

What You Need To Know About 504 Plans

Graciela Sharif

LEND Diversity Coordinator
Community Parent Resource Coordinator

Kristin Mayleben-Flott

LEND Campus and Community Outreach Director
LEND Family Discipline Director
LEND Pipeline Coordinator



MUNROE-MEYER
INSTITUTE

DISCLOSURES

This presentation was prepared for the MHTTC Network under a cooperative agreement from the Substance Abuse and Mental Health Services Administration (SAMHSA). All material appearing in this presentation, except that taken directly from copyrighted sources, is in the public domain and may be reproduced or copied without permission from SAMHSA or the authors. Citation of the source is appreciated. Do not reproduce or distribute this presentation for a fee without specific, written authorization from the MHTTC Network Coordinating Office. This presentation will be recorded and posted on our website.

At the time of this publication, Miriam Delphin-Rittmon served as Assistant Secretary for Mental Health and Substance Use and Administrator of SAMHSA. The opinions expressed herein are the views of the speakers and do not reflect the official position of the Department of Health and Human Services (DHHS), or SAMHSA. No official support or endorsement of DHHS, SAMHSA, for the opinions described in this presentation is intended or should be inferred.

This work is supported by grants under Funding Opportunity Announcement (FOA) No. SM-18-015 from the DHHS, SAMHSA.

The MHTTC Network uses affirming, respectful and recovery-oriented language in all activities. That language is:

STRENGTHS-BASED
AND HOPEFUL

INCLUSIVE AND
ACCEPTING OF
DIVERSE CULTURES,
GENDERS,
PERSPECTIVES,
AND EXPERIENCES

HEALING-CENTERED/
TRAUMA-RESPONSIVE

INVITING TO INDIVIDUALS
PARTICIPATING IN THEIR
OWN JOURNEYS

PERSON-FIRST AND
FREE OF LABELS

NON-JUDGMENTAL AND
AVOIDING ASSUMPTIONS

RESPECTFUL, CLEAR
AND UNDERSTANDABLE

CONSISTENT WITH
OUR ACTIONS,
POLICIES, AND PRODUCTS

Adapted from: https://mhcc.org.au/wp-content/uploads/2019/08/Recovery-Oriented-Language-Guide_2019ed_v1_20190809-Web.pdf

Mid-America Mental Health Technology Transfer Center (MHTTC)

- Funded by the federal Substance Abuse and Mental Health Services Administration (Grant number: H79SM081769).
- Awarded to UNMC's Behavioral Health Education Center of Nebraska (BHECN).
- Serves to align mental health services across Missouri, Iowa, Nebraska, and Kansas with evidence-based practice.

Announcements

- This webinar is being recorded.

<https://mhttcnetwork.org/centers/mid-america-mhttc/tele-behavioral-health-consultation-tbhc-primary-care-webinar-series>

Nebraska Mental Health Access Grant

- 5-year, \$2.2 million HRSA grant through maternal and child health bureau
- Designed to improve timely access to behavioral healthcare for children in rural Nebraska
- The main goal is to provide primary care providers access to behavioral health supports



Goals

- Enhance early screening of behavioral health disorders
- Conduct a clinical demonstration project in a network of providers to expand and diversify integrated behavioral health provision in PC pediatric and family medicine practices, with a focus upon rural communities
- Evaluate the overall effectiveness of increasing access to PCP's to behavioral health consultation

<https://www.unmc.edu/mmi/services/psychology/teleproviderconsult.html?msclkid=77c12956b5f311ec8c21922c759e3b30>



Tele-Behavioral Health Consultation (TBHC)

- Behavioral health providers or case managers on-site at primary care clinics
- Behavioral health/care managers determine need for consultation with psychiatry
- Consultant consults with PCP (audio or audio-visual) on the same day
 - Child Psychiatry
 - Developmental Medicine
 - Psychiatric Nurse Practitioner



Behavioral Health Consultation for Primary Care Providers

The UNMC Tele-Behavioral Health Consultation Team (TBHC) provides psychiatry support to primary care providers in Nebraska who are managing pediatric patients with behavioral health problems. Providers are available to offer guidance on diagnosis, medications, and psychotherapy interventions to assist primary care providers in better managing patients in their practices. Support is available through phone and synchronous audio/video teleconference consultations to referring primary care providers.

