

By law, people with disabilities have the right to be free of disability-based discrimination. Other laws affect the rights of people with disabilities, including the right to certain public benefits. The rights of people with physical, intellectual, or developmental disabilities are protected, as are the rights of people with a mental health diagnosis, past drug abuse, and past and current alcohol abuse.

How does the Americans with Disabilities Act protect people with disabilities? The Americans with Disabilities Act (ADA) protects the rights of people with disabilities to have access to facilities and public transportation. The ADA applies to public buildings, like government offices and schools, as well as private businesses open to the public, like malls, restaurants, hotels, and stadiums. The ADA covers:

- **Access to Services** -Services and facilities must be equally available to everyone. A restaurant that accommodates a person with a disability must provide services equal to those received by other patrons. People with disabilities who depend on service animals must be accommodated.
- **Transportation** -People with disabilities are entitled to equal access to public transportation, such as bus, rail, metro, and other scheduled transportation available to the general public.
- **Employment** – Employees with disabilities are protected from job discrimination in hiring and employment. An employer must make reasonable accommodations to an employee with a disability who is otherwise qualified to perform the job. Accommodations can include changes to job duties, work environment, and workplace accessibility.

What public benefits are available to people with disabilities? People with disabilities who receive SNAP (food stamps) or TANF (cash assistance for families with children) may be exempt from program work requirements. Veterans may qualify for cash assistance and medical care through the Veterans Administration. People who cannot work due to a disability might be eligible for benefits and medical assistance through the Social Security Administration. Elderly people, adults, and children with severe disabilities may qualify for home health care, medical equipment and other Medicaid services. The Medicare Savings Program helps Medicare recipients pay for premiums and copays. A person whose application for public benefits has been denied has the legal right to appeal the denial.

What other laws benefit people with disabilities?

- **Housing** – It is illegal to deny housing or to evict a person because of a disability. A person with a disability has the right to use and enjoy a leased space like any other tenant. Property owners can be required to accommodate people with disabilities by making physical changes to a living space, such as widened doorways, accessible showers, and lowered countertops.
- **Child Support** – A recipient of SSI or Social Security who is disabled may be able to reduce child support payments by undergoing a “hardship review” with the Office of the Attorney General -Child Support Division, www.oag.state.tx.us/cs.
- **Abuse, Neglect, Financial Abuse** – Physical abuse or neglect of people with disabilities, children, or elderly people is a crime. A domestic violence protective order prevents the abuser from contacting the protected person or they risk arrest. Financial exploitation involves crimes such as using a person’s credit or debit cards, forging checks, and accessing bank and financial accounts without the owner’s permission. Using another person’s identity (including Social Security number) is also illegal. A guardian of a person with disabilities who misuses the property or money of their ward can be prosecuted for financial abuse.
- **Education** – A child diagnosed with a developmental or intellectual disability has an equal right to public education in a school close to home. Parents can ask that their child be evaluated, and if special services are needed, to be included in the educational plan.
- **Income Tax, Property Taxes, Student Loans** – A person with a permanent disability who has unpaid federal student loans might qualify for a reduction in payments or a discharge. A person who is disabled and unable to work might be able to stop collection efforts by the Internal Revenue Service. Depending on the county of residence, homeowners over age 65 or persons with disabilities can reduce or defer local property taxes.