning units or objects to guests because of disabilities. A landlord may not discriminate against you by changing the terms, conditions or privileges of a sale or rental. A landlord may not represent to you that a dwelling is not available for inspection, sale or rental when such a dwelling is available.

A financial institution may not refuse you housing loans or credit solely on the basis of your disability.

Landlords must permit reasonable modifications of their premises to accommodate your disability *at your expense*. The landlord is not required to pay for these modifications. You must return the premise to its original condition when you leave, if requested by the landlord.

Owners must make reasonable exceptions in rules, policies and services to allow persons with disabilities to enjoy their dwellings. Service animals must be allowed.

If you feel you have been treated unfairly or need further information, contact:

Iowa Civil Rights Commission
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-1004
515-281-4121 (Voice)
800-457-4416 (Voice)
<https://icrc.iowa.gov/>

The United States Office of Housing and Urban Development (HUD)
210 Walnut Street, Room 239
Des Moines, IA 50309-2155
515-284-4512 (Voice)
800-669-9777 (Voice)
515-284-4728 (TTY)
www.hud.gov

Your local Human Rights Commission

HUNTING AND FISHING

You may have the right to a free hunting and fishing license if you have a permanent disability and meet low-income guidelines.

You have the right to apply for a special fishing license without charge if you have a severe disability.

You have the right to lifetime hunting and fishing license for one fee, if you are a veteran who was disabled during a specified period of active military conflict.

If you are physically incapable of using a bow and arrow for hunting, you have the right to apply for a permit to use a crossbow in place of a bow and arrow.

If you have questions about your rights concerning hunting and fishing or if you need more information, contact:

Iowa Department of Natural Resources
Licensing Bureau
Wallace State Office Building
502 East 9th St, 4th Floor
Des Moines, IA 50319-0034
515-725-8200 (Voice)
515-725-8263 (Español)
800-735-7942 (TTY) or use Relay 711
www.iowadnr.com

INFORMATION AND REFERRAL

For information and referral to appropriate programs and services for people with disabilities and their families, contact:

Client Assistance Program

Office of Persons with Disabilities
Iowa Department of Human Rights
Second Floor, Lucas State Office Building
Des Moines, IA 50319
515-281-8088 (Voice and TTY)
800-652-4298 (Voice and TTY)
<http://www.humanrights.iowa.gov/pd/>

Iowa Compass

Phone: 1-800-779-2001
1-877-686-0032 (TTY)
E-Mail: iowa-compass@uiowa.edu
URL: <http://www.iowacompass.org/>

INTERPRETERS

If you have a hearing impairment, you are entitled to have a qualified interpreter without charge to you:

if you are arrested for an alleged violation or detained for questioning, you have the right to a qualified interpreter before questioning. You should be advised of your rights and protections with the assistance of the interpreter provided by the arresting agent. If an interpreter is not readily available, you may be temporarily released into the custody of a reliable family member or other reliable person;

if you are a party to (or a witness in) a court, administrative agency or grand jury hearing, you have the right to an appointed interpreter;

if you are applying for unemployment insurance, attending a fact finding or appeals hearing or receiving placement assistance at any public or private agency;

if you are in a place of public accommodation.

Depending on your preference, you may use a sign language or oral interpreter or request real time captioning.

You have the right to have the interpreter keep all information confidential.

Places of public accommodation must provide appropriate auxiliary aids and services where necessary to ensure effective communications unless a fundamental change or undue hardship would result. Interpreters and readers are examples of these services.

For more information contact:

Office of Deaf Services
Iowa Department of Human Rights
Second Floor, Lucas State Office Building
Des Moines, IA 50319
515-281-3164 (Voice and TTY)
888-221-3724 (Voice and TTY)

<http://www.humanrights.iowa.gov/ds/>

JURY SERVICE

You have the right to serve on a jury and cannot be excluded because of a disability. Accommodations must be provided to allow you to participate in jury service.

If you have questions about your right to serve on a jury or if you need more information, contact:

Office of Persons with Disabilities
Iowa Department of Human Rights
Second Floor, Lucas State Office Building
Des Moines, IA 50319
515-281-8088
888-219-0471 (V/TTY)
chr.disabilities@iowa.gov

Iowa Civil Rights Commission
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-1004
515-281-4121 (Voice)
800-457-4416 (Voice)
<https://icrc.iowa.gov/>

Office of Deaf Services
Iowa Department of Human Rights
Second Floor, Lucas State Office Building
Des Moines, IA 50319
515-281-3164 (Voice and TTY)
888-221-3724 (Voice and TTY)
<http://www.humanrights.iowa.gov/ds/>

Your local county clerk of court.