How Does it Work?

1. The participating provider or representative initiates a request to Dani Porter at (402) 559-3838 or through the website at unmc.edu/mmi/departments/psychology/psych-patientcare/teleproviderconsult.html
2. A member of the TBHC team will contact the provider within the same business day to offer guidance.
3. The TBHC is not an emergency service. Emergencies will be routed to local emergency services.
4. The UNMC TBHC team does not prescribe medication. They provide support for prescribers.

Team Members



Terri Mathews, Ph.D., APRN-NP
Psychiatric Nurse Practitioner



Ryan Edwards, M.D.
Psychiatrist



Cindy Ellis, M.D.
Developmental-Behavioral
Pediatrician



Scan with your
smartphone for
more information!



The UNMC Tele-Behavioral Health Consultation Team is supported by an award from Nebraska's Department of Health and Human Services (DHHS). The award is made available to the Health Resources and Services Administration by DHHS. Pediatric Mental Health Care Access Program, Grant #4U49CE000189, with DHHS as the lead state agency. The members of this program own no responsibility at UNMC UNMC and do not necessarily represent official views of, or endorsement by, DHHS or DHHS.



Primary Care Providers (PCPs)

- PCPs can request a consultation three ways:

1) Visit our website:

<https://www.unmc.edu/mmi/services/psychology/teleproviderconsult.html>

2) QR Code



3) Call 402-559-3838





Learning Objectives

1. Explain what a 504 Plan is and why it is important
2. Discuss who is eligible for a 504 Plan
3. Identify the role of the physician, the individual and the school
4. Recognize ways to support individuals and families when eligible for a 504 Plan



What is Section 504?

- Section 504 of the Rehabilitation Act of 1973 is a federal civil rights law
- Prohibits discrimination against individuals with disabilities
- Applies to entities that receive federal funding (most public schools)



Schools...

must provide students with disabilities with equal opportunities “to obtain the same result, to gain the same benefit, or to reach the same level of achievement” as students without disabilities



Who is eligible for protections under section 504?



1. Has a **physical** and/or **mental impairment** which **substantially limits** one or more **major life activities**
2. Has a record of that kind of impairment
3. Is regarded as having that kind of impairment





Physical Impairment is...

Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:

- Neurological
- Musculoskeletal
- Special sense organs
- Respiratory
- Speech organs
- cardiovascular
- Reproductive
- Digestive
- Genito-urinary
- Hemic and lymphatic
- Skin
- Endocrine



Mental impairment is...

Any disorder listed in the DSM 5 may equal mental impairment:

- Cognitive impairment
- Organic brain syndrome
- Emotional or mental illness
- ADHD, ADD
- Bi-Polar
- OCD, ODD,
- Dysthymia
- Anxiety
- Other DSM Diagnosis
- “Specific learning disabilities

Determining Substantial Limitation



An individual who is unable to perform activities that the average student of approximately the same age can

- Restricted to the condition, manner or duration under which a particular life activity is performed.



Major Life Activities include....

- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Working
- Caring for oneself
- Performing manual tasks
- Eating
- Sleeping
- Standing
- Lifting
- Bending
- Reading
- Concentrating
- Thinking
- Communicating



Major Life Activities include....

