

LOS ANGELES SELF-ADVOCACY NEWS

By And For People With Developmental Disabilities

October, 2009

Issue 9

Surviving California's



Budget Crisis



Many of the budget cuts in California could seriously impact people with developmental disabilities. Here are some of the regional center cuts which could have the greatest effect on adult consumers, along with some ideas on how to use your self-advocacy skills to appeal.

- 1) The change: The least costly provider will be used.

What does this mean: If the regional center can find a cheaper program for you, they can switch you to it.

How you can appeal this: You would have to prove that the new provider cannot meet the goals in your IPP. You might be able to show that the staff doesn't have the training for your needs; that there is no one who speaks your language; that there are no friends your age for you to interact with; or that there are problems with the location of the program.

- 2) The change: Camp services, social recreation services, educational services and non-medical therapies (such as art, music, swimming, and gymnastics) are being suspended.

What does this mean: Regional centers will no longer fund these services at this time.

How you can appeal this: An exception can be made if you can show that the service is the main way of improving your disability or needed to allow you to stay in your home. A doctor's letter can help explain if some of these services are really more medical in nature.

- 3) The change: Supported living

If you are in supported living, you should use other services, like IHSS, as much as possible. If you have a room-mate, you will be asked to both use the same supported living provider. Rent and household expenses are the responsibility of the consumer and roommates.

What does this mean: If you can get services provided by other public agencies such as IHSS, Section 8 housing, or MediCal, or from family or friends, you should do so. Both people in the same apartment or home should use the same supported living program. Regional centers are not allowed to pay a consumer's rent.

How you can appeal this: If you and your roommate are using 2 different SLS providers and the regional center wants you to use the same one, you must show how your particular IPP needs cannot be met by another provider. Also, if the regional center has been paying your rent or mortgage, they can only continue to do this if the Executive



California's Budget Crisis



(continued from page 1)

Director states that payment is required due to your specific care needs in your IPP, and that you would be at a health and safety risk without it. They may pay this for 6 months unless it is necessary for longer, and they would need to verify this need every year.

4) The change: Transportation

Regional centers cannot fund private, specialized transportation for adults who can safely use the bus or other public transportation. Regional centers must fund the least expensive transportation that meets the consumer's needs in their IPP. If you are in a program, the regional center will fund transportation from the place where a consumer lives to the least expensive program that meets the client's needs listed in their IPP.

What does this mean: If you can use the bus, regional centers will not pay for special transportation services like a day program van or Access Services. Also, regional centers may purchase the cheapest transportation for you as long as it meets your needs. (This does not mean you are not eligible for Access Services. It just means that if you are eligible for Access, but if you can also use the bus, then the regional center won't pay for Access.)

How you can appeal this: You can try to seek funding for special transportation by explaining why it is not safe for you to use public transportation. You can also explain why the proposed least costly transportation won't meet your needs (such as if it doesn't bring you to the door and you need that because you get lost easily; or if the vehicle does not have a safe wheelchair lift or wheelchair tie-downs.)

Although there are several other changes, these are the main ones that affect adults. For all of these, there are a few basic rules that must be followed if you want to appeal:

- 1) If your regional center wants to change your services, it must either hold an IPP meeting and reach agreement with you about the change or give you a written notice.
- 2) The notice must be given 30 days before the change begins. The notice must give you the following information: the action the regional center is taking; the basic facts about why the regional center is making its decision; the reason for the action; the effective date; and the specific law, regulation or policy that supports the action.
- 3) If you are already receiving the service and you disagree with the regional center's decision and want to continue to receive it, you must request a fair hearing within 10 days of receiving the notice. If you do, the regional center must continue to fund the service until your appeal has been completed.
- 4) For additional information about the fair hearing process, go to the website: <http://www.disabilityrightsca.org/index.htm> , scroll down to The California Budget and click on #13 Regional Center Due Process and Hearing Rights.

Serious Cuts to IHSS

Note: At press time, a lawsuit has been filed to stop the cuts described below. We do not know what the result will be yet. The information below is the Governor's proposal:

In Home Support Services (IHSS) provides in-home assistance to low income frail seniors, and adults and children who are blind or disabled. Approximately 462,000 Californians receive IHSS services. Individuals are assigned hours based on their need, called a "functional index." People with the lowest functional index could lose all IHSS services. About 97,000 people ranked as relatively capable will lose certain services, including housekeeping, meal preparation, shopping, and errands.

People who will receive cuts will receive a Notice of Action in the mail in October. You have a right to request a fair hearing to appeal the reduction in services if you believe your functional index ranking is not correct or if you feel you cannot remain safely in your home without these services. Be sure to request a fair hearing before the effective date on the Notice of Action and request "Aid Paid Pending" so your services can continue while your case is being reviewed.

See page 5 for helpful phone numbers if you need help requesting a hearing.

Other IHSS changes:

All people who get IHSS and those who provide care will have to be fingerprinted and have a background check.

Some people will have to pay their own share of cost.

Check the Disability Rights California website for lawsuit updates: www.disabilityrightsca.org

MediCal Cuts Affect Many

As many of you know, the State budget includes major cuts to MediCal. Medical no longer pays for:

- Dental care;
- Optometrists (for eye exams, eyeglasses, contact lenses);
- Mental health services (therapy visits);
- Audiology (hearing aids);
- Podiatry (foot care);
- Incontinence supplies;
- Speech therapy;
- Chiropractors; and
- Acupuncture.