SERVICE ANIMALS

You have the right to use a specially trained animal from a recognized training facility to assist you in any place of public accommodation.

You have the right to request that your landlord waive restrictions on the keeping of a service animal in your home.

You may have the right to tax deductions for veterinary costs incurred with your service animal.

If you have questions about your rights concerning service animals or if you need more information, contact:

Iowa Civil Rights Commission
Grimes State Office Building
400 East 14th Street
Des Moines, IA 50319-1004
515-281-4121 (Voice)
800-457-4416 (Voice)
<https://icrc.iowa.gov/>

Iowa Department for the Blind
524 Fourth Street
Des Moines, IA 50309-2364
515-281-1333 (Voice)
515-281-1355 (TTY)
800-362-2587 (Voice)
<http://www.blind.state.ia.us/>

Office of Deaf Services
Iowa Department of Human Rights
Second Floor, Lucas State Office Building
Des Moines, IA 50319
515-281-3164 (Voice and TTY)
888-221-3724 (Voice and TTY)
<http://www.humanrights.iowa.gov/ds/>

SOCIAL SECURITY

You never have to pay for information or service at the Social Security office.

You have the right to apply for Social Security Disability Income (SSDI) and Supplemental Security Income (SSI) benefits at any age.

You must meet the eligibility standards in order to receive benefits. Disability under Social Security is based upon inability to work, as defined by Social Security. This may be different than a decision given to you by Workers' Compensation, the Veterans Administration, Human Services or even your doctor. Your disability must be expected to continue for at least one year or have already lasted one year.

It is very important that you complete your application fully!! Include all medical information, all medical problems, education and a complete 15-year work history. Don't just tell about one problem which you think causes your disability – tell all of them! A combination of situations may allow you benefits where one may not. Criteria for blind persons may be different.

If your claim is denied or if you disagree with the decision, you may appeal the decision. You have the right to make an appointment with the Social Security representative to review your file to see how the decision was made. You can gather more medical evidence to disprove the reason given for the denial. There are four levels of appeal and you may use all of these levels. You have 60 days from the time of a decision to file an appeal at the next level.

You have the right to be represented by an attorney or a person of your choice in your contacts with Social Security. These representatives usually charge for this service. Find out before choosing a representative.

Your SSDI benefits will continue as long as you have a disability. However, your case may be reviewed periodically to see if you still have a disability.

Social Security Disability Income (SSDI)

You may continue to receive Social Security disability benefits for a period of time after you return to work. The Social Security law has several conditions that may help you if you wish to return to work even though you still have a disability.

Accepting state vocational rehabilitation services will not prevent you from receiving benefits if your claim is approved. However, if you are offered services and refuse them without a good reason, monthly benefits may be suspended.

You may continue receiving full benefits for up to 9 months while testing your ability to work at “substantial gainful employment”. Substantial gainful employment simply means that you are able to work at a meaningful job that is profitable to you. This is referred to as a “trial work period”. One nine month trial work period is allowed in a five-year period. After using your 9th month in a five year period (if you are gainfully employed), benefits will be paid for three more months and then stop. There may be different criteria if you are blind.

You have special protection for 36 months after completing the 9-month trial work period. Benefits may be paid for each month in which you are not profitably employed if you still have a disability. You must tell Social Security about these months but you do not have to apply to receive benefits for them.

Some of your expenses related to your disability may be deducted from earnings in deciding whether you are employed profitably. It doesn't matter if these expenses also apply to daily living needs, such as a wheelchair.

Medicare coverage generally may continue to 93 months after a successful trial work period.

You are eligible for Medicare after receiving disability (SSDI) benefits for 2 years. You may be required to pay part of the cost of Medicare.

Supplemental Security Income (SSI)

You can continue to receive Medicaid benefits even if your earnings are over the SSI limits, if you cannot afford similar medical care and depend on Medicaid in order to work. Medicaid (also known as Title 19) is issued through the local Human Services office. Medicaid benefits may be retroactive. You have to apply for Medicaid at the local Human Services office.