Learning





504 is not about

- Expanding rights
- Changing the experience
- Creating educational rights

What it is about

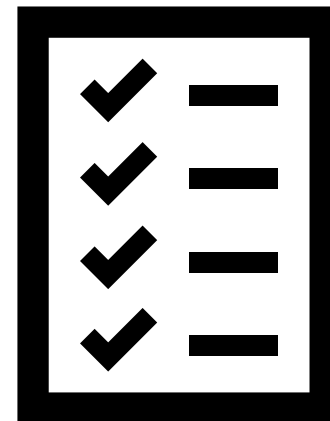
- Protecting Educational Rights



What is a Section 504 Plan?

A written document that ensures students who have a disability will receive:

- reasonable accommodations
- Access to free and appropriate public education (FAPE)





504 Coordinator

- Found in every school district
- Can be the Special Education Director
- Duties
 - Ensures that 504 evaluations and plans are written for students who need them
 - Gathers a group of people knowledgeable about the student, data, and available educational placement options to determine eligibility
 - Provide notice to parent or guardian



Physicians can:

1. Assess learning disability
2. Initiate school services
3. Support children and their families



Assessing These Conditions:

- 1. Thorough medical evaluation to rule out underlying or associated medical issues.*
- 2. Identifying risk factors.*
- 3. Watching for early warning signs.*
- 4. Detecting limitations in executive function.*
- 5. Psychological evaluation, for example: attention deficit hyperactivity disorder (ADHD).*

Examples of disabilities likely covered.....



- Students with attention-deficit disorder or ADHD
- Students with learning disabilities who do not manifest a significant discrepancy between intellectual ability and achievement
- Students who are transitioned out of special education programs
- Students who are socially maladjusted
- Students who have a history of drug and alcohol abuse
- Students with special health needs
- Students with communicable diseases, such as AIDS



Next Steps

If a disability is determined *not* to be a cause of educational impairment, the child will not qualify for an IEP but may be eligible for a 504 plan, which typically involves making accommodations such as classroom seating location and testing modifications.

.

Role of Primary Care or Pediatrician



1. Request assessment on behalf of the family
2. Write a letter outlining the suspected learning disability
3. Talk to parents about the need for additional, independent testing and refer them to appropriate sources, when warranted.
4. Before an IEP or 504 plan is established, pediatricians also can communicate with teachers about recommended classroom strategies



Role of Primary Care or Pediatrician cont.

5. Support children and their families throughout the process

6. Emphasize to the child that everyone learns differently and in a way best suited to the child

7. Emphasize that the child is not lazy or stupid, and that the condition can be frustrating



Parents and Guardians

1. Help individuals build their natural strengths and talents
2. Partner with provider(s) whenever possible
3. Communicate with nurses, doctors, and healthcare team regularly
4. Document concerns or questions in a notebook at home
5. Recognize they are the individuals best/strongest advocate



Most Importantly

Section 504 protects *qualified individuals with disabilities*.

Use it to its full advantage!

Example of Eligibility





Questions?



Resources

- <https://www.pacer.org/parent/php/PHP-c267.pdf>
- <https://www.hhs.gov/sites/default/files/ocr/civilrights/resources/factsheets/504.pdf>
- <https://www.education.ne.gov/wp-content/uploads/2020/08/504-and-IDEA-Comparison-Chart-2019.docx.pdf>



Cited Information

- <https://www.disabilityrightsnebraska.org/>
- <https://pti-nebraska.org/>
- <https://www.education.ne.gov/sped/>
- <https://www.pacer.org/parent/504/>
- <https://www.hhs.gov/sites/default/files/ocr/civilrights/resources/factsheets/504.pdf>
- <https://my.clevelandclinic.org/health/diseases/4865-learning-disabilities-what-you-need-to-know>



MUNROE-MEYER
INSTITUTE



UNIVERSITY OF
Nebraska
Medical Center

Connect With Us

Join Our Mailing List



Follow Us on Social Media



/MidAmericaMHTTC



@MidAmericaMHTTC



/company/MidAmericaMHTTC

Email: midamerica@mhttcnetwork.org

Website: mhttcnetwork.org/midamerica