What you may not know is that regional centers are required to purchase the above services if you need them and have no other way to pay for them. The legislature has given extra funds to the Department of Developmental Services to distribute to the regional centers for dental care and other MediCal services, and to replace lost IHSS hours, and for SSI/SSP recipients who live independently, and whose monthly checks have been reduced. Ask for it!

If you need help, see the list of resources on page 5.



Self-Advocacy Group

Spotlight



In this issue, we are featuring New Horizons self-advocacy group. This group of 25 people has been meeting once a month for about 17 years! Members come from either their Activity Center, their café, or from their workshop.

At a typical meeting, announcements are made about upcoming trainings, conferences, and Special Olympics events. Then there is discussion about personal issues or there is sometimes a guest speaker to talk about topics such as self-advocacy, rights, or about emergency procedures.

They plan one party per year, usually around the holidays. Members vote for food choices and other party details by raising hands.

The group's President is Destry Walker and there is also a Secretary and Treasurer. These positions are somewhat permanent unless a current officer leaves the group. New members must attend 3 meetings in order to be full voting group members.

Janie Lord has been the Advisor to the group for about 5 years. She describes the group as "always willing to attend and wanting to be kept informed. Members are always asking when the next meeting will be." For more information about the group, contact Janie at 818-894-9301.

Editorial by Tom Fambro What Goodwill Means to Me

Forty six years ago as a teenager fresh out of high school, I went to work at Goodwill Industries of Chicago. I wasn't happy with their decision and I let them know it. Making a long story short, they showed me the door.

Now, forty six years later, I have another chance at Goodwill here in California. Before that, at Foothill, all I did was package screws which was boring. At Goodwill, I am working with computer memory, something I can use in the future.

Goodwill has many stores here in the San Gabriel Valley that I can work in, even one in Pasadena. Goodwill to me means opportunity to advance in the computer industry, and use my knowledge of retail.

Next Self-Advocacy Board Meeting-

Everyone is welcome to join us!

October 17, 2009

1:00 to 4:00 PM

Disability Rights California office

3580 Wilshire Blvd., Suite 920

Los Angeles, CA. 90010

Questions? Call 818-306-0571 or
818-543-4631.

Los Angeles Self-Advocacy News is published three times a year by the Self-Advocacy Board of Los Angeles County with help from Area Board 10.

Our officers are: President – Liz Lyons;

Vice-President – Dennis O'Brien; Secretary – Wesley Witherspoon; Treasurer – Margaret Barcelo;

Sergeant-at-Arms – Tom Fambro.

You are invited to send articles, stories, or letters by January 1 for our February issue. Send them to: Self-Advocacy Board, 411 N. Central Ave., Suite 620, Glendale, CA. 91203.

Phone: 818-543-4631. Email: sablac@earthlink.net

(We will do our best, but we cannot guarantee that we will have space to include all materials sent to us.)

Helpful Resources Concerning the Budget Cuts

Department of Developmental Services – www.dds.ca.gov/ConsumerCorner/Home.cfm
(has a simple summary of the budget reductions)

Developmental Disabilities Area Board 10 – 818-543-4631 – www.areaboard10.org

Disability Rights California (formerly Protection and Advocacy) - 213-427-8747 –
www.disabilityrightsca.org

Office of Clients' Rights Advocacy - 213-427-8761 - www.disabilityrightsca.org/ocra/

Personal Assistance Services Council (IHSS help) – 877-565-4477 – www.pascla.org

You can also contact the Consumer Advocate at your regional center.

Self-Advocacy Board Elects New Officers

At its meeting in May, 2009, the Self-Advocacy Board of L. A. County held elections of officers. After nominations and speeches the following people were elected for a 3-year term:

Liz Lyons – President

Vice-President – Dennis O'Brien

Secretary – Wesley Witherspoon

Treasurer – Margaret Barcelo

Sergeant-at-Arms – Tom Fambro

At her first meeting as President in July, 2009, Liz Lyons gave a certificate of appreciation to outgoing-President Daniel Redmond for his 3 years of service to the Board. The new Board officers look forward to working with self-advocates to teach them their rights, and to advocate for important issues that affect people with disabilities.

The following FREE Trainings are available to your groups!

Budget Cuts and Appeal Strategies

How to Start a Self-Advocacy Group

10 Things Every Regional Center Client Should Know

For more information and to schedule a training for your organization, contact
Melody Goodman at Area Board 10 at 818-543-4631.

SAVE THE DATE! SAVE THE DATE! SAVE THE DATE!

**TIMES ARE TOUGH. WE WANT TO WORK.
PEOPLE WITH DISABILITIES ARE SOME OF THE BEST
EMPLOYEES AROUND.**

The Self-Advocacy Board of Los Angeles County presents:



**PATHWAYS TO
SUCCESSFUL EMPLOYMENT!!!**

A one-day workshop for people with disabilities, job coaches, job developers,
and other interested individuals

Friday, February 5, 2010

9 AM to 4 PM

Center for Healthy Communities

1000 N. Alameda St.

Los Angeles, CA. 90012

COST IS \$25 per person

(Regional Center vendor #P24915)

(includes light breakfast and lunch)

Keynote Speaker: Sherry Beamer, M.S.W.

(Sherry is an expert in helping you think creatively to find the right job match.)

Topic choices (subject to change) will include:

Finding a Job

How Work Affects Benefits

Job Coaching – Best Practices

Ticket to Work

Resumés, Applications and Interviews

Job Accommodations

Rap Group About Job Search Experiences

and more

Registration and payment is due January 25, 2010 to avoid a late fee.

Registration forms will be available by late October.

In the meantime, if you have questions, call Liz at 818-306-0571 or Melody at 818-543-4631