You may set aside income and resources for up to 48 months toward an approved “Plan for Achieving Self Support” (PASS).

You may deduct from your earnings certain work expenses that you may have as a result of your disability. Impairment related work expenses can include medical devices, attendant care services, transportation costs, work-related equipment, drugs and medical services, home modifications and other expenses.

Your benefits may be reinstated within 12 months after payments were stopped because earnings were too high if you still have a disability. You do not need to reapply but must notify Social Security immediately to be reinstated.

Expedited Reinstatement

There is a safety net for you if you successfully return to work and lose your entitlement to SSDI or SSI benefits and payments. If your cash payments ended because of your work and earnings, and you stop work within 5 years of when your benefits ended, you may be able to start your benefits again without a new application. This provision allows you to receive up to 6 months of temporary cash benefits while Social Security conducts a medical review to determine whether you can be reinstated to benefits. Contact Social Security immediately and review all eligibility requirements for expedited reinstatement.

Ticket to Work

The goal of the program is to increase the choices of SSDI beneficiaries with disabilities for obtaining employment, vocational rehabilitation, or other support services from public and private providers.

Tickets will be issued to eligible recipients of Social Security and they can voluntarily use these to contact one or more Employment Network providers to discuss and arrange services.

Social Security will contract with service providers to become Employment Networks.

If you have questions about your rights to Social Security or if you need more information, contact:

United States Social Security Administration
455 SW 5th St
Des Moines, IA 50309
515-282-9866 (Voice)
800-772-1213 (Voice)
800-325-0778 (TTY)
www.ssa.gov

Your local Social Security office

Your local Department of Human Services

For information on Ticket to Work, contact:

MAXIMUS Ticket to Work Program
(866)-968-7842
(866)-833-2967 (TTY)
www.ssa.gov/work

Iowa Work Incentives and Planning Assistance

400 East Court Ave. Suite 300

Des Moines, IA 50309

515-278-2502

1-800-779-2502

<http://disabilityrightsiowa.org/who-we-are/funding-partners/work-incentives-planning-assistance-wipa/>

SOCIAL SERVICES

You have the right to participate on an equal basis in nutrition programs, senior citizen activities, pre-natal and child care programs, day care (for your child with a disability) or any other social services program.

You cannot be denied benefits or services on the basis of disability if you are otherwise qualified.

You have the right to participate in a social services program in the most integrated setting possible.

If you have questions about your rights to social services or if you need more information, contact:

Your local Department of Human Services or

United States Department of Justice
Civil Rights Division
Office on the Americans with Disabilities Act
P.O. Box 66118
Washington, D.C. 20035-6118
800-514-0301 (Voice)
800-514-0383 (TTY)
<http://www.usdoj.gov/crt/ada/adahom1.htm>

TAX EXEMPTIONS

You may have the right to suspension or cancellation of special assessments and property taxes, if you have a severe disability. You may have the right to apply for reimbursement of property taxes, if you have a severe disability. You have the right to have a designated representative apply for homestead credit on your behalf, if you have a severe disability.

If you are living in a nursing home, rental property or condominium where the landlord pays the property tax, you may have the right to apply for partial reimbursement of property tax provided you meet certain income guidelines.

If you itemize your income taxes, you may be able to deduct expenses related to your disability. Such expenses include veterinary costs for a service animal, medical costs, or employment-related expenses such as attendant care, home modifications and assistive devices.

If you have questions about your rights to tax exemptions or if you need more information, contact:

For Property Tax Credit or Rent Reimbursement:

Iowa Department of Revenue and Finance
1305 E Walnut St,
Des Moines, IA
(515) 281-3114
800-367-3388
<https://tax.iowa.gov/>

Your local county treasurer or auditor

For Homestead Exemption: contact your County Treasurer's Office

TELECOMMUNICATIONS

Companies offering telephone service to the general public must offer relay services to individuals with hearing and/or speech impairments on a 24-hour per day basis. Iowa has chosen to provide this service through the Iowa Telephone Relay Service.

If you live or work in Iowa, you may use the relay service. To access Relay Iowa call: 1-800-735-2942 (TTY) or 1-800-735-2943 (Voice) or 711.

You have the right to your relay message being conveyed without intentional change.

As a person with a communication impairment, you have the right to access relay services through any company offering telephone service to the general public.

Within Iowa, you have the right to equivalent services provided to persons without a communication impairment, at rates no greater than rates paid by persons without a communication impairment.

You cannot be refused calls or limited on the length of time of relay calls. You have the right to confidentiality.

If you are unable to use a telephone directory because of a disability, you may apply for an exemption from Directory Assistance charges. You should contact your local telephone company about this exemption. If you have questions about your rights concerning communications or if you need more information, contact:

Office of Deaf Services

Iowa Department of Human Rights
Second Floor, Lucas State Office Building
888-221-3724 (Voice and TTY)
<http://www.humanrights.iowa.gov/ds/>

Iowa Utilities Board

1375 E. Court Avenue, Room 69
Des Moines, Iowa 50319-0069
877-565-4450 (Voice and TTY)
<https://iub.iowa.gov/>

TRANSPORTATION

Air Travel

If you need special equipment (such as a respirator) or assistance while traveling, it is important to call ahead.

You may not be refused transportation by an air carrier on the basis of a disability. You may not be refused air transportation because of the number of persons with disabilities on a particular flight.

You may not be refused air transportation because your disability may be viewed as offensive, annoying or an inconvenience by crew members or other passengers. However, you can be refused air transportation if you would endanger the health or safety of other passengers.

You have the right to assistance in boarding an airplane unless the plane has fewer than 30 seats and there are no lifts, boarding chairs or other boarding devices available. Carrier personnel are not required to physically carry a person on board an airplane.

Properly trained personnel must be available to assist if help is needed in boarding and exiting an airplane.

You have the right to take into the airplane cabin those assistive devices necessary for you to board, exit, or use in flight. These devices do not count toward the limit for carry-on items.

You have the right to be accompanied by your service animal on an air flight.

You have the right of access to passenger, baggage loading/unloading, parking, and waiting areas of airports.

You have the right to consult the Complaints Resolution Official (CRO) who is available at all times during scheduled flights if you have a concern or feel your rights have been violated.

Bus Transportation

You have the right to accessible transportation on existing fixed route public transit systems on any busses purchased after August 25, 1990.

If the fixed route public transit system does not yet have busses purchased after August 25, 1990 or if you are unable to use the fixed route system, you have the right to special transportation services. These services must be comparable to services provided by the fixed route service (unless this would pose an undue burden on the transportation provider).

You have the right to accessible transportation on any new vehicle with a capacity of more than 16 passengers purchased after August 25, 1990 being used to operate shuttle service between locations by hotels, motels, private schools and other private businesses.

New bus stations and alterations to existing stations must be accessible.

You have the right to file complaints with the United States Department of Transportation or to bring a private lawsuit.

Motor Vehicle

You have the right to apply for a driver's license. If you are denied driving privileges because of an inability to operate a motor vehicle, you may be eligible to apply for a special instruction permit.

You have the right to apply to the Iowa Department of Transportation for an exemption from using a seat belt while riding in a motor vehicle.

If you are a licensed driver with a physical disability or the parent of a child (under 22) with a disability, you have the right to apply to the Iowa Department of Transportation for specialized license plates.

You cannot be denied car insurance or subjected to different terms or conditions of insurance based on disability alone, if the disability does not pose increased risks.

Parking

If you are unable to reasonably walk in excess of two hundred (200) feet without assistance, you have the right to apply to the Iowa Department of Transportation for an accessible parking identification device.

If you are unable to walk without causing serious detriment or injury to your health, you have the right to apply for an accessible parking identification device.

If you have an accessible parking identification device properly displayed in the car that you are driving or are a passenger, the vehicle may be parked in a designated accessible parking space.

You have the right to request that the city or county accessible parking review committee review the number and location of accessible parking spaces.

Rail Travel

You have the right to accessible rail service on all new rail vehicles purchased after August 25, 1990. Existing rail systems must have one accessible car per train by July 26, 1995.

New rail stations and alterations to existing stations must be accessible.

You have the right to file a rail travel complaint with the United States Department of Transportation or bring a private lawsuit.

If you have questions about your rights concerning transportation or if you need more information, contact the following agencies:

Office of Persons with Disabilities

Iowa Department of Human Rights
Second Floor, Lucas State Office Building
Des Moines, IA 50319
515-281-8088
888-219-0471 (V/TTY)
thr.disabilities@iowa.gov

For Motor Vehicle Registration and Driver Services:

Iowa Department of Transportation
6310 SE Convenience Blvd.
Ankeny, IA 50021
515-244-9124
800-532-1121 (Voice)
www.dot.state.ia.us/

For Bus and Rail:

Office of Public Transportation
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010
(515) 239-1101
<http://www.iowadot.gov/transit/>

For Air Travel:

United States Department of Transportation
Aviation Enforcement and Proceedings
1200 New Jersey Ave, SE
Washington, D.C. 20590
202-366-4000 (Voice)
800-877-8339 (TTY)
800-778-4838 (Disability Hotline – Voice)
800-455-9880 (Disability Hotline – TTY)
www.dot.gov

For Insurance:

Department of Commerce
Insurance Commissioner
601 Locust St., 4th Floor
Des Moines, IA 50319
515-281-5705
877-955-1212
www.iid.state.ia.us

For Parking

Your local county and city
Accessible Parking and
Review

VETERANS WITH DISABILITIES

Monetary benefits are paid to veterans who are disabled by injury or disease incurred or aggravated during active military service in the line of duty.

A veteran with a disability may be entitled to a grant from the Veterans Administration (VA) for a home especially adapted to their needs.

Veterans with a disability may be provided prosthetic appliances and/or authorized aids for service connected blindness.

Any veteran who is entitled to receive compensation for a service connected disability for which he or she uses prosthetic or orthopedic appliances, including a wheelchair, which the VA determines tends to wear out or tear clothing, may receive a clothing allowance.

You may be eligible for a pension if you are permanently and totally disabled for reasons not traceable to military service and not due to reasons due to willful misconduct. You must meet service and income requirements to be eligible.

You may be eligible for vocational rehabilitation services if you suffered a service-connected disability.

You may be eligible for the VA to furnish outpatient medical care for any disability to veterans:

with service connected disabilities

who suffered injury as a result of VA hospitalization in a VA approved vocational rehabilitation program.

Priority in referral to job openings and training opportunities is given to eligible veterans with preferential treatment for veterans with disabilities in local and state employment services. Veterans with disabilities are given priority in hiring in state and federal employment.

If you have questions about your rights as a veteran with a disability or if you need more information, contact:

United States Veterans Administration

Regional Office

210 Walnut Street

Des Moines, IA 50309

800-827-1000 (Voice)

800-829-4833 (TTY)

www.vba.va.gov

Workforce Development

1000 E. Grand Avenue

Des Moines, IA 50319

515-281-5387 (Voice)

800-562-4692 (Voice)

Deaf or Hard of Hearing use Relay 711

www.iowaworkforce.com

Your local Iowa Workforce Development Office

VOCATIONAL REHABILITATION

You have the right to apply for services from the Iowa Vocational Rehabilitation Services within the Department of Education or the Iowa Department for the Blind.

If a determination is made that you are not eligible for services, you have the right to know why and the right to appeal that decision.

You have the right to ask for help from the Client Assistance Program if you do not agree with any decision made in your vocational rehabilitation program.

You have the right to appeal any decision made by rehabilitation personnel and be provided a mediator and/or an opportunity for a hearing before an impartial hearing officer.

You have the right to confidentiality of records.

You have the right to full participation in the planning of goals and services. Information will be provided to you to make choices in goods and services you need to complete your planned goal.

You have the right to continuous counselor or teacher involvement throughout your rehabilitation.

If you have questions about your rights to vocational rehabilitation or if you need more information, contact:

Client Assistance Program

Office of Persons with Disabilities
Iowa Department of Human Rights
Second Floor, Lucas State Office Building
Des Moines, IA 50319
515-281-8088 (Voice and TTY)
800-652-4298 (Voice and TTY)
<http://www.humanrights.iowa.gov/pd/>

Iowa Department of Education
Vocational Rehabilitation Services
510 E. 12th Street
Des Moines, IA 50319
515-281-4211 (Voice and TTY)
800-532-1486 (Voice and TTY)
www.ivrs.iowa.gov

Iowa Department for the Blind
524 Fourth Street
Des Moines, IA 50309-2364
515-281-1333 (Voice)
515-281-1355 (TTY)
800-362-2587 (Voice)
www.blind.state.ia.us

VOTING

You cannot be prevented from voting solely on the basis of your disability.

You have the right to vote at an accessible voting site.

You have the right to accessible parking at the voting site.

If you need help marking your ballot, you have the right to receive assistance. A person of your choice may help you or you may request the help of precinct officials.

If you are unable to enter the polling place, two precinct officials (one of each major party) must bring a ballot to your car and help you, if necessary.

If you expect to be away from your precinct on Election Day, or if you are unable to go to the polls, you may request an absentee ballot. You mail your absentee ballot or you may designate someone to deliver the ballot for you.

If you have questions about your voting rights or if you need more information, contact:

Office of the Secretary of State
Elections Division
First Floor, Lucas State Office Building
321 E. 12th St.
Des Moines, IA 50319
515-281-5204 (Voice/TTY)
www.sos.state.ia.us

Your local county auditor for an absentee ballot,

WORKERS' COMPENSATION

If you are injured on the job (in the course of and arising out of employment), you may be eligible for Workers' Compensation benefits. Most employers are required to have some form of Workers' Compensation for their injured workers and there are few exceptions to this. Examples of these exceptions include officers of a family farm corporation or directors of a corporation who are not employees of the corporation. If you are not sure your employer provides Workers' Compensation, you should seek further information.

You must provide your employer with a notice of injury within ninety days of the injury (or the employer must have knowledge of the alleged injury.)

Any employer who is not a resident of the state but has employees performing services within the state is required to provide Workers' Compensation to injured workers.

If you are injured arising out of and in the course of job training or job evaluation, you may be eligible for Workers' Compensation benefits.

You have the right to Workers' Compensation benefits by law and cannot be required to waive (give up) any rights to benefits with one exception. You can agree with the employer to waive compensation benefits for any injury caused directly or indirectly by a physical condition, which increases potential risk of injury. The Industrial Commissioner must approve such a waiver.

If you are found to be eligible for Workers' Compensation, you are entitled to benefits. Benefits include:

- Medical benefits including the payment of all reasonable and necessary medical care to treat the injury.
- Transportation costs incurred to treat the injury including reimbursements for use of a private vehicle.
- Disability benefits that are based upon your average gross weekly earnings. Disability benefits are determined by the type of

- injury/disability incurred and by the average gross weekly earnings of the injured employee.
- Vocational Rehabilitation benefits for employees who meet specific criteria and are actively engaged in a vocational rehabilitation program.

You must submit to a medical examination at a reasonable time and place and as often as reasonably requested by your employer. Your employer has the right to choose the medical care you need. This medical care should not cost you. You have the right to have your physician present to participate in the examination but you must pay for this yourself.

You have the right to be paid wages at your regular rate, if you are required to leave work for the requested examination.

You have the right to be furnished transportation to and from the place of examination or to be paid the reasonable cost of the transportation.

If you are not satisfied with your medical care and wish other medical care, you may discuss this with your employer. If you are unable to resolve this with your employer, you have the right to apply to the Industrial Services Division for alternate care.

If you receive a rating of permanent disability and believe it is too low, you have the right to have a subsequent examination by a physician of your choice. Your physician has the right to confer with and obtain from the employer-retained physician sufficient history of the injury to make a proper examination. The employer has to pay for this second examination.

An employer is not required to provide more than one set of permanent prosthetic devices. However, when any crutch, artificial member, or appliance is damaged or made unusable in conjunction with a personal injury entitling the employee to disability benefits, the employer shall repair or replace the prosthetic device.

If you incur an occupational disease arising out of and in the course of your employment, you may be eligible for compensation and/or reasonable medical services.

If you incur occupational hearing loss due to excessive noise levels, you may be eligible for compensation. You must file your claim within six

months of the employment in which you were exposed to excessive noise levels.

You have the right to legal representation in Worker's Compensation dealings.

If you have questions about your rights to Worker's Compensation or if you need more information, contact:

Iowa Department of Labor
Industrial Services Division
1000 E. Grand Avenue
Des Moines, IA 50319
515-281-5934 (Voice)
800-562-4692 (Voice)
Deaf or Hard of Hearing use Relay 711
www.iowaworkforce.org

Office of Persons with Disabilities
Iowa Department of Human Rights
Second Floor, Lucas State Office Building
Des Moines, IA 50319
515-281-8088
888-219-0471 (V/TTY)
dhr.disabilities@iowa.gov